

TOWN OF ORANGETOWN PLANNING BOARD
Wednesday, November 10, 2021

Continued item from January 27, 2021 Meeting:

Dominican College Athletic Complex Site Plan

PB#20-57

Prepreliminary/ Preliminary/ Final Site Plan
and SEQRA Review

**Preliminary
Site Plan Approval**

470 Western Highway, Orangeburg

Subject to

74.06/3/Lots 1.1 & 1.3; R-40 zoning district

Conditions/ Neg Dec

Other Business: The Board reviewed a referral from the Town Board for **Dominican College Watercourse Diversion Permit**, 470 Western Highway, Orangeburg, 74.06/3/Lots 1.1 & 1.3; R-40 zoning district. The Board did not have any comments.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Andrew Andrews and seconded by Michael Mandel and agreed to by all in attendance. The meeting was adjourned at 11:50 p.m. The next Planning Board meeting is scheduled for December 8, 2021.

DATED: November 10, 2021

**Cheryl Coopersmith
Town of Orangetown Planning Board**



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**PB #21-56: Rockland Country Club Site Plan
Amendment to Final Site Plan Approval Subject to Conditions
Reaffirmation of Neg. Dec.**

Permit #50905

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**TO: Matthew Ceplo, 380 route 9W, Sparkill, New York
FROM: Orangetown Planning Board**

RE: Rockland Country Club Site Plan: The application of Dominick Pilla, applicant, for Rockland Country Club, owner, for an Amendment to the Final Site Plan Approval, PB#21-28, dated June 9, 2021. The Site is known as **“Amendment to Final Site Plan Approval for Rockland Country Club Site Plan”**, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown, and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 597 Route 340, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.09, Block 1, Lot 24; in the R-80 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, November 10, 2021**, at which time the Board made the following determination:

Dominick Pilla and Matt Ceplo appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report dated November 3, 2021.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, AIA, RA, Director, dated November 5, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated November 5, 2021.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated Octo 28, 2021.
5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated November 9, 2021.
6. Letters from DRPILLA, signed by Dominick Pilla and Sarah Murray, dated September 30 and November 8, 2021.
7. Copy of PB #21-28, Final Planning Board Approval Subject to Conditions, dated June 9, 2021.
8. Plans prepared by DRPILLA Consultant Engineers, dated September 1, 2021:
 - C-001: Title Sheet
 - C-100.03: Existing Site Plan
 - C-101.00: Proposed Site Plan
 - C-102.02: Soil Erosion and Sediment Control Plan
 - C-200.01: Typical Details
 - C-201.00: Soil Erosion and Sediment Control Details

The Board reviewed the plans. The hearing was opened to the Public.

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There being no one from the Public, a motion was made to close the Public Hearing portion of the meeting by Michael Mandel and second by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, absent, Denise Lenihan, aye; Michael McCrory, aye, Bruce Bond, aye.

Reaffirmation of SEQRA:

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board's analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Planning Department, Rockland County Department of Highway, Rockland County Drainage Agency, Rockland County Sewer District #1, and having reviewed the drawings presented by the applicant's professional consultant; a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;

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- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Bruce Bond and second by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, aye; Bruce Bond, aye; Robert Dell, aye; Stephen Sweeney, absent, and Andrew Andrews, aye, the Board made a Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing and the testimony before the Board, the application was granted an **Amendment to the Final Site Plan Approval Subject to the Following Conditions:**

1. Per Condition Number 4 of PB #21-28, "A containment liner will be placed under and around the fuel tanks for additional protection." This requirement was made by the Board; however, is not required by New York State code.

2. The Town of Orangetown Department of Environmental Management and Engineering reviewed the submitted documents and had no comment on this project at this time.

3. Drainage Review Recommendation – Brooker Engineering

The proposed action will not result in any significant increases in stormwater runoff or changes in drainage patterns that requires mitigation and the applicant has addressed previous comments. Brooker Engineering, the Planning Board's Drainage Consultant therefore recommends that the Rockland Country Club Site Plan be approved for drainage subject to no conditions.

4. It appears that the plans have the same date, September 1, 2021 as the plan previously approved for drainage. The current submission should have a new revision date.

