

MINUTES OF THE REGULAR MEETING OF THE RAMAPO TOWN BOARD HELD ON
MARCH 13, 2024

The Town Board of the Town of Ramapo convened in on Wednesday, March 13, 2024 in the Edwin Wallace Auditorium of Ramapo Town Hall, 237 Route 59, Suffern, New York 10901.

Supervisor Michael B. Specht called the meeting to order and **Town Clerk, Sharon Osherovitz** called the roll. The following Board members were present and answered to their names:

Call to Order

Attendee Name	Title	Status	Arrived
Michael B. Specht	Supervisor	Present	
Brendel Charles	Councilwoman	Present	
Michael Rossman	Councilman	Present	
David Wanounou	Councilman	Present	
Yehuda Weissmandl	Councilman	Present	
Alyssa Slater	First Assistant Town Attorney	Present	
Sharon M. Osherovitz	Town Clerk	Present	

Public Participation:

The following persons wished to address the Town Board this evening:

Jackie Drechsler - Valley Cottage, NY -unfavorable opinion on Millers Pond project; questioned where will water go, where will power come from?

Deborah Munitz - 5 Rose Hill Road, Montebello, NY - advised neighbors are against the Millers Pond project; plan is not ready yet.

Helen Santos - 7 Camp Hill Road, Pomona, NY - requested the Board work with the neighbors on the Millers Pond project; submitted written comments expressing concerns

Close Open Period for Public Participation

RESOLUTION NO. 2024-132

RESOLVED by the Town Board of the Town of Ramapo that the Open Period for Public Participation held this evening, March 13, 2024, be hereby **closed at 7:11 P.M.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Acceptance of Minutes:

Regular Meeting of February 28, 2024

RESOLUTION NO. 2024-133

RESOLVED by the Town Board of the Town of Ramapo that the following Minutes of the Ramapo Town Board be hereby accepted, adopted, and recorded in the Minute Book:

FEBRUARY 28, 2024 - REGULAR

RESULT:	ADOPTED [4 TO 0]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou
ABSTAIN:	Weissmandl

Town Attorney:

Millers Pond

SUPERVISOR SPECHT announced representatives of the Millers Pond project were present to address the audience.

CHARLES GOTTLIEB, of Whiteman Osterman & Hana, LLP, attorney for applicant stated environmental impact concerns and written comments were responded to by memorandum dated February 7, 2024. The Northeast Corridor was studied by the Town and the Millers Pond petition expanded that comprehensive review on hot topics such as sewer, water, traffic and land use.

JOSEPH KAZARNOVSKY, applicant, agreed with his attorney that environmental issues were addressed through multiple submissions. Speaking specifically on the Camp Hill Road corner, Mr. Kazarnovsky spoke on concerns at the entrance and exit, building height, screening, and traffic. He expressed commitment to having workshops in the next few weeks with neighbors to hear and carefully address concerns.

COUNCILMAN WEISSMANDL put forth the condition that height not to exceed four (4) stories.

COUNCILWOMAN CHARLES questioned flooding in the area. Mr. Gottlieb advised the Stormwater Pollution Prevention Plan follows the New York State DEC guidelines and addresses those concerns.

Adoption of Millers Pond Planned Unit Development Local Law, Rezoning of Certain Lands to the MP-PUD District, and Establishment of an Open Development Area for the MP-PUD

RESOLUTION NO. 2024-134

WHEREAS, on or about January 13, 2023, pursuant to Town of Ramapo Zoning Law (“Zoning Law”) § 376-24, the Town of Ramapo Town Board (“Town Board”) received a petition (the “Petition”) from Mount Ivy LLC and Lindifrim (Pomona) LP (“Petitioner”) for the rezoning of specified parcels of land for a proposed mixed-use multi-family development, titled Millers Pond Planned Unit Development (“MP-PUD”), composed of 637 residential units (of mixed types) and approximately 103,000 square feet, later reduced to 67,000 square feet, of non-residential, mixed-use commercial space (the “Project”); and

WHEREAS, the Project Site consists of 143.6 acres located within the Town of Ramapo which encompasses tax parcels 33.13-2-6, 33.09-2-31 and 33.09-2-37 (the “Project Site”), which Project Site is the former Minisceongo Golf Course property; and

WHEREAS, the Petition included, (1) the proposed Millers Pond Planned Unit Development local law, (2) all necessary application forms, (3) Millers Pond Environmental Assessment Form Parts 1 & 2 and Supplement (Part 3), prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated January 2023, last revised August 16, 2023, which included various environmental reports and studies, (4) Preliminary MP-PUD plans, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C. (“Kimley Horn”), dated January 20, 2023 and last revised August 14, 2023; and

WHEREAS development of the Project Site has been identified in the Northeast Ramapo Development Plan Final Generic Environmental Impact Statement (“NRDP GEIS”) as Opportunity Area D and deemed suitable for the proposed MP-PUD, which is designed to further the development goals of the NRDP; and

WHEREAS, in addition to the Town Board’s consideration of the requested rezoning and preliminary MP-PUD plan approval of the Project Site, the Petitioner also seeks to have the Town Board designate the Project Site as an Open Development Area (“ODA”) pursuant to New York Town Law N.Y. Town Law § 280-a(4); and

WHEREAS, the Petitioner requests the following from the Town Board to facilitate the Project pursuant to Zoning Law § 376-24 and Zoning Law Art. XVII, and New York Town Law § 280-a:

- 1) Rezoning of the Project Site from the RR-80 zoning district to the proposed MP-PUD district (the “MP-PUD Rezoning”), as represented on the MP-PUD Zoning District plan, prepared by Kimley Horn and corresponding metes and bound description, attached to this resolution as Appendix A;
- 2) Adoption of the proposed Millers Pond Planned Unit Development Local Law (“MP-PUD Local Law”) adding § 376-25 to the Ramapo Zoning Law, setting forth the development standards applicable to the Project Site for the proposed MP-PUD, and rezoning the Project Site MP-PUD, attached to this resolution as Appendix B;
- 3) Preliminary Planned Unit Development (“PUD”) approval pursuant to Zoning Law § 376-24 as set forth in the proposed MP-PUD Preliminary PUD Plans, prepared by Kimley Horn, dated January 5, 2024 (the “Preliminary MP-PUD Plans”), attached to this resolution as Appendix C; and
- 4) Approval of the proposed Open Development Area permitting certain internal private roads within the MP-PUD as set forth in the MP-PUD Local Law and the Preliminary MP-PUD Plans (the “ODA”).

WHEREAS, upon receiving the Petition, it was reviewed by the Town of Ramapo Community Design Review Committee (“CDRC”) for review and comment; and

WHEREAS, the Petitioner presented to the CDRC at three meetings, occurring on February 15, 2023, March 8, 2023, and June 7, 2023, and obtained comments from the CDRC and the Town’s consultants; and

WHEREAS, the Petitioner has submitted extensive additional data, information and analysis regarding the Project in response to comments on the Petition and related materials from the CDRC, Town consultants, Town Board and interested and involved agencies, including specific requirements for the design of the proposed private roads internal to the Project to ensure they are suitable for vehicles, pedestrians and emergency vehicles, and such responsive information has been posted for public review and updated as necessary on the Town’s webpage; and

WHEREAS, throughout the entirety of the review process, the Town Board and its professional consultants have thoroughly evaluated the Petition and all supporting documents related to the Project, the MP-PUD Rezoning, MP-PUD Local Law, Preliminary MP-PUD Plans, and the ODA. The below is a list of all Zoning Petition and supporting documents submitted by the Petitioner to the Town Board and its consultants, which have been thoroughly reviewed by the Town Board and its consultants:

January 13th 2023: Submission to Ramapo Town Board

- Cover Letter from Daniel A. Ruzow, Whiteman Osterman & Hanna LLP dated 1/25/2023
- Flex-Overlay Planned Unit Development Application Review Submittal Checklist, dated 1/13/23
- Flex-Overlay Planned Unit Development Application, dated 12/20/22
- Affidavit of Ownership, dated 12/20/22
- Owner’s Consent Affidavit, dated 12/20/22
- Affidavit Pursuant to Section 809 of the General Municipal Law, dated 12/20/22
- Billing Contact Form, dated 12/20/22
- Payment of PUD Submission Fees, dated 1/12/23
- Payment of PUD Escrow Fees, dated 1/12/23
- Millers Pond Environmental Assessment Form Supplement (Part 3), prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, which includes:

- Full EAF Parts 1 and 2 (dated January 2023)
 - Preliminary Stormwater Pollution Prevention Plan (“SWPPP”), prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023
 - Water Supply Source Analysis, prepared by Alpha GeoScience, dated January 2023
 - Indiana Bat & Northern Long-Eared Bat Habitat Assessment and Acoustic Survey, prepared by Edgewood Environmental Consulting, LLC, dated 11/22/2022
 - Monarch Butterfly Habitat Assessment, prepared by Edgewood Environmental Consulting, LLC, dated 9/6/2022
 - Angular Plane Illustrations, prepared by MHS Architecture, dated 7/28/2021
 - Correspondence from Tim Lloyd, Ph.D., RPA of NYSOPRHP, dated 1/15/2020
 - Correspondence from R. Daniel Mackay, Deputy Commissioner for NYSOPRHP, dated 4/16/2020
 - Traffic Impact Study, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/12/2023
 - Air Quality Analysis & Impact Review, prepared by B. Laing Associates, dated 11/30/2022
 - Greenhouse Gas Emissions Analysis, prepared by B. Laing Associates, dated December 2022
 - Proposed Millers Pond Planned Unit Development (“MP-PUD”) Local Law
- Millers Pond Preliminary PUD Plan set, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023

May 9th 2023: Interim Submission to CDRC

- Cover Letter from Charles J. Gottlieb, Whiteman Osterman & Hanna LLP dated 5/9/2023
- Millers Pond Responses to Comments from Ramapo CDRC Meeting on 2/15/2023, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 5/9/2023
- A Local Law Amending Chapter 376 Of The Town Ramapo Town Code To Create The Millers Pond Planned Unit Development (MP-PUD) And Amend The Town Of Ramapo Zoning Map To Locate The MP-PUD, Draft dated May 9, 2023
- Electric Utility Load Letter, prepared by KEA Engineers, dated March 30, 2023
- Millers Pond Planned Unit Development (PUD) Code Analysis of Fire Access Roads, prepared by RAN Fire Protection Engineering, dated May 5, 2023
- Traffic Attachment (NYMTC Data and Accident Tables), prepared by Kimley-Horn Engineering and Landscape Architecture of NY, P.C., dated May 2023
- Preliminary PUD Site Plan, prepared by Kimley-Horn Engineering and Landscape Architecture of NY, P.C., dated January 10, 2023, revised May 5, 2023.
- Pedestrian Facilities Plan, prepared by Kimley-Horn Engineering and Landscape Architecture of NY, P.C., dated January 10, 2023, revised May 5, 2023.

May 31st 2023: Supplemental Submission to CDRC

- Cover Letter from Daniel A. Ruzow, Whiteman Osterman & Hanna LLP dated 5/31/2023
- Preliminary Stormwater Pollution Prevention Plan (“SWPPP”), prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, revised 5/19/2023
- Traffic Impact Study, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/12/2023, revised 5/31/2023
- Millers Pond PUD Sanitary Sewer Flow Study, prepared by Kimley-Horn Engineering and Landscape Architecture of NY, P.C., dated May 19, 2023
- Proposed Millers Pond Development Water Budget Analysis, prepared by Alpha Geological Services, DPC, dated May 31, 2023

June 27th 2023: Submission to Ramapo Town Board & CDRC

- Cover Letter from Daniel A. Ruzow, Whiteman Osterman & Hanna LLP dated 6/27/2023
- Memorandum to Ramapo CDRC, prepared by Kimley-Horn, dated 6/27/23, Millers Pond PUD Responses to Comments from Ramapo CDRC meeting 6/7/23

- Millers Pond Environmental Assessment Form Supplement (Part 3), prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, revised June 2023 which includes:
 - EAF Parts 1 and 2 (dated January 2023)
 - Preliminary Stormwater Pollution Prevention Plan (“SWPPP”), prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, revised 5/19/2023
 - Correspondence from Department of the Army, New York District, Corps of Engineers, dated 9/20/2018
 - Correspondence from New York State Department of Environmental Conservation, dated 6/8/2023
 - Water Supply Source Analysis, prepared by Alpha GeoScience, dated January 2023
 - Proposed Millers Pond Development Water Budget Analysis, prepared by Alpha Geological Services, DPC, dated May 31, 2023
 - Millers Pond PUD Sanitary Sewer Flow Study, prepared by Kimley-Horn Engineering and Landscape Architecture of NY, P.C., dated May 19, 2023
 - Indiana Bat & Northern Long-Eared Bat Habitat Assessment and Acoustic Survey, prepared by Edgewood Environmental Consulting, LLC, dated 11/22/2022
 - Monarch Butterfly Habitat Assessment, prepared by Edgewood Environmental Consulting, LLC, dated 9/6/2022
 - Angular Plane Illustrations, prepared by MHS Architecture, dated 7/28/2021
 - Correspondence from Tim Lloyd, Ph.D., RPA of NYSOPRHP, dated 1/15/2020
 - Correspondence from R. Daniel Mackay, Deputy Commissioner for NYSOPRHP, dated 4/16/2020
 - Traffic Impact Study, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/12/2023, revised 5/31/2023
 - Air Quality Analysis & Impact Review, prepared by B. Laing Associates, dated 11/30/2022
 - Greenhouse Gas Emissions Analysis, prepared by B. Laing Associates, dated December 2022
 - Proposed Millers Pond Planned Unit Development (“MP-PUD”) Local Law
 - Millers Pond Planned Unit Development (PUD) Code Analysis of Fire Access Roads, prepared by RAN Fire Protection Engineering, dated May 5, 2023
 - Millers Pond Preliminary PUD Plan set, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, revised 6/16/2023