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PB #21-56: Rockland Country Club Site Plan **Permit #50905**
Amendment to Final Site Plan Approval Subject to Conditions
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5. All pertinent conditions of the previous decision remain applicable, PB#21-28, Final Site Plan Approval Subject to Conditions, dated June 9, 2021

6. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

The foregoing Resolution was made and moved by Bruce Bond and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Michael Mandel, aye; Robert Dell, nay; Denise Lenihan, aye; Michael McCrory, aye; Andrew Andrews, aye, Stephen Sweeney, absent, and Bruce Bond, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **DECISION** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

Dated: November 10, 2021
Cheryl Coopersmith
Chief Clerk Boards and Commissions



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**PB#21-57: Suez PFAS Compliance
Tappan Wells #16 & #20 Site Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit # 51726

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**TO: Gary Stuart, PE, CDM Smith, 11 British American Boulevard,
Suite 200, Latham, New York 12110
FROM: Orangetown Planning Board**

RE: Suez PFAS Compliance – Tappan Wells Site Plan: The application of Suez Water New York, Inc., owner, for Prepreliminary/ Preliminary/ Final Site Plan at a site known as “**Suez PFAS Compliance – Tappan Wells Site**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 119 Washington Avenue, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.06, Block 2, Lot 77 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, November 10, 2021**, the Board made the following determinations:

Gary Stuart and John Kirkpatrick appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated November 3, 2021.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, AIA, RA, Director, dated November 8, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated November 5, 2021.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated Octo 28, 2021.
5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated November 9, 2021.
6. A letter from the Rockland County Department of Planning, signed by Helen Kenny-Burrows, Principal Planner, dated October 13, 2021.
7. Notices from the Rockland County Highway Department, signed by Dyan Rajasingham, P.E., dated October 27, 2021.
8. Letter from the Rockland County Department of Health, signed by Elizabeth Mello, PE., dated November 8, 2021.
9. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated October 18, 2021.

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10. Email from Orange & Rockland from Alfred Gaddi, PE, Principal Engineer, dated October 12, 2021.
11. Letter from Glennys Romero Media, Division of Environmental Permits, Region 3, New York State Department of Environmental Conservation, dated November 5, 2021.
12. Notices from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chair, dated October 20, 2021.
13. Building Permit Referral dated July 16, 2021 signed by Rick Oliver, Building Inspector.
14. Letter from CDM Smith, dated September 8, 2021, signed by Gary Stuart, PE, Project Manager, attachment "Project Narrative."
15. Short Environmental Assessment Form signed by Steven Garabed, dated September 7, 2021.
16. Plans prepared by CDM Smith, dated July 2021:

General

Cover Sheet
G-001: Index of Drawings

Civil

C-100- Civil General Notes, Abbreviations, Legend and Symbols
C-201: Civil Existing conditions/ Boring Plan – Tappan
C-202: Civil Site Clearing, Demolition and Staging – Tappan
C-203: Civil Sedimentation and Erosion controls Plan – Tappan
C-204: Civil Grading and Drainage Plan – Tappan
C-205: Civil Site Improvement Plan – Tappan
C-206: Civil Yard Piping Plan – Tappan
C-207: Civil Piping Profiles – Tappan
C-401: Civil Miscellaneous Site Details I
C-402: Civil Miscellaneous Site Details II
C-403: Civil Miscellaneous Site Details III
C-404: Civil Sedimentation and Erosion Details

Architectural

A-001: Architectural General Notes, Abbreviations and Symbols
A-202: Architectural Code Compliance and Egress Plan – Tappan
A-204: Architectural Building Elevations – Tappan
A-205: Architectural Building Sections - Tappan

The Board reviewed the plans. The hearing was then opened to the Public.

Public Comment:

Alex Yanais, 19 Grant Street, requested the dimensions of the building and wanted to know if the fence would be expanded to include the new structure.

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**PB#21-57: Suez PFAS Compliance
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Gerry Geggia, 66 Sickletown Road, Orangeburg, discussed the harmful impact of PFAS chemicals in the water and the environment.

There being no one else from the Public, a motion was made to close the Public Hearing portion of the meeting by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Bruce Bond, aye; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, absent, and Mike McCrory, aye

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (al) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, aye; Robert Dell, aye; Stephen Sweeney, absent, and Bruce Bond, aye, the Board declared itself Lead Agency.