August 16th 2023: Revised Submission to Ramapo Town Board

- Cover Letter from Daniel A. Ruzow, Whiteman Osterman & Hanna LLP dated 8/16/2023
- A Proposed Local Law to establish the MP-PUD at the Project site and Zoning Map Amendment (including Exhibits A, B & C related thereto) with changes reviewed by the Town’s environmental and legal consultants (attached)
- Millers Pond Environmental Assessment Form Supplement (Part 3), prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, revised June 2023 & August 2023 which includes:
 - Full EAF Parts 1 and 2 (dated January 2023)
 - Preliminary Stormwater Pollution Prevention Plan (“SWPPP”), prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, revised 5/19/2023
 - Correspondence from Department of the Army, New York District, Corps of Engineers, dated 9/20/2018
 - Correspondence from New York State Department of Environmental Conservation, dated 6/8/2023
 - Water Supply Source Analysis, prepared by Alpha GeoScience, dated January 2023
 - Proposed Millers Pond Development Water Budget Analysis, prepared by Alpha Geological Services, DPC, dated May 31, 2023

- Millers Pond PUD Sanitary Sewer Flow Study, prepared by Kimley-Horn Engineering and Landscape Architecture of NY, P.C., dated May 19, 2023
 - Indiana Bat & Northern Long-Eared Bat Habitat Assessment and Acoustic Survey, prepared by Edgewood Environmental Consulting, LLC, dated 11/22/2022
 - Monarch Butterfly Habitat Assessment, prepared by Edgewood Environmental Consulting, LLC, dated 9/6/2022
 - Angular Plane Illustrations, prepared by MHS Architecture, dated 7/28/2021
 - Correspondence from Tim Lloyd, Ph.D., RPA of NYSOPRHP, dated 1/15/2020
 - Correspondence from R. Daniel Mackay, Deputy Commissioner for NYSOPRHP, dated 4/16/2020
 - Traffic Impact Study, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/12/2023, revised 5/31/2023
 - Air Quality Analysis & Impact Review, prepared by B. Laing Associates, dated 11/30/2022
 - Greenhouse Gas Emissions Analysis, prepared by B. Laing Associates, dated December 2022
 - Proposed Millers Pond Planned Unit Development (“MP-PUD”) Local Law
 - Millers Pond Planned Unit Development (PUD) Code Analysis of Fire Access Roads, prepared by RAN Fire Protection Engineering, dated May 5, 2023
- Millers Pond Preliminary PUD Plan set, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, revised 6/16/2023 & 8/14/2023
August 18th 2023: Rockland County GML Submission
 - Cover Letter from Daniel A. Ruzow, Whiteman Osterman & Hanna LLP dated 8/18/2023
 - Flex-Overlay Planned Unit Development Application Review Submittal Checklist, dated 1/13/23
 - Flex-Overlay Planned Unit Development Application, dated 12/20/22
 - Affidavit of Ownership, dated 12/20/22
 - Owner’s Consent Affidavit, dated 12/20/22
 - Affidavit Pursuant to Section 809 of the General Municipal Law, dated 12/20/22
 - Billing Contact Form, dated 12/20/22
 - Proof of Payment of PUD Submission Fees, dated 1/12/23
 - Proof of Payment of PUD Escrow Fees, dated 1/12/23
 - Cover Letter from Daniel A. Ruzow, Whiteman Osterman & Hanna LLP dated 8/16/2023
 - A Proposed Local Law to establish the MP-PUD at the Project site and Zoning Map Amendment (including Exhibits A, B & C related thereto) with changes reviewed by the Town’s environmental and legal consultants (attached)
 - Millers Pond Environmental Assessment Form Supplement (Part 3), prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, revised June 2023 & August 2023 which includes:
 - EAF Parts 1 and 2 (dated January 2023)
 - Preliminary Stormwater Pollution Prevention Plan (“SWPPP”), prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, revised 5/19/2023
 - Correspondence from Department of the Army, New York District, Corps of Engineers, dated 9/20/2018
 - Correspondence from New York State Department of Environmental Conservation, dated 6/8/2023
 - Water Supply Source Analysis, prepared by Alpha GeoScience, dated January 2023
 - Proposed Millers Pond Development Water Budget Analysis, prepared by Alpha Geological Services, DPC, dated May 31, 2023
 - Millers Pond PUD Sanitary Sewer Flow Study, prepared by Kimley-Horn Engineering and Landscape Architecture of NY, P.C., dated May 19, 2023
 - Indiana Bat & Northern Long-Eared Bat Habitat Assessment and Acoustic Survey, prepared by Edgewood Environmental Consulting, LLC, dated 11/22/2022
 - Monarch Butterfly Habitat Assessment, prepared by Edgewood Environmental Consulting, LLC, dated 9/6/2022

- Angular Plane Illustrations, prepared by MHS Architecture, dated 7/28/2021
 - Correspondence from Tim Lloyd, Ph.D., RPA of NYSOPRHP, dated 1/15/2020
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 - Traffic Impact Study, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/12/2023, revised 5/31/2023
 - Air Quality Analysis & Impact Review, prepared by B. Laing Associates, dated 11/30/2022
 - Greenhouse Gas Emissions Analysis, prepared by B. Laing Associates, dated December 2022
 - Proposed Millers Pond Planned Unit Development (“MP-PUD”) Local Law
 - Millers Pond Planned Unit Development (PUD) Code Analysis of Fire Access Roads, prepared by RAN Fire Protection Engineering, dated May 5, 2023
- Millers Pond Preliminary PUD Plan set, prepared by Kimley-Horn Engineering & Landscape Architecture of NY, P.C., dated 1/10/2023, revised 6/16/2023 & 8/14/2023 (collectively referred to as the “Zoning Petition and Supporting Documents”).

WHEREAS, pursuant to the New York State Environmental Quality Review Act (“SEQRA”), on February 2, 2023, the Town Board identified its intent to become SEQRA Lead Agency and subsequently coordinated the selection of Lead Agency with all potentially involved agencies. No involved agency objected to the Town Board’s designation as Lead Agency and on June 14, 2023, the Town Board declared itself the Lead Agency for the Project’s environmental review; and

WHEREAS, on or about August 23, 2023, the Town Board as the SEQRA Lead Agency after a thorough and careful review of the Zoning Petition and Supporting Documents and receipt of advice from the CDRC and special counsel and review of written comments submitted to the Town Board, adopted an Amended and Supplemental SEQRA Findings Statement for the NRDP GEIS (“Amended and Supplemental SEQRA Findings”), which Amended and Supplemental SEQRA Findings included consideration of analyses and information contained in the NRDP GEIS and the additional site specific impacts related to the MP-PUD Rezoning, MP-PUD Local Law, Preliminary MP-PUD Plans, and the ODA, (as outlined in the Zoning Petition and Supporting Documents) and determined that, upon site specific review, there were no potential significant adverse impacts that might arise or could not be adequately mitigated and thus a supplemental DEIS was not warranted; and

WHEREAS, on or about August 23, 2023, pursuant to Town of Ramapo Zoning Law §§ 376-24(B)(2-3) and 376-170 and New York Town Law N.Y. Town Law § 280-a(4), the Town Board referred the proposed MP-PUD Local Law, MP-PUD Rezoning, Preliminary MP-PUD Plans, the ODA and related Zoning Petition and Supporting Documents to the Town of Ramapo Planning Board (“Planning Board”) for recommendations (the “Referral”); and

WHEREAS, the Planning Board considered the Referral at its regularly scheduled public meeting on September 12, 2023 to discuss the Referral; and

WHEREAS, individual members of the Planning Board conducted a site visit to the Project Site, in compliance with New York’s Open Meeting Law, to assist with its review of the Referral; and

WHEREAS, the Planning Board, Planning staff and its professional consultants undertook considerable review and extensive analysis of the Petition, MP-PUD Local Law, MP-PUD Rezoning, Preliminary MP-PUD Plans, and the ODA (Zoning Petition and Supporting Documents); and

WHEREAS, on October 17, 2023, at its regularly scheduled public meeting, the Planning Board held another public meeting to discuss the Referral and made the following findings in its recommendation to the Town Board:

- 1) **MP-PUD Development:** The Planning Board finds that the proposed MP-PUD development is consistent with goals and intent of the NRDP GEIS and the amendments made to the Town of Ramapo Comprehensive Plan. The proposed development will allow for additional housing in the Town of Ramapo that would be serviced by on-site commercial uses and internal private roads. Further, the clustered nature of the development and the proposed open spaces facilitate the development goal of creating a walkable community.

The Planning Board recommends approval of the MP-PUD by the Town Board and if such approval is granted, the Planning Board will conduct a more detailed review of the materials when the Petitioner submits its Final PUD application [inclusive of a Site Development Permit application] to the Planning Board.

- 2) **MP-PUD Local Law and Zoning Map Amendment:** The Planning Board and its consultants have reviewed the proposed MP-PUD local law and related rezoning of the Project Site into the MP-PUD. The Planning Board agrees with the identified area and bulk regulations within the MP-PUD local law and believes it provides great clarity for the Planning Board to continue its review of the proposed MP-PUD if it reaches the Final PUD permitting stage before the Planning Board.

The Planning Board recommends approval of the MP-PUD local law by the Town Board.

- 3) **Open Development Area:** The Planning Board understands the need for the MP-PUD to be designated as an Open Development Area within the Town of Ramapo pursuant to New York Town Law § 280-a(4). The Petitioner has indicated that the need for an Open Development Area is required given that the internal roads, which would provide access and frontage for all proposed structures within the MP-PUD, would not be separate subdivided lots and would not be dedicated to the Town. Given this, there is a need for the MP-PUD to be an Open Development Area to allow the Town's Building Department to issue building permits for structures within the MP-PUD.

WHEREAS, on August 23, 2023, the Town Board scheduled a public hearing for September 13, 2023; and

WHEREAS, pursuant to Zoning Law § 376-24(B)(3)(d), on September 13, 2023 the Town Board held a duly noticed public hearing related to the MP-PUD Rezoning, MP-PUD Local Law, Preliminary MP-PUD Plans, and the ODA (as incorporated into the MP-PUD Local Law) and received public comments from all interested parties and persons and continued the public hearing until October 25, 2023 for additional receipt of public comments; and

WHEREAS, to ensure effective public participation, the Town Board extended the public comment period for written comments first until November 3, 2023 and then again to November 13, 2023; and

WHEREAS, pursuant to New York General Municipal Law § 239-m, on or about August 24, 2023, the Town Board referred the Petition, MP-PUD Rezoning, MP-PUD Local Law, Preliminary MP-PUD Plans, and the ODA (as incorporated into the MP-PUD Local Law) and related Zoning Petition and Supporting Documents to the Rockland County Planning Department (the "GML Referral"); and

WHEREAS, as a result of the GML Referral, the Town Board received comments from Rockland County Planning Department, dated October 23, 2023; and

WHEREAS, during the public hearing and extended public comment period, the Town Board received comments from residents, nearby municipalities and other involved and interested agencies; and

WHEREAS, on February 7, 2024, the Petitioner submitted a comprehensive response to comment documents with related appendices responding to all public comments obtained, including but not limited to public comments from members of the public, Town consultants, Rockland County, and nearby municipalities (the "Response to Comments"); and

WHEREAS, on February 7, 2024, the Petitioner submitted responses to comments obtained pursuant to the GML Referral to Rockland County Planning Department; and

WHEREAS, pursuant to Town of Ramapo Local Law 5 of 2022, which adopted Zoning Law § 376-24, et. al, the purpose of the Town's PUD regulations is to provide "development that is planned and designed as an integrated land use that makes more efficient use of land while reducing disturbance and avoiding environmentally sensitive areas on the site, resulting in a development, that contains more amenities, shares common infrastructure that can be operated and maintained effectively and efficiently, and which is more desirable to live in than one produced in accordance with typical zoning ordinance and subdivision controls"; and

WHEREAS, as demonstrated by the Preliminary MP-PUD Plans, the smaller tax parcels known as tax IDs 33.09-2-37 & 33.09-2-3, located at the northern portion of the Project Site, are not proposed for development and are protected from development and use other than recreation and recreational structures that are permitted by applicable deed and/or title restrictions with Rockland County to preserve their environmental qualities adjacent the Samuel G. Fisher Mount Ivy Environmental Park (the “Recreational Parcels”); and

WHEREAS, the Town Board, in its legislative discretion, recognizes that inclusion of the Recreational Parcels into the MP-PUD zone will further protect them from development given that the Preliminary MP-PUD Plans do not permit any development or use of the Recreational Parcels and will maintain them for only permitted recreational uses and the Town Board prohibits development on the Recreational Parcels except recreational uses and recreational structures that are permitted by applicable deed and/or title restrictions with Rockland County ; and

WHEREAS, the Town Board recognizes that tax lot 33.09-2-31 is contiguous to the other parcels within the Project Site to be zoned MP-PUD given that it is connected to the Project Site via existing trails and access easement and as part of the MP-PUD serves the environmental conservation purpose of its inclusion into the MP-PUD; and

WHEREAS, the Town Board recognizes the intent of the PUD regulations set forth in Zoning Code § 376-24, as adopted by Local Law 5 of 2022, is to “allow flexibility in planning and designing land development proposals”; and

WHEREAS, to achieve the desired flexibility in the development planning process, the regulations set forth in Zoning Law § 376-24 contemplate phased development approach that includes a hierarchy of review from both the Town Board and the Planning Board; and

WHEREAS, pursuant to Zoning Law § 376-24(B)(3), the Town Board is responsible for the preliminary PUD approval, which is granted herein by the approval of the Preliminary MP-PUD Plans and the MP-PUD Local Law; and

WHEREAS, pursuant to Zoning Law § 376-24(B)(3)(i), “[t]he Town Board may approve the preliminary PUD plan by identifying phases of construction, and the applicant may then seek final PUD plan approval from the Planning Board for each phase individually”; and

WHEREAS, pursuant to Zoning Law § 376-24(B)(3), the Town Board shall “act to approve, approve with modifications and/or conditions or deny the PUD District zoning amendment and the preliminary PUD plan, and, if approved, amend the local law or zoning ordinance to establish and map a PUD District”; and

WHEREAS, in accordance with Zoning Law § 376-24(B)(3), the Town Board shall set forth certain conditions within this Resolution that shall run with the land and be applicable to any development within the MP-PUD; and

WHEREAS, pursuant to Zoning Law § 376-24(B)(3)(i), prior to receiving the Planning Board Chairman's signature on the final PUD plan/site development plan review as noted below, the applicant must ensure that all infrastructure necessary to allow that phase to operate properly will be provided; and

WHEREAS, the Town Board recognizes that the Planning Board, during final PUD approval is charged with additional detailed review of the proposed infrastructure for the MP-PUD and shall review and approve detailed infrastructure requirements that are within its final PUD approval jurisdiction; and

WHEREAS, as noted above, the Town Board evaluated the relevant areas of environmental concerns via a Generic Environmental Impact Statement for the NRDP which may be broader and more general than a site specific environmental impact statement to identify the relevant areas of environmental concern and issued SEQRA Findings pertaining to impacts likely to result from adoption of the NRDP, the enactment of the Flex-Overlay Planned Unit Development zone and future development of the former Minisceongo Golf Course site denominated “Opportunity Area D” in the NRDP; and

WHEREAS, in addition to the above, given its final PUD jurisdiction, the Planning Board is an involved agency pursuant to SEQRA and is required to issue independent findings pursuant to 6 NYCRR 617.11(c) based on its jurisdictional review of any proposed final PUD application related to a site specific phase of development and detailed infrastructure requirements of each phase of development; and

WHEREAS, pursuant to Zoning Law § 376-24(B)(4)(d)(3), the Planning Board is required to assess its review of a final PUD application for a specific phase of development on any additional mitigation measures identified in its involved agency SEQRA review related to the more specific final PUD plan/site development plan; and

WHEREAS, pursuant to Zoning Law § 376-24(B)(6), to the extent that the Planning Board's final PUD approval of a specific phase and the related SEQRA review for that specific phase results in any substantial changes the Preliminary MP-PUD Plan or the MP-PUD Local Law, petitioner is required to seek amendment of its Preliminary MP-PUD Plan approval with the Town Board; and

WHEREAS, the Response to Comments provided by the Petitioner, include a thorough evaluation of public comments and has also provided guidance for non-substantive changes to the MP-PUD Local Law and Preliminary MP-PUD Plans to provide additional clarity consistent with public comments received and the Zoning Law; and

WHEREAS, the Town Board has reviewed Zoning Law § 376-24(A), planned unit development general regulations, and found the Project, MP-PUD Rezoning, MP-PUD Local Law, Preliminary MP-PUD Plans, and the ODA (as incorporated into the MP-PUD Local Law) are consistent such regulations; and

WHEREAS, consistent with Zoning Law § 376-24(A)(1)(a) and represented within the Zoning Petition and supporting documents, the Project Site is approximately 143.6 acres of land under common ownership and thus exceeds the minimum acreage requirements of Zoning Law § 376-25(A)(1)(a); and

WHEREAS, in addition, the Project Site has access via Camp Hill Road, Pomona Road and Station Road. As represented in the MP-PUD Local Law and Preliminary MP-PUD Plans, internal roads will be constructed and conform to all applicable standards within the MP-PUD Local Law. These internal roads will be publicly accessible and will provide adequate frontage pursuant to the proposed ODA. The Town Board notes that the Project Site has been specifically identified and studied for planned unit development within the NRDP (as incorporated into the Town of Ramapo Comprehensive Plan); and

WHEREAS, consistent with Zoning Law § 376-24(A)(2), the MP-PUD Local Law and Preliminary MP-PUD Plans permit various residential and non-residential uses. In setting the permitted uses within the MP-PUD Local Law, upon final PUD approval, the Planning Board is to ensure that each phase to be developed must conform to the permitted uses set forth in the MP-PUD Local Law; and

WHEREAS, consistent with Zoning Law § 376-24(A)(3), the Preliminary MP-PUD Plans and the MP-PUD Local Law set forth the allowable residential and non-residential density for the MP-PUD. The Town Board and its consultants have reviewed public and agency comments on the methodology for calculating density and FAR under the Ramapo Zoning Code and the Petitioner's response to these comments. The Town Board notes that, consistent with the nature of a planned unit development and the Zoning Law, the MP-PUD and Project will be governed by the Preliminary MP-PUD Plans and the area and bulk regulations within the MP-PUD Local Law. The Town Board finds that all other area and bulk regulations within the Zoning Law are inapplicable to the newly created MP-PUD district (see Table of Bulk Regulations, Note Regarding PUD Districts stating that "[a]rea and bulk regulations, and other inconsistent language and regulations elsewhere in the Zoning Law, are not applicable within an approved PUD District."); and

WHEREAS, the Town Board recognizes that all environmentally sensitive lands (e.g. wetlands, wetland buffers, limited areas of floodplain and open space areas adjacent to the Rockland County Mt. Ivy Park) will be preserved by the Project, and, therefore, such acreage is permitted to be included for density calculations (including Floor Area Ratio "FAR") consistent with the MP-PUD Local Law and the Town Board's legislative prerogative to amend the Zoning Law; and

WHEREAS, for purposes of calculating residential density within the MP-PUD Local Law, the Town Board recognizes that the total acreage (143.6 acres) of the Project Site is to be considered; and

WHEREAS, for purposes of calculating non-residential density within the MP-PUD Local Law, the Town Board recognizes that the total acreage of the non-residential portion of the Project Site (7.8 acres) is to be considered, which is reflected on the Preliminary MP-PUD Plans as the "Village Center"; and

WHEREAS, consistent with the above and related to density, the MP-PUD Local Law and Preliminary MP-PUD Plans permit a maximum of 5 residential units per gross acre of land within the MP-PUD, which does not exceed the maximum allowable density in any zoning district (i.e. MR-12 zoning district allows a maximum of 12 units per acre) and that total residential units, of all types (single family and apartments), shall not exceed the maximum of 637 units; and

WHEREAS, consistent with the above and related to density, the Preliminary MP-PUD Plans permit a residential FAR of 0.33, which is less dense than the 0.75 FAR for adult student housing within the RR-80 zoning district (the current zoning classification of the Project Site) and therefore compliant with Zoning Law § 376-24(A)(3) which sets forth the maximum allowable density for PUDs; and

WHEREAS, consistent with the above and related to density, the MP-PUD Local Law and Preliminary MP-PUD Plans permit a non-residential FAR of 0.30 (not to exceed 67,000 SF), which is consistent with non-residential FAR within the RR-80 zoning district (the current zoning classification of the Project Site) and therefore compliant with Zoning Law § 376-24(A)(3); and

WHEREAS, the Town Board recognizes and conditions its approval on the requirement that, if the Petitioner or subsequent developer of the Project seeks to increase the permitted residential or non-residential density/FAR as set forth in the MP-PUD Local Law and Preliminary MP-PUD Plans, it must seek an amendment of the MP-PUD Local Law and Preliminary MP-PUD Plans from the Town Board consistent with Zoning Law § 376-24(B)(6)(b); and

WHEREAS, consistent with Zoning Law § 376-24(A)(4), the MP-PUD Local Law and Preliminary MP-PUD Plans set forth specific area and bulk requirements appropriate for the Project. To this end, the Town Board recognizes that the all other area and bulk regulations within the Zoning Law are inapplicable to the MP-PUD (see Table of Bulk Regulations, Note Regarding PUD Districts stating that “[a]rea and bulk regulations, and other inconsistent language and regulations elsewhere in the Zoning Law, are not applicable within an approved PUD District.”); and

WHEREAS, consistent with Zoning Law § 376-24(A)(5), the MP-PUD Local Law and Preliminary MP-PUD Plans permit commercial development and residential dwelling units that have access via the three types of private roadways that are set forth in the Preliminary MP-PUD Plans and identified in the MP-PUD Local Law: (1) Main Streets, (2) local streets and (3) laneways (collectively referred to herein as the “Private Roads”). After review by the Town Board, Planning Board and the Town’s professional consultants, the MP-PUD Local Law and Preliminary MP-PUD Plans have set forth applicable widths and other specifications for the Private Roads that shall govern the development of the Project and will be applicable during final PUD approval for each specific phase by the Planning Board; and

WHEREAS, to the extent that any road specifications in the MP-PUD Local Law or Preliminary MP-PUD Plans are substantively changed, the Petitioner or subsequent developer must seek an amendment of the MP-PUD Local Law and Preliminary MP-PUD Plans from the Town Board consistent with Zoning Law § 376-24(B)(6)(b); and

WHEREAS, in addition to the above and to ensure compliance with New York Town Law § 280-a, the Petitioner has requested designation of the Project Site as an ODA to allow all internal lots to be considered the appropriate frontage to obtain a building permit, which ODA has been referred and recommended by the Planning Board; and

WHEREAS, the Project will include a master homeowners association (“HOA”) and may include specific condominium associations for phases of development as applicable. As such, all Private Roads and common areas will be owned by either the individual condominium associations or the HOA and will be maintained by the HOA. The Private Roads will all be maintained by the HOA, with access being provided via easement to residents, members of the public, garbage collectors, school districts, snowplows, utilities, etc.; and

WHEREAS, consistent with Zoning Law § 376-24(A)(6) and prior to obtaining a building permit, the Petitioner will enter into an agreement with the Town of Ramapo that will set forth procedures and responsibilities in the event that the HOA fails to maintain the common land or any improvements thereon in reasonable order or condition in accordance with the approved Preliminary MP-PUD Plans and MP-PUD Local Law. Such agreement shall run with the land and be subject to the reasonable approval of the Town Attorney and Town Board; and

WHEREAS, given the recreational space and open areas within the MP-PUD open to the public, as reflected in the MP-PUD Plans (Village Green, 6 neighborhood parks, 56 acres of natural open spaces, walking trails, clubhouse/community center), the Town Board finds that the Project provides sufficient recreational opportunities on the Project Site and therefore an additional fee for recreational needs is not required; and

WHEREAS, by this Resolution, and based on the recommendations from the Planning Board and based on the reviews of the Town's professional consultants, the Town Board fulfills its obligations under Zoning Law §§ 376-24(B)(3)(e), 376-24(B)(3)(f) and 376-24(B)(3)(g) by analyzing the criteria for approval of the proposed MP-PUD. As noted below, the Town Board has found that the Project, MP-PUD Local Law, MP-PUD Rezoning, Preliminary MP-PUD Plans and ODA satisfy the review requirements in Zoning Law §§ 376-24(B)(3)(f) and 376-24(B)(3)(g) and warrant approval; and

WHEREAS, the Town Board has reviewed the Petitioner's responses to comments, dated February 7, 2024, issued by Rockland County Planning Department as a result of the GML Referral, and finds that all comments and required modifications have been or will be satisfied or addressed by the conditions noted below, and, therefore there is no override of the Rockland County Planning Department's comments or required modifications; and

NOW THEREFORE, BE IT RESOLVED, that, pursuant to Town of Ramapo Zoning Law Sections 376-24(B)(3)(f), 376-24(B)(3)(g), Article XVII of the Zoning Law and the Town's authority under New York's Municipal Home Rule Law, and after a thorough review of all the Zoning Petition and Supporting Documents by the Town Board, the Planning Board, the CDRC and the Town's professional consultants, and after having considered public and agency comments received thereon, the Town Board on a **ROLL CALL VOTE** approves and adopts the MP-PUD Rezoning, MP-PUD Local Law and Preliminary MP-PUD Plans (collectively referred to below as the "MP-PUD") based on the following findings:

Zoning Law Section 376-24(B)(3)(f)

- (1) The MP-PUD is consistent with the objectives of the Town Comprehensive Plan, as amended.*

The Town Board hereby finds that the MP-PUD is consistent with the objectives of the Town's Comprehensive Plan. The Town Board adopted Local Law 5 of 2022 (codified as Zoning Law § 376-24), which established Planned Unit Development regulations that allow for a petition to the Town Board for the creation of a planned unit development zoning district on property that is more than 20 acres of contiguous land in the Town of Ramapo to facilitate new residential, commercial, and mixed uses. During its adoption of the Planned Unit Development regulations and updates to the Town's Comprehensive Plan for the Northeast Ramapo Development Plan (NRDP), the Town Board prepared and adopted the NRDP GEIS pursuant to the New York State Environmental Quality Review Act. The NRDP is set within the framework of the GEIS and the related SEQRA Findings Statement. The NRDP GEIS sets forth future steps to achieve the vision for Northeast Ramapo. The NRDP updates, complements, strengthens, modernizes, and supports the current 2004 Comprehensive Plan, as amended. While the goals of the 2004 Comprehensive Plan are still relevant Town-wide, more contemporary and area-specific strategies are outlined for Northeast Ramapo in the NRDP GEIS to assist in achieving the desired vision and goals.