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board's analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely CDM Smith, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Rockland County Highway Department, Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Sewer District No. 1, and having reviewed proposed Site Plan by prepared by CDM Smith, a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

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- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Michael Mandel and seconded by Andrew Andres and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Bruce Bond, aye; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, absent, and Mike McCrory the Board made a Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Preliminary Site Plan Approval Subject to the Following Conditions:**

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.

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3. The applicant shall address the landscaping of the site and provide a planting plan to the Planning Board at Final Review.

4. The lighting on the building should be reviewed as well as possible reduction of the number of lights, while maintaining a safe environment.

5. Per Chapter 43, table 3.11, Column #4, item #5, Public Utility Substations are a Conditional Use upon approval of the Planning Board and subject to Performance Standards Procedure, 4.12. Application must be made for Industrial Use Committee review.

6. All setbacks to the proposed structure shall be shown on the plans.

7. All dimensions for the proposed structures and land improvements must be shown on the plans, including proposed paving and concrete slabs.

8. The Short Environmental Assessment Form must be revised and resubmitted as follows;

- a. Part 1, number 2, shall be "Yes" and list "Town of Orangetown building permit."

9. Per Chapter 2, section 2-4, review and approval is required from the Town of Orangetown Architecture and Community Appearance Board of Review.

10. The total area of disturbance (a.o.d.) shall be listed on the civil drawings. The applicant's engineer is reminded that all proposed demolition and improvements must be added into the total a.o.d. (e.g. fence removal, piping and valve removal, asphalt removal, asphalt installation, building construction, fence installation, etc.)

11. The applicant's engineer is advised that if the a.o.d. is over 1 acre, a full SWPPP must be supplied to DEME for review and approval.

12. Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval. The calculations shall include the sizing of the exhaust piping as well as the rip-rap energy dissipater. Also, the applicant's engineer shall design onsite storage to achieve a zero increase in runoff from the proposed site.

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13. Curbing, stormwater quantity and stormwater quality features shall be proposed along the new/ expanded eastern, southern and western and paved area, to direct, capture, detain and treat stormwater runoff from this site.
14. The drainage calculations shall include a table listing a breakdown and comparison of the existing areas of impervious cover/ surfaces and the proposed areas of impervious cover/ surfaces. This breakdown will include pavement, roofs, etc.
15. Drawing C-206 shows a pipe coming from the new GASC treatment building and exhausting to the west of the proposed improvements. It is labeled as "4" FD—PVC" and to "see plumbing for continuation." First, the plumbing drawing was not included in the drawing set. Second, what exactly is this pipe exhausting? No matter the purpose, this direct exhaust is not acceptable. ALL runoff from this proposed building must be captured and treated before being allowed to "exit" the area. The applicant's engineer shall explain what this pipe is intended to carry.
16. With respect to comment #15 above, drawings C-204 does not show the piping coming from the new GAC building. The drawings must be coordinated.
17. The soil erosion and sediment control plan shall be revised to show all proposed improvements, drainage piping, regrading, etc. to ensure all appropriate erosion control features are specified.
18. Drawing C-202 shows the staging area for the project to be where there is to be pavement expansion. The applicant's engineer shall explain the sequence of construction and how/ when this area will be regraded and paved and where the staging area will move to when this area is constructed.
19. Drawing C-404 contains details for soil erosion and sediment control measures that are not depicted on drawing-203 (e.g. soil erosion blanket, catch basin silt sack, soil stockpile, etc.) All proposed SESC features and their locations shall be shown on drawing C-203.
20. The soil erosion and sediment control symbols shall conform to NYSDEC standards.
21. Legends shall be provided on all civil drawings.
22. The datum for the contours shall be given on the plans.
23. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum (including the BM elevation.)
24. A more legible location map, with street names shall be given on the cover drawing.

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25. The Town of Orangetown Fire Prevention Bureau reviewed the plans and offered the following comments:

1. Fire Apparatus Access road minimum width is 20', proposed road appears to scale less. Label access road dimensions on plan. 2020IFC 503.2.1
2. A Fire Apparatus Access road with a hydrant requires a minimum width of 26', proposed road width scales to 21'.
3. The proposed Fire Apparatus Access road requires a turnaround (2020 IFC D103.4) in accordance with 2020 IFC Figure D103.1.