The NRDP GEIS specifically considered the potential environmental impacts that would result from future development in certain "Opportunity Areas" within Northeast Ramapo, which specifically included the former Minisceongo Golf Course property, now the Project Site that is sought for the MP-PUD. As noted within the NRDP GEIS and the NRDP amendments to the Comprehensive Plan, the Project Site has been identified in the NRDP GEIS as Opportunity Area D and included a detailed concept plan for the Millers Pond development and site specific environmental studies (see Appendix M to the DGEIS and Appendix F to the FGEIS) and deemed suitable for the proposed MP-PUD development, which is designed to further the development goals of the NRDP.

Accordingly, the Town Board finds that the MP-PUD is consistent with the Town of Ramapo Comprehensive Plan and the Northeast Ramapo Comprehensive Plan update (2022), which are described in great detail in the NRDP GEIS.

In addition to the above, the Town Board finds that the MP-PUD would provide a number of benefits to the Town of Ramapo and to the wider Rockland County community described in the Town's Comprehensive Plan and Northeast Ramapo Comprehensive Plan update (2022). In terms of local objectives, the MP-PUD would help to meet the need for a broader range of housing types to help satisfy the evolving local demands for housing from various demographic groups. The mix of proposed unit sizes, types and designs would create housing options for residents at various stages of life. The result would support the long-term sustainability of the community, enabling it to accommodate Town and County residents on a continuing basis. In addition to the above, the MP-PUD and proposed residential development will further New York's promotion of additional housing throughout the State. The Town Board also finds that the proposed commercial development within the MP-PUD will serve the proposed new housing within the MP-PUD. To this end, and as noted below, the Town Board conditions this approval on at least the first 50% of non-residential square footage shall be fully developed (certificate of occupancy ready) within Phase 1 of the MP-PUD to serve proposed Phase 1 residential units and the public. The balance of the non-residential square footage shall be fully developed (certificate of occupancy ready) as a part of Phase 3 of the MP-PUD.

With the continuing expansion of the economy, demand for more housing options in the region has similarly grown. One result has been that, over the past few years, migration from New York City to Rockland County has increased. Expansion of the housing supply and the housing options that are available would provide opportunities for people who work in the county to live nearby. This expansion of the local labor force would, in turn, help to make the County more attractive to potential businesses.

Other community benefits include permanent preservation of certain wetlands and watercourses in natural open spaces, a Village Green, 6 neighborhood parks, and 4.7 miles of sidewalks and walking trails open to the public within a walkable community. The project will provide positive tax benefits to the Town, County and the East Ramapo School District. Roads will be private, so there will be no additional maintenance burden on the Town.

(2) The MP-PUD meets the intent and objectives of a planned unit development.

The intent and objectives of the Town's planned unit development are to allow flexibility to encourage more creative residential, commercial or mixed-use development. The MP-PUD is authorized to provide a variety of uses, including residential, commercial, retail, business, office, religious use, community recreation, and restaurant among other uses, which uses are clustered to preserve environmentally sensitive lands on the Project Site. As shown on the Preliminary MP-PUD Plans, the MP-PUD includes significant open space areas (approximately 39% of the 143.6-acre Project Site) including parks, walking trails, wetland areas, perimeter buffer areas, etc. The proposed open spaces will be a combination of recreational opportunities and deed restricted environmentally sensitive areas, and required open areas.

In addition, the Town Board finds that by including the two Recreational Parcels within the MP-PUD and prohibiting development on the same, other than for recreational purposes, it will further their environmental qualities, of land adjacent the Samuel G. Fisher Mount Ivy Environmental Park.

The MP-PUD will also promote economic benefits within the Town that will help shape the community. These benefits include generating construction spending (some portion of which would go to hiring local workers and utilizing local contractors and suppliers), annual property taxes to the Town, County, East Ramapo School District and other local taxing jurisdictions, and construction jobs and permanent jobs.

The design of the MP-PUD and related buildings, as reflected on the Preliminary MP-PUD Plans, would also benefit Ramapo by permanently preserving a significant area of natural open space, including the wetlands and watercourses located on the Site. The MP-PUD would provide walking trails open to the public and maintenance of these areas will be the responsibility of a homeowner's association.

In addition to the above, the Town Board also finds that the proposed commercial development within the MP-PUD will serve the proposed new housing within the MP-PUD. To this end, and as noted below, the Town Board conditions this approval on at least the first 50% of non-residential square footage shall be fully developed (certificate of occupancy ready) within Phase 1 of the MP-PUD to serve proposed Phase 1 residential units. The balance of the non-residential square footage shall be fully developed (certificate of occupancy ready) as part of Phase 3 of the MP-PUD.

(3) *The MP-PUD complies with the general requirements listed above in this section (Zoning Law §§ 376-24(A) (1-6).*

As noted above in the WHEREAS clauses, which are incorporated into this resolution as Town Board findings, the MP-PUD complies with the planned unit development "general regulations" set forth in Zoning Law §§ 376-24(A) (1-6). The Town Board makes the following findings:

Location and size: The Project Site is approximately 143.6 acres of land under common ownership. The Project Site has access via Camp Hill Road, Pomona Road and Station Road, which, in addition to the internal Private Roads, will be constructed and conform to all applicable standards within the MP-PUD Local Law and be publicly accessible.

The Town Board, in its legislative discretion, finds that inclusion of the Recreational Parcels into the MP-PUD zone will further protect them from development given that the Preliminary MP-PUD Plans do not permit any development or use of the Recreational Parcels, other than for recreation, and will maintain them for only permitted recreational uses. The Town Board finds that tax lot 33.09-2-31 is contiguous to the other parcels within the Project Site to be zoned MP-PUD given that it is connected to the Project Site via existing trails and access easement and the environmental conservation purpose of its inclusion into the MP-PUD.

Permitted Uses: The MP-PUD Local Law and Preliminary MP-PUD Plans permit various residential and non-residential uses that are tailored to provide a variety of housing options and non-residential uses to facilitate a walkable community. To the extent that any changes to the permitted uses are proposed in the future, the Petitioner or subsequent developer must seek an amendment of the MP-PUD Local Law and/or Preliminary MP-PUD Plans from the Town Board.

Density: The MD-PUD permits a density of up to 637 residential units (maximum of 5 dwelling units per gross acre) on the Project Site and approximately 67,000 square feet of non-residential, mixed-use commercial space within the three buildings in the "Village Center" portion of the Project Site as represented on the Preliminary MP-PUD Plans.

The MP-PUD will be an integrated neighborhood with a mix of uses in approximately 67,000 SF of non-residential space to service the onsite residential dwelling units and facilitate a walkable community. The allowable uses for the such spaces are noted in the MP-PUD Local Law and set forth the potential for various retail and service uses for those living within the MP-PUD and members of the public. The Town Board also finds that the proposed non-residential development within the MP-PUD will serve the proposed new housing within the MP-PUD. To this end, and as noted below, the Town Board conditions this approval on at least 50% of non-residential square footage being proposed within the MP-PUD shall be fully developed (certificate of occupancy ready) within Phase 1 of the MP-PUD to serve proposed Phase 1 residential units. The balance of the non-residential square footage shall be fully developed (certificate of occupancy ready) within Phase 3 of the MP-PUD.

The MP-PUD and Project will be governed by the Preliminary MP-PUD Plans and the area and bulk regulations within the MP-PUD Local Law. All other area and bulk regulations within the Zoning Law are inapplicable to the newly created MP-PUD district. Pursuant to Town of Ramapo Zoning Law §§ 376-24 (A)(3) and (4), the Town Board finds that, based on the environmental record, all lands within the Project Site shall be utilized for density calculations, including FAR, given that such lands are already protected from development.

The MP-PUD Local Law and Preliminary MP-PUD Plans permit 5 residential units per gross acre of land within the MP-PUD, which does not exceed the maximum allowable density in any zoning district (MR-12 zoning district allows a maximum of 12 units per acre), excluding the MR-16 and R-15C zoning districts, and is therefore compliant with Zoning Law § 376-24(A)(3).

The Preliminary MP-PUD Plans permit a residential FAR of 0.33, which is less dense than the 0.75 FAR for adult student housing within the RR-80 zoning district (the current zoning classification of the Project Site) and therefore compliant with Zoning Law § 376-24(A)(3).

The MP-PUD Local Law and Preliminary MP-PUD Plans permit a non-residential FAR of 0.30, which is consistent with non-residential FAR within the existing RR-80 zoning district (the current classification of the Project Site) and therefore compliant with Zoning Law § 376-24(A)(3).

The density proposed will be accommodated by existing infrastructure and as supplemented by proposed improvements provided as part of the MP-PUD development, which includes providing adequate buffers/setbacks, compliance with bulk requirements specifically designed for the MP-PUD, and providing adequate on-site recreational opportunities.

Area and bulk requirements: The MP-PUD Local Law and Preliminary MP-PUD Plans set forth specific area and bulk requirements appropriate for the MP-PUD development on the Project Site. All other area and bulk regulations within the Zoning Law are inapplicable to the MP-PUD. Such area and bulk requirements applicable to the MP-PUD Local Law and Preliminary MP-PUD Plans are adequate to provided necessary buffers, open space and will facilitate a walkable community.

Subdivision Regulations: Subdivision of the Project Site will be reviewed by the Planning Board consistent with Zoning Law § 376-24 (B)(5). The MP-PUD Local Law and Preliminary MP-PUD Plans permit commercial development and residential dwelling units that have access via the above-mentioned Private Roads as set forth in the MP-PUD Local Law and Preliminary MP-PUD Plans. The Private Roads are sufficiently designed for access, emergency access and to facilitate a walkable community.

MP-PUD shall include a master HOA and specific condominium associations for each phase of development. All Private Roads and common areas shall be owned by either the individual condominium associations or the HOA and will be maintained by the HOA. The Private Roads shall be maintained by the HOA, with access being provided via easement to residents, members of the public, garbage collectors, school districts, snowplows, utilities, and others that require access.

Common Property: The common areas within the MP-PUD will include, but not limited to the Private Roads, surface parking and sidewalks, Village Green, recreational facilities and parks, stormwater management areas, landscaping and site lighting, and natural open spaces to be preserved.

A Declaration of Covenants and Restrictions, Association By-Laws, and Association Rules and Regulations (the “Master Association Documents”) shall be recorded in the County Clerk’s Office and will serve as the governing documents of the overall MP-PUD’s Master Association (subjecting all the land within the MP-PUD except for the Village Center to the provisions thereof). Initially, the Master Association Documents will be recorded against only the initial phase of the MP-PUD. As each phase is developed and brought within the scheme of the Master Association, Supplemental Declarations will be recorded to encumber those additional phases.

Consistent with Zoning Law § 376-24(A)(6), prior to obtaining a certificate of occupancy, the Petitioner must demonstrate that the Master Association Documents related to the respective phase are recorded in the Rockland County Clerk’s Office. In addition, the Petitioner or subsequent development shall enter into an agreement (with the Town of Ramapo that will set forth procedures and responsibilities in the event that the developer fails to maintain the common land or any improvements thereon in reasonable order or condition in accordance with the approved Preliminary MP-PUD Plans and MP-PUD Local Law. Such agreement shall run with the land and be subject to the approval of the Town Attorney and Town Board.

- (4) *The uses within the MP-PUD are planned and designed to minimize land disturbance and, to the extent practicable, not be detrimental to the natural characteristics of the site or adjacent land uses.*

The residential and commercial uses proposed within the MP-PUD are clustered to avoid any environmentally sensitive areas. The new non-residential uses are buffered from adjacent off-site uses and the new buildings will be located a minimum of 100 to 200 feet from Camp Hill Road to the Village Center, and over 300 feet from Pomona Road to the closest building (the existing clubhouse in the Village Center), with landscaping in between on both road frontages.

All non-residential uses are clustered to the southern side of the Project Site with close access from Camp Hill Road and Pomona Road. The residential uses are a mix of housing types to provide a variety of housing clustered throughout the MP-PUD.

The Zoning Petition and Supporting Documents and the Amended and Supplemental SEQRA Findings demonstrate a thorough review of potential traffic impacts and set forth traffic mitigation (allowing for modifications as may be necessary to obtain approval from the applicable permitting agencies) that must be installed by the Petitioner or subsequent developer. During the Planning Board’s final PUD and site development plan review for each specific phase of development, the Planning Board, in coordination with applicable permitting agencies, shall determine what traffic mitigation measures, using the Amended and Supplemental SEQRA Findings as a standard, are applicable to ensure that the potential traffic impacts resulting from the specific phase are appropriately mitigated, taking into consideration any change in circumstances. Prior to obtaining a building permit for any development within a specific phase, the Petitioner or subsequent developer shall obtain all necessary permits/approvals for the traffic mitigation required by the Planning Board during final PUD/site development plan approval. Prior to obtaining a certificate of occupancy for any proposed building within the MP-PUD (or any phase therein), the Petitioner or subsequent developer must have all required traffic mitigation for the applicable phase of development installed as required by the Planning Board and/or applicable permitting agency.

The Petitioner shall be solely responsible for implementing the traffic mitigation measures, as outlined in the Amended and Supplemental SEQRA Findings Statement, and will obtain permits from the Town, County and State, as necessary, to construct and fund these improvements. The Planning Board and other permitting agencies shall determine the timing for completion of the traffic improvements. The improvements identified in the Amended and Supplemental SEQRA Findings (with modifications as may be necessary to obtain approval from the permitting agencies), have been determined to constitute the Petitioner's "fair share" contribution, as it relates to the MP-PUD. Provided, however, the Petitioner shall also be subject to any mitigation and/or fees associated with Townwide and area-wide traffic improvements on an equitable basis with other development projects and/or other properties.

The Project Site consists of a former golf course with extensively disturbed and maintained uplands. Wetlands on the site have been subject to stormwater runoff from these uplands and have received long-term water quality impacts from sediment associated pollutants and pesticides/herbicides. As reflected on the Preliminary MP-PUD Plans, the MP-PUD has been designed to not disturb regulated wetlands or waterbodies. The Petitioner has completed wetland mapping for the USACOE wetlands on site and has received a jurisdictional determination letter from USACOE confirmed the delineation. Reconfirmation of this delineation by the USACOE is pending.

No NYSDEC wetland permits are anticipated to be requested for the proposed action, since the limits of disturbance occur outside the regulated wetlands and adjacent areas. Portions of certain existing golf cart paths that pass through regulated adjacent areas are proposed to remain as pedestrian trails. No new construction is proposed in regulated areas, so no wetland permit will be required from NYSDEC. The Petitioner has completed wetland mapping for the NYSDEC wetlands on site and has submitted a signed map confirming that determination from NYSDEC.

Clearing and grading for each phase will be limited to that required to install the roadways, utilities, and proposed residential and nonresidential improvements. Disturbed areas will be revegetated after the roadway is installed as described on the phasing and construction phasing plans. Erosion and sediment control measures will be installed as part of a comprehensive Erosion and Sediment Control Plan (embodied in a SWPPP to be approved for each Phase) for the Project in order to control potential siltation or degradation of the intermittent watercourse, waterbodies or wetlands during construction. No significant adverse impacts to any watercourses are anticipated from this activity. The proposed crossing of the intermittent watercourse (bridge or culvert) will include utility crossings beneath the roadway. This will allow municipal water, sewer, and stormwater lines to be extended through the site from north to south.

The Rockland County Drainage Authority (RCDA) regulates the South Branch of the Minisceongo Creek (SBMC). There is a potential for the Project to disturb a small area within 100 feet of the South Branch of the Minisceongo Creek (SBMC) in the southwest area of the Project Site, therefore, approval of a Stream Control Act permit from the Rockland County Drainage Authority (RCDA) may be required if this area cannot be avoided. Potential construction activities within 100 feet of SBMC, for which RCDA approval would be required, related to the connection of the project entrance road and utilities to Camp Hill Road. Disturbance in the floodplain, if required, is anticipated to be limited to grading, landscaping improvements, and utility improvements, but no proposed development of buildings or roads. All buildings and amenity spaces will be built outside of the floodplain, above the base flood elevation. Comments from the RCDA have been addressed by the Petitioner.

No development or uses (other than recreational trails, landscaping and park hardscape) is proposed on tax parcels 33.09-2-37 and 33.09-2-31, just south of the Samuel G. Fisher Mt. Ivy Environmental Park in compliance with all environmental regulations and prior restrictions.

Based on the above, the Town Board finds that the MP-PUD is planned and designed to minimize land disturbance and not be detrimental to the natural characteristics of the site or adjacent land uses.

- (5) *That each phase of the MP-PUD, as it is proposed to be completed, contains a sufficient amount of parking facilities, landscaping, and utilities necessary to create and sustain each phase independently; provided, however, where applicable, that due consideration be given to reciprocal easements and operating agreements that may be required.*

Parking: The Preliminary MP-PUD Plans show the following proposed parking, which have been reviewed by the Town Board and the Town's professional consultants as be adequate for the uses with the MP-PUD and to facilitate a walkable community:

- a. Off-Street Parking in Townhouse unit Garages: 1,002 spaces
- b. Off-Street Parking in Townhouse unit Driveways: 558 spaces
- c. Off-Street Parking in Building 2 (apartments): 94 spaces
- d. Off-Street Parking in Existing surface lot: 189 spaces
- e. On-Street Parking: 255 spaces

The MP-PUD Local Law includes parking requirements for the MP-PUD and future development of the Project Site, which includes parking requirements for all residential uses, combined uses, commercial uses, and EV charging stations. As set forth in the MP-PUD Local Law, the Planning Board shall also assure that parking complies with the requirement and is adequate for the MP-PUD consistent with the MP-PUD Local Law during final PUD approval for each specific phase of development.

Utilities: The MP-PUD will provide a sufficient utilities to support all aspects of the proposed development including gas, electric, water, sanitary sewer, stormwater, etc., which utilities shall be reviewed by the Planning Board during final PUD and site development plan approval for each specific phase and during the Planning Board's involved agency SEQRA review. As demonstrated in the Zoning Petition and Supporting Documents, the Petitioner has coordinated with all utility companies during the Town Board review process and specific infrastructure designs will be finalized during the final PUD approval process by the Planning Board for each specific phase of development.

Landscaping: The MP-PUD maintains and enhances the existing character of the Project Site as viewed from adjoining public roads, as demonstrated by the Zoning Petition and Supporting Documents which include architectural and landscaping renderings.

The Preliminary MP-PUD Plans include a buffer of existing/proposed landscape plantings around the MP-PUD perimeter (70 feet from the MP-PUD boundary line to any building or accessory structure), MP-PUD entry points enhanced by new landscape, as well as architecture that is designed to be an attractive addition to the neighborhood. An analysis of potential visual impacts from surrounding roads was also provided in the NRDP GEIS, and discussed in the Northeast Ramapo Findings Statement and the Amended and Supplemental SEQRA Findings, which include mitigation measures in relation to aesthetic resources including limiting tree clearing, enhancing vegetative buffers, providing adequate screening, and including development design that is consistent with visual character of the surrounding area. All mitigation measures within the Amended and Supplemental SEQRA Findings are conditions of this approval and shall be considered and reviewed by the Planning Board during final PUD approval. The Planning Board's review shall also entail its separate review authority under the Scenic Road District regulations (Zoning Law Chapter 215), and compliance with buffer requirements of that District.

- (6) *The MP-PUD is conceptually sound in that it meets local and regional needs and that the proposed roadways, pedestrian system, land use configuration, open space system, stormwater management system and other site infrastructure, and scale of those elements shall function singly and cumulatively and conform to accepted design principles.*

The Town Board finds that each proposed phase of the MP-PUD that is to be developed and also reviewed by the Planning Board during the final PUD review process will be designed to function singly with the appropriate infrastructure and roadways and also be able cumulatively to be connected for a comprehensive development and conform to accepted design principles.

Local and Regional Needs: The MP-PUD meets regional needs given that it is consistent with the Town of Ramapo Comprehensive Plan as amended by the NRDP Plan (2022). The Town Board finds that the MP-PUD would provide benefits to the Town of Ramapo and to the wider Rockland County community described in the Town's Comprehensive Plan and Northeast Ramapo Comprehensive Plan update (2022). In terms of local objectives, the MP-PUD would help to meet the need for a broader range of housing types to help satisfy the evolving local demands for housing from various demographic groups. The mix of proposed unit sizes, types and designs would create housing options for residents at various stages of life. The result would support the long-term sustainability of the community, enabling it to accommodate Town and County residents on a continuing basis. In addition to housing, other community benefits include: permanent preservation of certain wetlands and watercourses in natural open spaces, a Village Green, 6 neighborhood parks, and 4.7 miles of sidewalks and walking trails open to the public within a walkable community. The project will provide positive tax benefits to the Town, County and the East Ramapo School District. Roads will be private, so there will be no additional maintenance burden on the Town.

Land Use Configuration: The residential and commercial uses proposed within the MP-PUD are clustered to avoid any environmentally sensitive areas. The non-residential uses are buffered from adjacent off-site uses and new buildings to be constructed in the Village Center will be located 100 feet (Building #2) to 200 feet (Building #3) from Camp Hill Road and over 300 feet from Pomona Road to the existing clubhouse (Building #1 in the Village Center) and landscaped buffers will be planted between the buildings and both roads. The proposed residential uses on the east side of the site will also be buffered from adjacent off site uses on Station Road and the County park trailway.

Proposed Roadways: The roadways within the site have been designed to accommodate the levels of traffic projected to use them, which is demonstrated in the Zoning Petition and Supporting Documents and has been reviewed and accepted by the Town's professional consultants.

The MP-PUD Local Law and Preliminary MP-PUD Plans permit commercial development and residential dwelling units that have access via the Private Roads. The Private Roads shall be constructed pursuant to the specifications in the MP-PUD Local Law and Preliminary MP-PUD Plans, which will ensure they are sufficiently constructed appropriate for access, emergency access and to facilitate a walkable community.

Pedestrian Systems and Open Space: The MP-PUD's mixed use Village Center on the site was evaluated in the NRDP GEIS, as a component of a walkable, mixed community plan. The nonresidential uses are intended to partially reduce vehicle trips and encourage pedestrian activity within the MP-PUD. The MP-PUD will include a variety of open space systems, gathering spaces for the public and parks for residents and visitors. The MP-PUD will include a Village Green. This will be open to the general public and will be designed to accommodate both passive recreation and local community events for public enjoyment. Various features such as tables and chairs for outdoor dining, an event lawn, a children's playground and/or water feature, seating, shade structures, public art, and other such amenities will be considered in the design, along with generous landscaping.

The MP-PUD will also include neighborhood parks that will be maintained by the HOA. The areas immediately surrounding buildings, roads, and residential units will be landscaped areas maintained by the HOA. The majority of the perimeter of the Site, and the regulated wetlands and adjacent areas, will remain as natural open space, currently proposed to contain deed restrictions assuring they will be maintained as natural and will not be developed in the future. A trail/pathway system, in addition to sidewalks along the streets, will provide passive recreational opportunities throughout the site. The trail network is designed to provide a loop around the perimeter of the Site, as well as a connection to the Mount Ivy Park trail that runs north-south off-site to the east. Existing golf cart paths within regulated areas that are proposed to remain natural will be maintained as pedestrian trails to the extent practical. New trails will be connected to the existing golf cart paths to extend the trailway network and provide connectivity between various land uses internal to the property.

The Town Board finds that the MP-PUD provides sufficient recreational spaces and therefore no additional recreational spaces, or fees in lieu of recreational spaces are required.

Stormwater and Infrastructure: The MP-PUD will provide a sufficient utilities to support all aspects of the proposed development including gas, electric, water, sewer, and stormwater. As demonstrated in the Zoning Petition and Supporting Documents, the Petitioner has been pro-actively coordinating with all utility companies during the Town Board review process and specific infrastructure designs and improvements will be finalized during the final PUD review, which will be reviewed by the Planning Board during final PUD and site development plan approval for each specific phase.

The Preliminary MP-PUD review has considered a preliminary SWPPP which incorporates drainage/stormwater design practices such as the infiltration basins and stormwater ponds with outlet control structures as per NYSDEC guidelines such that there will be no increase of peak flows as compared to the existing conditions. All stormwater designs and mitigation will be further detailed in a final SWPPP to be reviewed and approved by the Town in its role as MS4 and conform to acceptable NYSDEC design standards as each phase is reviewed by the Planning Board as part of the final PUD approval process.

- (7) *The MP-PUD will have adequate services and utilities available or proposed to accommodate each phase of the development.*

The MP-PUD will be supported by adequate services and utilities to accommodate each phase of development, which utilities will also be reviewed by the Planning Board during final PUD and site development plan approval for each specific phase and during the Planning Board's involved agency SEQRA review.

The Project Site is served by the Rockland County Sewer District #1 ("RCSD1"). The sanitary sewage from the proposed development will be collected in new infrastructure and treated at RCSD1, Orangeburg Wastewater Treatment Facility treatment plant. As identified in the Zoning Petition and Supporting Documents and referenced in the conditions below, certain infrastructure upgrades within the jurisdiction of RCSD1 will be required to service the MP-PUD and the design and timing of the same will be considered by the Planning Board during final PUD and site development plan approval for each specific phase as contemplated by the Zoning Law §376-24.

The water supply for the existing uses within the Project Site are currently supplied by Veolia Water New York, Inc. (“Veolia”) and the proposed residential and nonresidential uses within the proposed MP-PUD will be served by Veolia for potable water and fire protection water supply. Certain water infrastructure upgrades within the jurisdiction of Veolia will be required to service the full buildout of the MP-PUD and the design and timing of the same will be considered by the Planning Board during final PUD and site development plan approval for each specific phase as contemplated by the Zoning Law §376-24. Veolia has provided a conditional Willingness to Serve Letter for Phase 1 of the project, outlining steps needed to provide water service, which the Project Sponsor will address. The detailed specifics of proposed improvements/design of the water system are pending Veolia’s continued review of the MP-PUD Plan. For the full PUD build-out condition, water main extensions and other potential improvements will likely be needed. Application for a Water Main Extension will be submitted to RCDOH during the Final PUD approval process. The Project Sponsor will continue to coordinate with Veolia. The Project will include water conservation measures in new construction and in irrigation practices, as well as coordinating with Veolia relative to project specific improvements.