26. Drainage Review Recommendation – Brooker Engineering

The application has provided sufficient information to demonstrate that there are no potential significant adverse impacts with respect to drainage require mitigation. Brooker Engineering, the Planning Board Drainage Consultant, therefore recommends that the Suez PFAS Compliance Tappan Wells Site Plan application be approved subject to the following Project Comments.

Project Description

This is the first drainage review report for this project. The project consists of the construction of a new 37'-4" by 28'-0" water treatment building for Suez Water. The site is already developed with driveway access and a parking area for a water supply well field. The site is on a plateau and stormwater runoff flows downhill to the east, south, and west sides of the parking area. Stormwater runoff is disconnected from the adjacent properties by the large undisturbed slopes on the site. It appears that the new impervious area is largely over existing impervious surfaces and the net increase in new pavement is less than 400 square feet. Existing drainage patterns are being maintained.

Project Comments

1. Provide the building dimensions and paved area dimensions on the site plan.
2. Provide calculations that show the overall additional impervious area is less than 400 square feet.

27. Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and no future correspondence is requested for this site.

28. Orange and Rockland Utilities reviewed the plans and found that O&R does not have any gas facilities in the area. All code 753 rules must be followed.

29. The Rockland County Department of Health (RCDOH) reviewed the submitted information and provided the following comment:

1. Application is to be made to RCDOH for review of the storm water management system for compliance with the County Mosquito Code.

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30. The New York State Department of Environmental Conservation (DEC) indicated that based upon its review of the circulated documents, NYSDEC offered the following comments:

- **Protection of Waters:** There are no waterbodies that appear on the regulatory maps at the project site you identified. Therefore, if there is a stream or pond outlet present at the site with year-round flow, it assures the classification of the water course into which it feeds and a Protection of Water permit may or may not be required to disturb its bed or banks. If there is a stream or pond outlet present at the site that runs intermittently (seasonally), it is not protected, and a Protection of Waters permit would not be required to disturb its bed or banks.
- If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or water body. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.
- **Freshwater Wetlands:** The identified property is not within a New York State protected Freshwater Wetlands.
- **State Pollutant Discharge Elimination System (SPDES) Stormwater:** If the overall project will disturb over one acre of land, the project sponsor must obtain coverage under the current SPDES General Permit for Stormwater Discharge from Construction Activity (GP-0-20-001), and a Stormwater Pollution Prevention plan (SWPPP) must be developed which conforms to requirements of the General Permit. Authorization for coverage under this SPDES General Permit is not granted until the Department issues all other necessary DEC Permits. As the site is within a Municipal Separate Storm Sewer System (MS4) community, the SWPPP must be reviewed and accepted by the municipality, and the MS4 Acceptance Form submitted with the SWPPP and the application for coverage, in accordance with the application instructions.
- **Cultural Resources:** DEC has reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. Visit NYS Office of Historic Preservation website at nysparks.com/shop/online-tools.

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31. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:

- Rockland County Health Department
- Rockland County Sewer District #1
- New York State Department of Environmental Conservation
- Town of Orangetown Zoning Board of Appeals
- Rockland County Department of Highways

32. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans and Board Decisions prior to signing the final plans.

33. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.

34. TREE PROTECTION: The following note shall be placed on the Site Plan: The Tree Protection and Preservation Guidelines adopted pursuant to Section 21-24 of the Land Development Regulations of the Town of Orangetown will be implemented in order to protect and preserve both individual specimen trees and buffer area with many trees. Steps that will be taken to reserve and protect existing trees to remain are as follows:

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.

d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

- One (1) foot radius from trunk per inch DBH
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

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35. All landscaping shown on the site plans shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

36. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

37. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.

38. If the applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant shall submit their recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Wetlands - U.S. Army Corps of Engineers).

39. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.

40. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

41. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

TOWN OF ORANGETOWN
2021 DEC -9 A 10:49
TOWN CLERK'S OFFICE

**PB#21-57: Suez PFAS Compliance
Tappan Wells #16 & #20 Site Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit # 51726

**Town of Orangetown Planning Board Decision
November 10, 2021
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42. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and/or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

The foregoing Resolution was made and moved by Bruce Bond and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Bruce Bond, aye; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, absent, and Mike McCrory.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **DECISION** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

**Dated: November 10, 2021
Cheryl Coopersmith
Chief Clerk Boards and Commissions**

Cheryl Coopersmith

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TOWN CLERK'S OFFICE

**State Environmental Quality Review Regulations
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

**PB#21-57: Suez PFAS Compliance
Tappan Wells #16 & #20 Site Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit # 51726

**Town of Orangetown Planning Board Decision
November 10, 2021**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION: Suez PFAS Compliance Tappan Wells #16 & #20 Site Plan-Preliminary Site Plan Approval Subject to Conditions

SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 119 Washington Avenue, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.06, Block 2, Lot 77 in the R-15 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. The reasons supporting this determination are as follows:

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown's Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.

If Conditioned Negative Declaration, the specific mitigation is provided on an attachment.

For Further Information contact:

Office of Building, Zoning and Planning
Administration and Enforcement
Town of Orangetown
20 Greenbush Road, Orangeburg, NY 10962
Telephone Number: 845-359-5100

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

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TOWN OF ORANGETOWN

**PB #21-58: 1110 Route 9W South Site Plan
Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #50340

**Town of Orangetown Planning Board Decision
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**TO: Vincent Troia, 1110 Route 9W South, Nyack, New York 10060
FROM: Orangetown Planning Board**

RE: 1110 Route 9W South – Critical Environmental Area: The application of Vincent Troia, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review at a site to be known “**1110 Route 9W South – Retaining Wall Replacement Site Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 1110 Route 9W South, Nyack, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.05, Block 1, Lot 20; in the R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **November 10, 2021** at which time the Board made the following determinations:

Vincent Troia appeared and testified before the Board.

1. Project Review Committee Report dated November 3, 2021.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Jane Slavin, Director, Deputy Building Inspector dated November 8, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated November 5, 2021.
4. Letter from Brooker Engineering signed by Kenneth DeGennaro, PE, dated November 10, 2021.
5. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated October 28, 2021.
6. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated October 29, 2021.
7. Letter and notices from Rockland County Department of Health, signed by Elizabeth Mello, PE, Senior Public Health Engineer, dated October 14, 2021.
8. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer, Engineer II, dated October 18, 2021.
9. Letter from Orange & Rockland Utilities, from Alfred Gaddi, PE, Principal Engineer, dated September 17, 2021.
10. Notice from the Rockland County Highway Department signed by Dyan Rajasingham, dated September 21, 2021.
11. Notices from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, dated October 6, 2021.
12. Building Permit Referral to the Planning Board dated July 20, 2020 prepared by Rick Oliver, Building Inspector.

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**Town of Orangetown Planning Board Decision
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13. Project Narrative with photographs prepared by the applicant.
14. Short Environmental Assessment Form signed by Vincent Troia dated August 11, 2021.
15. Site Plan prepared by DR Pilla Consulting Engineering, dated August 4, 2021, drawings S-001.00 and S-100.00.

The Board reviewed the plans. The hearing was then opened to the Public.

There being no one from the Public, a motion was made to close the Public Hearing portion of the meeting by Michael Mandel and second by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, absent; Bruce Bond, aye; Andrew Andrews, aye and Michael McCrory, aye.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (a) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, aye; Robert Dell, aye; Stephen Sweeney, absent, and Bruce Bond, aye, the Board declared itself Lead Agency.

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board's analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant's consultant DRPilla Consulting Engineering and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the

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**Town of Orangetown Planning Board Decision
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following involved and interested agencies: Rockland County Department of Health and Rockland County Sewer District #1, and having reviewed the drawings presented by the applicant's professional consultant; DR Pilla Consulting Engineering, a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Michael Mandel and second by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Bruce Bond, aye; Robert Dell, aye; Andrew Andrews, aye; Stephen Sweeney, absent, and Michael McCrory, aye, the Board made a Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Final Site Plan Approval Subject to the Following Conditions:**

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TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
November 10, 2021
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1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The following note shall be placed on the Plan: This plan does not conflict with the County Official Map and has been approved in the manner specified by Section 239 L & M of the General Municipal Law of the State of New York.
5. Place the Section, Block and Lot Tax Number in the Key Box on Drawings #1 and #2.
6. Place the Districts in which the site is located as a note on the Site Plan:
Fire: Nyack Joint Fire Department
School: Nyack School District
Water: Suez
Sewer: Town of Orangetown
7. Note the name and address of the "Record Owner", and place a signature/date line next to the note.
8. One Drawing #1, the site is noted as being in the Town of Clarkstown, please correct.