The Project Site is serviced by Orange and Rockland Utilities for electricity. Increased energy demand will result from development of the project, with new residential units, commercial space, amenity space, and outdoor lighting. Orange and Rockland Utilities is expected to be able to accommodate the increased demand for electric service. Orange and Rockland Utilities will continue to service the MP-PUD with natural gas subject to New York State climate related laws. Existing providers have preliminarily confirmed that they will be able to accommodate the increased demand. Certain utility infrastructure upgrades within the jurisdiction of Orange and Rockland Utilities will be required to service the MP-PUD and the design and timing of the same will be considered by the Planning Board during final PUD and site development plan approval for each specific phase as contemplated by the Zoning Law §376-24.

All detailed infrastructure and utility connections are to be reviewed and approved by the Planning Board during the review of each phase of development during final PUD review.

- (8) *That the existing transportation network, along with any proposed mitigation, will sufficiently handle all traffic generated by the proposal.*

The Town Board has reviewed the MP-PUD Traffic Impact Study and related Zoning Petition and Supporting Documents, which demonstrate that, with the proposed traffic mitigation, the MP-PUD will sufficiently accommodate all traffic generated from the development.

The Petitioner shall be solely responsible for implementing the traffic mitigation measures, as outlined in the Amended and Supplemental SEQRA Findings Statement, and will obtain permits from the Town, County and State, as necessary, to construct and fund these improvements. The Planning Board and other permitting agencies shall determine the timing for completion of the traffic improvements. The improvements identified in the Amended and Supplemental SEQRA Findings (with modifications as may be necessary to obtain approval from the permitting agencies), have been determined to constitute the Petitioner’s “fair share” contribution, as it relates to the MP-PUD. Provided, however, the Petitioner shall also be subject to any mitigation and/or fees associated with Townwide and area-wide traffic improvements on an equitable basis with other development projects and/or other properties.

Zoning Law Section 376-24(B)(3)(g)

- (1) *The MP-PUD will encourage compatibility between residential and commercial uses where existing residential zones abut commercial zones.*

The MP-PUD will have both a residential and commercial component for the Project. The MP-PUD features walkable streets, clustered development, and internal connectivity and circulation. The MP-PUD includes walkable streets with sidewalks, mixed use neighborhoods, access to recreation facilities including on site trails and parks, and tree-lined streets. The Project's design will create a compatible flow between both residential and commercial uses.

In addition, as noted on the Preliminary MP-PUD Plans, the MP-PUD provides buffer and landscaping requirements (minimum of 70-foot setback for primary and accessory structures) between the entire perimeter of the MP-PUD and adjacent lands to ensure the development is compatible with adjacent land uses.

- (2) *The variety of active uses should be complemented with facades that are articulated with a variety of depths and materials along the pedestrian ways.*

MP-PUD maintains and enhances the existing character of the Project Site as viewed from adjoining public roads, as demonstrated by the Zoning Petition and Supporting Documents which include architectural renderings.

The MP-PUD includes architectural design with building styles compatible with the clubhouse on site and the surrounding vicinity to produce an attractive addition to the community. The MP-PUD will include measures to protect and promote aesthetic resources, such as limiting tree clearing, enhancing vegetative buffers, providing adequate screening, and including development design that is consistent with visual character of the surrounding area. Detailed architectural design and landscaping plans are subject to the review and approval by the Planning Board.

Related to building height, the MP-PUD Local Law requires that the building height of any mixed use or non-residential building shall not exceed 55 feet from the average elevation of the proposed finished grade along the wall of a building or side of a structure to the highest point of a flat roof or the average height between eave and ridge for a gable, hip and gambrel roof. The highest proposed building (mixed use building #2) is set over 100 feet from Camp Hill Road, and a vegetated buffer is proposed between the building and the road. The building height of any residential building shall not exceed 45 feet from the average elevation of the proposed finished grade along the wall of a building or side of a structure to the highest point of a flat roof or the average height between eave and ridge for a gable, hip and gambrel roof. This maximum 45 foot condition is planned to occur for the condition where certain townhome style includes a "walk out" basement or garage underneath. Townhomes along the Main Streets will have the appearance of a two -story building from the street.

- (3) *The MP-PUD creates a network of active spaces and avoids disconnected spaces.*

The MP-PUD is designed to fully connect a network of active spaces by connecting residential commercial and recreational areas with walkable infrastructure (such as trails, sidewalks, and Private Roads). Neighborhood parks, recreation areas and open spaces are proposed within the MP-PUD as landscaped areas, some to contain play equipment and seating areas. The parks will be maintained by the HOA. The parks, ranging in size from 0.3 to 1.0 acre, provide green space, recreation, and will be linked so that the MP-PUD is interconnected with walking trails and sidewalks. Approximately 24,615 linear feet (4.7 miles) of combined sidewalks and walking paths are shown on the Preliminary MP-PUD Plan.

As such, the Town Board finds that the Project will create a variety of active spaces for both the residents and the community at large and ensure pedestrian connectivity throughout the MP-PUD.

- (4) *The MP-PUD provides rooftop designs for visual interest and screening of mechanical equipment.*

The roof top of the mixed-use building will be a flat roof with a five-foot-tall parapet that wraps around the perimeter of the building. Mechanical equipment will be held to the center of the roof to the greatest extent possible. Much of the roof top equipment will be lower than the five-foot-tall parapet. Therefore, it will not be visible from the street level or surrounding properties. Larger mechanical equipment that may be taller than the parapets will be held back from the building edge and grouped together and shall be screened from view with decorative metal screening that will be of similar colors to the main architectural materials of the structure.

The roof top of the commercial building may have a combination of flat and pitched roofs. Mechanical equipment for the commercial spaces will be located on the flat portions of the roof and will be held away from the building edge to the greatest extent possible. Flat portions of roof will have five-foot parapets that will wrap the perimeter. All commercial mechanical equipment shall be screened with decorative metal screening that will be of similar colors to the main architectural materials of the structure.

Related to the residential structures (townhomes), the roofs will be sloped, with asphalt shingle roofing, gutters and downspouts. Mechanical equipment is in the building and not exposed to the exterior. The only exceptions are plumbing vents, fresh air intake vents and exhausts, all of which will be on the rear facing slope of the roof and away from the ridge and rake ends of the roof.

(5) *Achieve compatible building styles and design and avoid incompatible elements.*

As represented by the architectural renderings and elevations of the various buildings within the Zoning Petition and Supporting Documents, the buildings within the MP-PUD include an architectural design with compatible building style to produce an attractive addition to the community. The buildings within the MP-PUD will also include mitigation measures in relation to aesthetic resources, such as limiting tree clearing, enhancing vegetative buffers, providing adequate screening, and including development design that is consistent with visual character of the surrounding area. Each phase of the MP-PUD and the related building design will go through final PUD reviews including that of the landscape buffers and architecture, ensuring that the MP-PUD and the buildings within the MP-PUD are compatible. All buildings, including architectural window details are subject to the review and approval of the Town of Ramapo Architectural Review Board (ARB).

(6) *The MP-PUD creates streetscapes that include appropriate, unified site furniture to encourage pedestrian activity, avoiding bleak streetscapes that discourage walking.*

The MP-PUD will create streetscapes that include a unified site furniture, such as benches, to encourage pedestrian activity and avoid bleak streetscapes. The MP-PUD features walkable streets, compact development, connected and open community. The MP-PUD includes walkable streets with sidewalks, mixed use neighborhoods, access to recreation facilities including on site trails and parks, and tree-lined streets. Additionally, the Village Green will be open to the general public, with various features such as tables and chairs for outdoor dining, an event lawn or stage, a children's playground and/or water feature, seating, shade structures, public art and landscaping. Other such amenities will also be considered in the final design. The neighborhood parks are proposed to be landscaped areas, some containing play equipment and seating areas, the details of which will be included in the Final PUD Plans for review by the Planning Board.

(7) *The design treatments for the MP-PUD include details and materials that promote interest for users and visitors.*

As noted above, the design of the MP-PUD is meant create a desirable place to live and visit and promote the interest in residents and visitors. As detailed throughout this Resolution, the MP-PUD encourages pedestrian activity to promote a walkable community. The MP-PUD includes various open spaces and green spaces that give residents and visitors a place to spend time outside.

(8) *Encourage incorporation of LEED design or similar green or sustainability initiatives.*

The MP-PUD and development within the MP-PUD has been designed to integrate many sustainable and energy saving design strategies, features and practices, as stated in the Zoning Petition and Supporting Documents. Such features include proposed green roof on the commercial building, optional energy star appliances, electric vehicle charging stations, green infrastructure, pervious pavements and other potential measures to be determined.

BE IT FURTHER RESOLVED, that the Town Board approves the MP-PUD and Project Site as an Open Development Area pursuant to New York Town Law § 280-a (4) and, as such, all Private Roads within the MP-PUD will provide adequate frontage pursuant to New York Town Law § 280-a.

BE IT FURTHER RESOLVED, that the Town Board finds that the comments and required modifications obtained from Rockland County Planning Department as a result of the GML Referral have been addressed and satisfied by the Petitioner's response dated February 7, 2024 to the Rockland County Planning Department's comment letter ("County Response" provided by the Petitioner). The Petitioner's compliance with the County Response is a condition of this approval pursuant to Zoning Law §376-24(B)(3)(e).

BE IT FURTHER RESOLVED, that the Town Board approval of the Preliminary MP-PUD, pursuant to Zoning Law §376-24(B)(3)(e), is further conditioned on the following:

- 1) The Town Board finds that each specific phase of the MP-PUD is within the jurisdiction of the Planning Board pursuant to the Zoning Law §376-24 and, that the following conditions shall be applicable to the Planning Board's review of an application to develop a specific phase. The Planning Board shall comply with New York General Municipal Law § 239-m and refer such future final PUD and site development plan applications to the Rockland County Planning Department.
- 2) The Planning Board shall fulfill its obligations under SEQRA as an involved agency upon its review of any final PUD and site development plan applicable to a specific phase of development.
- 3) Pursuant to Zoning Law § 376-24(B)(3)(i), the Town Board approves the MP-PUD with specific phases of development as set forth in the MP-PUD Local Law as follows, which are subject to revisions and ultimate review and approval by the Planning Board pursuant to the Zoning Law §376-24 and SEQRA:
 - a. Phase 1, Buildings 1-28, 65, 67 and 69; and Village Green Park A;
 - b. Phase 2, Buildings 29-73 except 34-42 and 63; and Park B;
 - c. Phase 3, Buildings 74-95; and Park E and Park G (Cemetery);
 - d. Phase 4, Buildings 106-118; and Park F;
 - e. Phase 5a, Buildings 34-42; and Park C;
 - f. Phase 5B, Buildings 97-105 and 63; and Park D; and
 - g. Phase 6, Future Development (no development proposed at this time).
- 4) At least the first 50% of non-residential square footage being proposed within the MP-PUD and approved herein shall be fully developed (certificate of occupancy ready) within Phase 1 of the MP-PUD to serve proposed Phase 1 residential units. The balance of the non-residential square footage shall be fully developed (certificate of occupancy ready) as part of Phase 3 of the MP-PUD.
- 5) Pursuant to Zoning Law § 376-24(B)(4), the Petitioner or subsequent developer shall submit to the Planning Board for final PUD and site development plan approval for each phase individually (more than one phase may be submitted to the Planning Board at the same time). Prior to receiving the Planning Board Chairman's signature on the final PUD plan/site development plan review, the Petitioner must ensure that all infrastructure necessary to allow that phase to operate properly will be provided.

- 6) All mitigation and requirements set forth in the Amended and Supplemental SEQRA Findings are conditions of this approval. The Planning Board, upon review of the each specific phase seeking final PUD and site development plan approval pursuant to Zoning Law § 376-24(B)(4), shall undertake its required SEQRA review and require any additional mitigation, including infrastructure, to ensure the functionality of said phase independently from the overall MP-PUD as well as setting forth the ability to connect future infrastructure related to future phases of development.
- 7) The Planning Board, under its Final PUD and site development plan jurisdiction for each specific phase of development, shall, in coordination with applicable permitting agencies, determine the applicable traffic mitigation measures within the Amended and Supplemental SEQRA Findings to ensure that the potential traffic impacts resulting from the specific phase are appropriately mitigated, taking into consideration any change in circumstances.
- 8) Prior to obtaining a building permit for any development within a specific phase, the Petitioner or subsequent developer shall obtain all necessary permits/approvals for the traffic mitigation required by the Planning Board during final PUD/site development plan approval.
- 9) Prior to obtaining a certificate of occupancy for any proposed building within the MP-PUD (or a phase therein), the Petitioner or subsequent developer must install all required traffic mitigation for the applicable phase of development, as required by the Planning Board and/or applicable permitting agency.
- 10) The Petitioner shall be solely responsible for implementing the traffic mitigation measures, as outlined in the Amended and Supplemental SEQRA Findings Statement, and will obtain permits from the Town, County and State, as necessary, to construct and fund these improvements. The Planning Board and other permitting agencies shall determine the timing for completion of the traffic improvements. The improvements identified in the Amended and Supplemental SEQRA Findings (with modifications as may be necessary to obtain approval from the permitting agencies), have been determined to constitute the Petitioner's "fair share" contribution, as it relates to the MP-PUD. Provided, however, the Petitioner shall also be subject to any mitigation and/or fees associated with Townwide and area-wide traffic improvements on an equitable basis with other development projects and/or other properties.
- 11) The Private Roads shall be built to the specifications outlined in the MP-PUD Local Law and as set forth on the Preliminary MP-PUD Plans and shall be maintained in perpetuity by the applicable homeowner's association. The Town shall have the authority to ensure that the Private Roads are compliant with the MP-PUD Local Law and the Preliminary MP-PUD Plans. Any changes to the specifications of the Private Roads requires an amendment of the MP-PUD Local Law and Preliminary MP-PUD Plans from the Town Board, consistent with Zoning Law § 376-24(B)(6)(b).
- 12) If the Petitioner or subsequent developer of the MP-PUD seeks to increase the permitted residential or non-residential density or FAR as set forth in the MP-PUD Local Law and Preliminary MP-PUD Plans, it must seek an amendment of the MP-PUD Local Law and Preliminary MP-PUD Plans from the Town Board, consistent with Zoning Law § 376-24(B)(6)(b).
- 13) The Petitioner or subsequent owner/developer shall not be permitted to obtain an area or use variance from the requirements of the MP-PUD Local Law without also seeking an amendment of the MP-PUD Local Law and Preliminary MP-PUD Plans pursuant to Zoning Law § 376-24(B)(6)(b).
- 14) Consistent with Zoning Law § 376-24(A)(6), prior to obtaining a certificate of occupancy, the Petitioner must demonstrate that the Master Association Documents related to the respective phase are recorded in the Rockland County Clerk's Office.

- 15) The Petitioner, or subsequent developer of the MP-PUD shall set forth procedures and responsibilities in the Master Association Documents and a separate developer's agreement with the Town that in the event the developer fails to maintain the common land or any improvements thereon, including the Private Roads, in reasonable order and condition in accordance with the approved Final MP-PUD Plans and MP-PUD Local Law, the Town shall have the right, but not the obligation, to repair or maintain the common land and improvements thereon at the Petitioner's, subsequent developer and/or property owners' expense. Such agreement shall be executed prior to a certificate of occupancy being issued for any building within the MP-PUD and shall run with the land. Such an agreement shall be subject to the approval of the Town's Attorney and Town Board.
- 16) The Petitioner or subsequent landowner/developer shall obtain approval from the Rockland County Sewer District No. 1 with all required sewer specifications and infrastructure to facilitate the MP-PUD or a specific phase of the MP-PUD, which shall be reviewed pursuant to the Planning Board's final PUD and site development plan jurisdiction as set forth in the Zoning Code.
- 17) The Petitioner, or subsequent landowner/developer shall obtain approval from the Orange and Rockland Utility Company with all required utility specifications and infrastructure to facilitate the MP-PUD or a specific phase of the MP-PUD, which shall be reviewed pursuant to the Planning Board's final PUD and site development plan jurisdiction as set forth in the Zoning Code. Such required infrastructure as deemed necessary by the permitting agency shall be installed and implemented prior to a certificate of occupancy being obtained for said phase.
- 18) The Petitioner, or subsequent landowner/developer obtain approval from the Veolia and the Rockland County Department of Health for all required water system specifications and infrastructure to facilitate the MP-PUD or a specific phase of the MP-PUD, which shall be reviewed pursuant to the Planning Board's final PUD and site development plan jurisdiction as set forth in the Zoning Code. Such required infrastructure as deemed necessary by the permitting agency shall be implemented prior to a certificate of occupancy being obtained for said phase.
- 19) The Petitioner shall comply with all provisions set forth its County Response letter, dated February 7, 2024, which responds to comments and required modifications from the Rockland County Planning Department.
- 20) The Petitioner must seek coordination with the below agencies during the Planning Board review of the final PUD and site development plan applications:
 - a. Rockland County Sewer District No. 1;
 - b. Rockland County Health Department;
 - c. Rockland County Highway Department;
 - d. Rockland County Drainage Agency;
 - e. Town of Ramapo Fire Inspector;
 - f. Rockland County Division of Environmental Resources;
 - g. Rockland County Department of General Services;
 - h. United States Army Corps of Engineers; and
 - i. New York State Department of Environmental Conservation.
- 21) The Petitioner shall establish a method of communication between the Rockland County Office of Fire and Emergency Services ("OFES") and those residing in the MP-PUD so that they may be notified in advance of planned burn events and also to require disclosure of the presence of this facility to potential residents. Such communications system and disclosure shall be made in the above noted HOA documentation prior to a certificate of occupancy being issued for any building within the MP-PUD.

- 22) During the final PUD and site development plan approval for a specific phase, domestic and fire demands of the specific phase must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health and Town of Ramapo Fire Inspector for review.
- 23) Pursuant to the Rockland County Sanitary Code, Article XIII, Section 13.8.1, all multiple dwellings with three or more rental units must register and obtain a Multiple Dwelling Rental Certificate (MDRC). If any of the proposed multi-family dwellings meet the requirements of the Multiple Dwelling Rental Registry requirement, then the owner must register and obtain the MDRC.
- 24) Prior to the Planning Board Chairman's signature on the final MP-PUD plans for a specific phase of development, the Petitioner or subsequent developer shall submit to the Town a stormwater maintenance and access agreement (the "SWPPP Agreement"). The SWPPP Agreement shall be submitted to the Town for approval and execution after review and approval by the Town's Attorney.
- 25) Accessory Structures. The townhome units will be in condominium ownership. All land outside of the residential townhome units (excepting the Village Center area) shall be common ownership, as part of the homeowner's association or applicable condominium association. Individual dwelling unit owners will not own or control the land outside their dwelling unit. The applicable homeowner's association shall have bylaws that restrict accessory structures consistent with the MP-PUD Local Law. To the extent that any accessory structures are proposed, they must be compliant with the applicable provisions in the MP-PUD Local Law and reviewed and approved by the Planning Board during final PUD/site development plan approval for a specific phase. The MP-PUD Local Law requires that any accessory structure shall be no closer than 20 feet to any building and 70 feet to any MP-PUD zoning district boundary.
- 26) The Town Board recognizes that the Preliminary MP-PUD Plans are designed to reduce vehicle trips such that the furthest distance between any unit and the clubhouse/Village Center is no more than a 12-15 minute walk. The Petitioner and the Planning Board, as part of the Final PUD/site development plan review shall, consider identifying additional methods that may further reduce dependency on vehicle trips.
- 27) Open Space. the Recreational Parcels and deed restricted wetland areas as identified on the Preliminary MP-PUD Plans shall be preserved. Specifically related to the Recreational Parcels, the MP-PUD zone will further protect them from development given that the Preliminary MP-PUD Plans do not permit any development or use of the Recreational Parcels, other than for recreation, and will maintain them for only permitted recreational uses. The Planning Board, during final PUD and site development plan review, shall ensure that these recreational and open space areas are preserved and maintained in perpetuity as noted above. The Town may require a map note or execution of an agreement or other indenture to ensure such preservation.
- 28) No building permits to construct will be issued until such time that:
- All applicable easements/dedications required for the development of MP-PUD have been reviewed and approved by the Town of Ramapo staff and/or consultants and accepted by the Town of Ramapo Town Board.
 - A developer's agreement, to the extent one is required, has been approved by the Town Board.
 - The Petitioner or subsequent developer has obtained all permits and/or approvals for the specific phase being developed from all applicable permitting agencies having jurisdiction.

- d. All comments issued by Town staff and/or consultants have been adequately addressed.

e. All fees due to the Town of Ramapo have been paid.
- 29) This Resolution shall run with the land and shall be binding upon the Petitioner and their/its successors, transferees, and assigns.
- 30) Consistent with the adopted MP-PUD Local Law, Section 376-25(F)(c)(iv), buildings and structures within the MP-PUD shall not exceed four (4) stories.
- 31) During final PUD review, the Planning Board shall focus on the implementation of traffic mitigation for Camp Hill Road and related timing of the same.
- 32) Any violation of this Resolution or its conditions and of any approved Final MP-PUD Plans shall be considered a zoning violation and may be enforced pursuant to the Zoning Law and other applicable laws and regulations.

Dated: March 13, 2024

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Yehuda Weissmandl, Councilman
SECONDER:	Brendel Charles, Councilwoman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Settlement of Tax Certiorari: Twenty Robert Pitt Drive, LLC

RESOLUTION NO. 2024-135

WHEREAS, the Town Attorney’s Office has recommended that the following certiorari matters be settled:

TWENTY ROBERT PITT DRIVE, LLC

Tax Year	Section/Lot	Original Assessment	Corrected Assessment
2020/21	56.51-1-3	\$475,000	\$475,000
2021/22	56.51-1-3	\$475,000	\$475,000
2023/24	56.51-1-3	\$600,000	\$600,000, and

WHEREAS, Scott Shedler, the Town Assessor, concurs with the above recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the Town Attorney is hereby authorized to settle the above matters, and

BE IT FURTHER RESOLVED that settlement is subject to approval by the East Ramapo Central School District, and

BE IT FURTHER RESOLVED that refunds can only be made when the Petitioner is current on all tax liability.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Approval of Special Use Permit Fountainview at College Road

RESOLUTION NO. 2024-136

WHEREAS, the Town Board received an application from Fountainview at College Road for a proposed Congregant Care and Nursing Home Facility at 11 College Road a/k/a 2000 Fountainview Drive, Monsey, and

WHEREAS, said proposed use requires a special use permit from the Town Board after a public hearing has been held; and

WHEREAS, the Town Board of the Town of Ramapo held a duly noticed Public Hearing on September 13, 2023, at 7:00 P.M. at Ramapo Town Hall, 237 Route 59, Suffern, NY, pursuant to 376-161 of the Town of Ramapo Zoning Code, at which all interested parties were heard; and

WHEREAS, the Town Board reserved decision regarding the special use permit until the Planning Board made a SEQRA determination in connection with the proposed action;

WHEREAS, the proposed action was classified as an Unlisted Action and the Planning Board adopted a negative declaration on October 18, 2023.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Ramapo that special use permit for a Congregant Care and Nursing Home Facility is hereby **approved**.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Public Hearing:

Order Calling Public Hearing: In the Matter of The Increase and Improvement of the Facilities of the Ambulance District in the Town of Ramapo, Rockland County, New York

RESOLUTION NO. 2024-137

CORRECTED RESOLUTION

WHEREAS, the Town Board of the Town of Ramapo, Rockland County, New York, has caused to be prepared an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Ambulance District in the Town of Ramapo, Rockland County, New York, consisting of the purchase of ambulances and equipment, at a maximum estimated cost of \$1,023,235; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the Ambulance District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY ORDERED, by the Town Board of the Town of Ramapo, Rockland County, New York, as follows:

- Section 1. A public hearing will be held at the Ramapo Town Hall, in Suffern, New York, in said Town, on April 10, 2024 at 7:00 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Ambulance District in the Town of Ramapo, Rockland County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.
- Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper of the Town, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Ramapo, Rockland County, New York, will meet at Ramapo Town Hall, in Suffern, New York, in said Town, on April 10, 2024, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing in relation to the proposed increase and improvement of the facilities of the Ambulance District consisting of the purchase of ambulances and equipment in and for said Town, at a maximum estimated cost of \$1,023,235.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Section 4. This Order shall take effect immediately.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSTAIN:	Wanounou

Order Calling Public Hearing: In the Matter of The Increase and Improvement of Facilities of Sewer District No. 5 in the Town of Ramapo, Rockland County, New York

RESOLUTION NO. 2024-138

CORRECTED RESOLUTION

WHEREAS, the Town Board of the Town of Ramapo, Rockland County, New York, has caused to be prepared a plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of Sewer District No. 5 in the Town of Ramapo, Rockland County, New York, consisting of the purchase of various equipment, at a maximum estimated cost of \$1,316,447; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of Sewer District No. 5, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY ORDERED, by the Town Board of the Town of Ramapo, Rockland County, New York, as follows:

Section 1. A public hearing will be held at the Ramapo Town Hall, in Suffern, New York, in said Town, on April 10, 2024 at 7:02 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Sewer District No. 5 in the Town of Ramapo, Rockland County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper of the Town, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Ramapo, Rockland County, New York, will meet at Ramapo Town Hall, in Suffern, New York, in said Town, on April 10, 2024, at 7:02 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing in relation to the proposed increase and improvement of the facilities of Sewer District No. 5 consisting of the purchase of various equipment in and for said Town, at a maximum estimated cost of \$1,316,447.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Section 4. This Order shall take effect immediately.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Finance Dep't:

Bonding Resolutions

Issuance of \$285,000 Bonds for the Purchase of IT Equipment

RESOLUTION NO. 2024-139

BOND RESOLUTION DATED MARCH 13, 2024.

A RESOLUTION AUTHORIZING THE PURCHASE OF IT EQUIPMENT IN AND FOR THE TOWN OF RAMAPO, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$285,000, AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

SUPERVISOR SPECHT	VOTING	YES
COUNCILMAN WANOUNOU	VOTING	NO
COUNCILMAN WEISSMANDL	VOTING	NO
COUNCILMAN ROSSMAN	VOTING	YES
COUNCILWOMAN CHARLES	VOTING	YES

BE IT RESOLVED by the affirmative vote of less than two-thirds of the total voting strength of the Town of Ramapo, Rockland County, New York, the resolution was thereupon declared duly **DEFEATED.**

RESULT:	DEFEATED [3 TO 2]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman
NAYS:	Wanounou, Weissmandl

Issuance of \$103,173 Bonds for the Purchase of a Trailer and Garage Doors

RESOLUTION NO. 2024-140

BOND RESOLUTION DATED MARCH 13, 2024.