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9. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped by the Chief Clerk to the Board and the construction plans are reviewed and approved by the Inspector.

10. The Short Environmental Assessment Form must be revised and resubmitted as follows:

- a. Part 1, number 12(b), 15 and 20, shall be "Yes."

11. Drainage Review Recommendation – Brooker Engineering

The Drainage Consultant to the Planning Board, Brooker Engineering has reviewed the submitted information and found that the application has provided sufficient information to demonstrate that there are no potential significant adverse impacts with respect to drainage that require mitigation, and therefore recommends that the 1110 Route 9W Site Plan application be approved for drainage subject to no conditions.

Project Description

This is the first drainage review report for this application. The property consists of the replacement of an existing retaining wall along the edge of pavement for the existing driveway for the home. The wall is about 140 feet long and less than three feet in exposed height. There is no additional impervious surface proposed and no change in ground cover. Existing drainage patterns will be maintained.

12. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

- A review must be completed by the New York State Department of Transportation, any comments or concerns addressed and required permits obtained.
- Several questions on the Short Environmental Assessment Form (SEAF) are answered incorrectly. The EAF Mapper Application, provided by the NYSDEC indicates that questions 12b, 15, and 20 on the SEAF should be answered affirmatively. To ensure accurate SEQRA Documentation, the Village should encourage applicants to use this tool to complete the SEAF as it populates the answers to certain questions using NYS database information.

13. The Rockland County Department of Health (RCDOH) reviewed the submitted plan and information and had held that there are no RCDOH approvals needed for this application.

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Town of Orangetown Planning Board Decision
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14. Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and no future correspondence is requested for this site.

15. Orange & Rockland Utilities reviewed the submitted information and plans and offered the following comment:
The proposed retaining wall may be in conflict with the existing gas service as the service will be under the proposed wall. **Please contact new business for any service relocation** and resolution. All code 753 rules must be followed. **A letter/email of resolution must be provided to the Planning Board.**

16. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:

- Rockland County Health Department
- Rockland County Sewer District #1
- Town of Orangetown Zoning Board of Appeals

17. The Silt Fence shall be continued further in order to protect the neighbor's fence.

18. The Planning Board granted a waiver of the Architecture and Community Appearance Board of Review.

19. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans and Board Decisions prior to signing the final plans.

20. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.

21. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and/or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

22. TREE PROTECTION: The following note shall be placed on the Site Plan: The Tree Protection and Preservation Guidelines adopted pursuant to Section 21-24 of the Land Development Regulations of the Town of Orangetown will be implemented in order to protect and preserve both individual specimen trees and buffer area with many trees. Steps that will be taken to reserve and protect existing trees to remain are as follows:

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Continuation of Condition #22...

- a. No construction equipment shall be parked under the tree canopy.
 - b. There will be no excavation or stockpiling of earth underneath the trees.
 - c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.
 - d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from trunk per inch DBH
 - Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.
- The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

23. All landscaping shown on the site plans shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

24. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

25. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.

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26. If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's (applicants' engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicants engineer's) disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Federal Wetlands - U.S. Army Corps of Engineers).

27. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.

28. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

29. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

The foregoing Resolution was made and moved by Andrew Andrews and second by Bruce Bond and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Bruce Bond, aye; Robert Dell, aye; Stephen Sweeney, absent, Andrew Andrews, aye and Michael McCrory, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **DECISION** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

**Dated: November 10, 2021
Cheryl Coopersmith
Chief Clerk Boards and Commissions**



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**State Environmental Quality Review Regulations
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

**PB #21-58: 1110 Route 9W South Site Plan
Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #50340

**Town of Orangetown Planning Board Decision
November 10, 2021**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION: 1110 Route 9W South Site Plan-Critical Environmental Area; Final Site Plan Approval Subject to Conditions

SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 1110 Route 9W South, Nyack, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.05, Block 1, Lot 20; in the R-22 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. The reasons supporting this determination are as follows:

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown's Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.