A RESOLUTION AUTHORIZING THE PURCHASE OF A TRAILER AND GARAGE DOORS IN AND FOR THE TOWN OF RAMAPO, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$103,173, AND AUTHORIZING THE ISSUANCE OF \$103,173 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

SUPERVISOR SPECHT	VOTING	YES
COUNCILMAN WANOUNOU	VOTING	NO
COUNCILMAN WEISSMANDL	VOTING	NO
COUNCILMAN ROSSMAN	VOTING	YES
COUNCILWOMAN CHARLES	VOTING	YES

BE IT RESOLVED by the affirmative vote of less than two-thirds of the total voting strength of the Town of Ramapo, Rockland County, New York, the resolution was thereupon declared duly **DEFEATED.**

RESULT:	DEFEATED [3 TO 2]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman
NAYS:	Wanounou, Weissmandl

Subject to Permissive Referendum, the Issuance of \$6,049,646 Bonds for the Purchase of Various Equipment

RESOLUTION NO. 2024-141

BOND RESOLUTION DATED MARCH 13, 2024.

A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS HEAVY EQUIPMENT AND APPARATUS IN AND FOR THE TOWN OF RAMAPO, ROCKLAND COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$6,049,646 AND AUTHORIZING, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF \$6,049,646 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

SUPERVISOR SPECHT	VOTING	YES
COUNCILMAN WANOUNOU	VOTING	NO
COUNCILMAN WEISSMANDL	VOTING	NO
COUNCILMAN ROSSMAN	VOTING	YES

COUNCILWOMAN CHARLES VOTING YES

BE IT RESOLVED by the affirmative vote of less than two-thirds of the total voting strength of the Town of Ramapo, Rockland County, New York, the resolution was thereupon declared duly **DEFEATED.**

RESULT:	DEFEATED [3 TO 2]
MOVER:	Michael Rossman, Councilman
SECONDER:	Brendel Charles, Councilwoman
AYES:	Specht, Charles, Rossman
NAYS:	Wanounou, Weissmandl

Purchasing:

Acceptance of Extension of Agreement: HVAC Services Clover Stadium

RESOLUTION NO. 2024-142

WHEREAS, the Town, by Resolution No. 2023-242, entered into an agreement with Ami Mechanical Services, Inc., 168 Hopper Avenue, Waldwick, Nj 07463, for HVAC Maintenance at Clover Stadium, and

WHEREAS, the agreement with Ami Mechanical Services, Inc. provided for an extension of said agreement for an additional one (1) year period, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation, recommends that the above agreement be extended, and

WHEREAS, Mona Montal, Director of Purchasing, concurs with said recommendation,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Ramapo that it hereby extends the above agreement with *AMI MECHANICAL SERVICES, INC.* for HVAC Maintenance at Clover Stadium, for an additional one (1) year period, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with Ami Mechanical Services in a form approved by the Town Attorney’s office.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Rossman, Councilman
SECONDER:	Brendel Charles, Councilwoman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Acceptance of Bid:Reconditioning of Courts at Ramapo Tennis at Rustic Brook

RESOLUTION NO. 2024-143

WHEREAS, the Purchasing Department solicited bids for Reconditioning of Courts at Ramapo Tennis at Rustic Brook for the Town of Ramapo, and

WHEREAS said bids were received by the Town Clerk of the Town of Ramapo and opened on February 15th , 2024, in accordance with the provisions of the law, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation, recommends the acceptance of the lowest responsible bid from Oval Tennis, Inc., P.O. Box 189, Somers, New York, 10589, in the amount of \$24,000.00, and

WHEREAS, Mona Montal, Director of Purchasing, concurs with said recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the bid of *OVAL TENNIS, INC.*, for Reconditioning of Courts at Ramapo Tennis at Rustic Brook in the amount of \$24,000.00 be accepted, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with Oval Tennis, Inc., in a form approved by the Town Attorney’s Office.

SOURCE OF FUNDS: 7160A.3446 and 7110A.3446.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Rossman, Councilman
SECONDER:	Brendel Charles, Councilwoman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Amendment of Resolution No. 2024-143: Acceptance of Bid: Reconditioning of Courts at Ramapo Tennis at Rustic Brook

RESOLUTION NO. 2024-144

WHEREAS, the Town Board by Resolution No. 2024-143 accepted the bid of Oval Tennis, Inc. for the Reconditioning of Courts at Ramapo Tennis at Rustic Brook in the amount of \$24,000.00, and

WHEREAS, the Board wishes to amend said resolution to reflect the correct bid amount.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby AMENDS RESOLUTION NO. 2024-143 to read as follows:

“WHEREAS, the Purchasing Department solicited bids for Reconditioning of Courts at Ramapo Tennis at Rustic Brook for the Town of Ramapo, and

WHEREAS said bids were received by the Town Clerk of the Town of Ramapo and opened on February 15th , 2024, in accordance with the provisions of the law, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation, recommends the acceptance of the lowest responsible bid from Oval Tennis, Inc., P.O. Box 189, Somers, New York, 10589, in the amount of \$28,000.00, and

WHEREAS, Mona Montal, Director of Purchasing, concurs with said recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the bid of OVAL TENNIS, INC., for Reconditioning of Courts at Ramapo Tennis at Rustic Brook in the amount of \$28,000.00 be accepted, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with Oval Tennis, Inc., in a form approved by the Town Attorney’s Office.”

SOURCE OF FUNDS: 7160A.3446 and 7110A.3446.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Rossman, Councilman
SECONDER:	Brendel Charles, Councilwoman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Acceptance of Bid: Buses for Various One Day Local Trips, School Bus and Equivalent

RESOLUTION NO. 2024-145

WHEREAS, the Purchasing Department of the Town of Ramapo has solicited bids for Buses for Various One Day Trips, (School Bus or Equivalent), and

WHEREAS, bids were received by the Town Clerk of the Town of Ramapo and opened February 15th , 2024, in accordance with the provisions of the law, and

WHEREAS, Michelle Antosca, Director of Parks and Recreation, recommends the acceptance of the sole responsible bid submitted by Chestnut Ridge Transportation, Inc., 56 West Church Street, Spring Valley, New York 10977, and

WHEREAS, Mona Montal, Director of Purchasing, concurs with the said recommendation,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Ramapo that the sole responsible bid submitted by CHESTNUT RIDGE TRANSPORTATION, INC., for Various One Day Trips (School Bus or Equivalent) be hereby approved and accepted, and

BE IT FURTHER RESOLVED that the Supervisor be hereby authorized to sign an agreement with Chestnut Ridge Transportation, Inc., in a form approved by the Town Attorney's Office.

SOURCE OF FUNDS: VARIOUS OPERATING

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Extending Term for Provisions of Services: Elevated Computing- 2024

RESOLUTION NO. 2024-146

WHEREAS, the Town Board, by Resolution No. 2023-243, extended the August 31, 2021 proposal of Elevated Computing, 237 Route 52, Building 3, Suite 1, Hopewell Junction, New York 12533, to provide the Town with Network Engineer/Systems Administrator resource for a term of twelve months, and

WHEREAS, Harry Grossman, Director of Automated Services, has recommended the Town again extend the term for the provisions of said services by Elevated Computing for an additional twelve (12) months for a fee of \$7,040.00 per month

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby extends the term for provisions of services by ***ELEVATED COMPUTING*** to provide the Town with a Network Engineer/Systems Administrator resource for eighty hours of remote support each month between the hours of 9 A.M. and 5 P.M., including 32 hours of onsite support at a fee of \$7,040.00 per month for twelve (12) months of 2024, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute an agreement with Elevated Computing in a form approved by the Town Attorney’s Office. Said agreement may be terminated upon thirty (30) days’ prior written notice.

SOURCE OF FUNDS: 1680A.3452 (Consultant)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

General Matters:

Approval of Policy-Making Positions Who Must File a Financial Disclosure Statement for Tax Year 2023

RESOLUTION NO. 2024-147

WHEREAS, the Town Board of the Town of Ramapo adopted an Ethics Local Law, Local Law No. 11 of 1988, as amended by Local Law Nos. 3 of 1991, 5 of 1995, 3 of 1996, 2 of 2012, 3 of 2015, 6 of 2018, and 4 of 2020, which requires the filing of a Financial Disclosure Statement by various Town officials and employees, and

WHEREAS, pursuant to the Local Law, the Town is required to adopt an annual list of those policy-making positions who must file an annual statement of financial disclosure,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that the attached list of ***POLICY-MAKING POSITIONS WHO MUST FILE A FINANCIAL DISCLOSURE STATEMENT FOR THE TAX YEAR 2023***, be hereby approved and adopted, and

BE IT FURTHER RESOLVED that the time to file a financial disclosure statement is May 15, 2024.

**POLICY-MAKING POSITIONS
WHO MUST FILE A FINANCIAL DISCLOSURE STATEMENT**

The Town Board of the Town of Ramapo hereby resolves that the policy-making individuals who must file an annual Statement of Financial Disclosure for the Tax Year 2023 are:

All local elected officials of the Town of Ramapo (except Judges or Justices of the Unified Court System).

All local political party officials who earn \$30,000 or more from political party committee funds.

All candidates for local elected offices who file petitions for nomination at the primary election or who receive the nomination of a party other than a primary election.

Local officers and employees who hold policy-making positions as annually determined by the Town Board. These officers and employees include:

1. Persons holding the following job titles:
- a) Assessor

b) Building Inspector II

c) Chief of Police

d) Confidential Assistant to Supervisor

e) Constituent Services Assistants

f) Deputy Director of Public Works

g) Deputy Town Clerk

h) Director of Automated Systems

i) Director of Building & Grounds

j) Director of Finance

k) Director of Parks and Recreation

l) Director of Purchasing

m) Intergovernmental Relations Coordinators

n) Justice Court Clerk

o) Land Acquisition Agent

p) Personnel Administrator

q) Planning Assistant

r) Police Captains

s) Program Coordinator Challenger Center

t) Program Coordinator Emergency Preparedness

u) Receiver of Taxes

v) Safety Manager

w) Secretary to Planning Board

x) Secretary to Zoning Board

y) Town Clerk
2. All members of the legal professional staff of the Town Attorney’s Office.
3.

a) All members of the Planning Board of the Town of Ramapo

b) All members of the Zoning Board of Appeals of the Town of Ramapo

c) All members of the Assessment Board of Review of the Town of Ramapo
4. Notwithstanding the above, this list shall not include any employee of the Town of Ramapo covered under the CSEA and PBA Bargaining Units.

The statements to be filed herein are required to be filed by May 15, 2024.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Acceptance of Proposal: Excess Liability Coverage: Lebaum Company, Inc. 2024

RESOLUTION NO. 2024-148

WHEREAS, the Town is in receipt of a proposal from Lebaum Company, Inc. dated March 8, 2024, for Excess Liability Coverage for the term of March 1, 2024 to March 1, 2025, and

WHEREAS, Mona Montal, Director of Purchasing, recommends its acceptance,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the proposal of **LEBAUM COMPANY, INC.** of 17 Monsey Boulevard, Monsey, New York, 10952, for the following **Excess Liability Coverage** for the above term:

Allied World- \$10,000,000 Excess of HCC \$11,000,000 Only:

Total..... \$152,951.00

Excess of \$11,000,000 the Public Officials and Employment Practices Liability:

Total.....\$87,850.00

, and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to execute all documents approved by the Town Attorney’s Office necessary for the Town to accept the above proposal.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Weissmandl
ABSTAIN:	Wanounou

Waiver of 24 Hour Rule:

Waiver of Rules of Order: 24hr Rule

RESOLUTION NO. 2024-149

WHEREAS the Town Board, by Resolution No. 2018-83, adopted Rules of Order for the Town Board of the Town of Ramapo, and

WHEREAS, pursuant to said Rules, to the extent practicable, no resolution may be brought for a vote unless printed or digital copies are presented to each Board member 24 hours prior to the opening of the meeting, and

WHEREAS, said rule can be waived by a majority consent of the Board members present,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby waives the **RULES OF ORDER** with regard to the 24 hour rule.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

New Business:

Set Public Hearing: Community Development Block Grants Program - 2024

RESOLUTION NO. 2024-150

WHEREAS, the County of Rockland administers the Community Development Block Grant program, and will make funding available to eligible local governments for housing, economic development, public facilities, public infrastructure and planning activities.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that a Public Hearing be held on March 27, 2024 at 7:00 P.M., at Ramapo Town Hall, 237 Route 59, Suffern, NY, pursuant to section 570.486, subpart 1 of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974 for the purpose of soliciting public comments on the **TOWN OF RAMAPO’S COMMUNITY DEVELOPMENT NEEDS, AND TO DISCUSS THE POSSIBLE SUBMISSION OF ONE OR MORE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATIONS FOR THE 2024 PROGRAM YEAR.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Acceptance of Easement: 134 Union Road

RESOLUTION NO. 2024-151

WHEREAS, the Town of Ramapo Planning Board has granted Plan approval for 134 Union Road, and

WHEREAS, said approvals required the developer to provide a Road Widening Dedication and a Shade Tree Easement benefiting the Town, and

WHEREAS, MJ Engineering and the Town Attorney’s Office have reviewed the above easements and recommend their acceptance,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Ramapo that it hereby accepts the above easements, subject to recording.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Yehuda Weissmandl, Councilman
SECONDER:	Brendel Charles, Councilwoman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl

Supervisor's Comments:

SUPERVISOR SPECHT congratulated the Suffern Mounties Hockey Team on winning the State Championship for the second time in three (3) years.

Adjournment:

Adjournment

RESOLUTION NO. 2024-152

RESOLVED by the Town Board of the Town of Ramapo that the Special Meeting of the Ramapo Town Board held this evening, March 13, 2024, be hereby **adjourned at 8:08 P.M.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brendel Charles, Councilwoman
SECONDER:	Michael Rossman, Councilman
AYES:	Specht, Charles, Rossman, Wanounou, Weissmandl