If Conditioned Negative Declaration, the specific mitigation is provided on an attachment.

For Further Information contact:

Office of Building, Zoning and Planning
Administration and Enforcement
Town of Orangetown
20 Greenbush Road, Orangeburg, NY 10962
Telephone Number: 845-359-5100

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

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**PB #21-59: Brosna Construction Site Plan
Preliminary Site Plan Approval
Subject to Conditions
Neg. Dec.**

Permit #51365

**Town of Orangetown Planning Board Decision
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**TO: James Kirby, 624 Route 303, Blauvelt, New York
FROM: Orangetown Planning Board**

RE: Brosna Construction Site Plan: The application of Brosna Construction, applicant for 624 Route 303 Realty, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review at a site known as "**Brosna Construction Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 624 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.14, Block 1, Lot 7 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, November 10, 2021**, the Board made the following determinations:

James Kirby and Patrick Benn appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated November 3, 2021.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Jane Slavin, Director, Deputy Building Inspector dated November 8, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated November 5, 2021.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated October 28, 2021.
5. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated October 29, 2021.
6. Letter and notices from Rockland County Department of Health, signed by Elizabeth Mello, PE, Senior Public Health Engineer, dated October 14, 2021.
7. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer, Engineer II, dated October 18, 2021.
8. Letter from Orange & Rockland Utilities, from Alfred Gaddi, PE, Principal Engineer, dated September 17, 2021.
9. Notice from the Rockland County Highway Department signed by Dyan Rajasingham, dated September 21, 2021.
10. Notices from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, dated October 6, 2021.
11. Building Permit Referral to the Planning Board dated April 16, 2020 prepared by Rick Oliver, Building Inspector.

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12. A Short Environmental Assessment Form, signed by John Atzl, PLS, dated May 18, 2021.
13. Project Narrative prepared by Atzl, Nasher & Zigler.
14. Site Plan prepared by Atzl, Nasher & Zigler, dated April 14, 2021, last revised July 7, 2021.
15. Architectural Plans prepared by Harry Goldstein, RA, dated April 15, 2021, drawings 1, 2,3 and 4.

The Board reviewed the submitted plans. The hearing was then opened to the Public.

There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Bruce Bond and second by Michael Mandel and carried as follows: Thomas Warren - Chairman; aye, Denise Lenihan, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, absent; Bruce Bond, aye; Robert Dell, aye and Michael McCrory, aye.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (a) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Michael Mandel and second by Bruce Bond carried as follows: Thomas Warren - Chairman; aye, Denise Lenihan, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, absent; Bruce Bond, aye, Robert Dell, aye and Michael McCrory, aye, the Board declared itself Lead Agency.

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board's analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant's consultants, Harry Goldstein, and Atzl, Nasher & Zigler, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and

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Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Rockland County Department Health, Rockland County Sewer District No. 1 and Town of Orangetown Zoning Board of Appeals and having reviewed the drawings presented by Harry Goldstein, and Atzl, Nasher & Zigler, a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman; aye, Denise Lenihan, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, absent; Bruce Bond, aye; Robert Dell, aye and Michael McCrory, aye, the Board made a Negative Declaration pursuant to SEQRA.

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DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Preliminary Site Plan Approval Subject to the Following Conditions:**

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall address the location of the existing sign by either moving it to the approved location or by returning to the Planning Board for a new location.
4. The Applicant must provide impervious coverage calculations to show the difference in the amount of impervious coverage in comparison to the previously approved site plan that was stamped for filing on October 4, 2004.
5. The applicant shall apply to the Town of Orangetown Zoning Board of Appeals for the following zoning variances:
 - 1) Per Chapter 43, Table 3.12, column 9; side yard required is 100', previously approved is 41' and proposed is 32', variance required.
 - 2) Per Chapter 43, Table 3.12, column 10; total side yard required is 200', previously approved 139' and proposed is 130.3', variance required.
6. The sign is shown straddling the designated street line and the location is not per the approved plan from 2006. The sign must be moved or a variance obtained.
7. Per Chapter 2, section 2-4; the application shall be reviewed and approved by the Town of Orangetown Architecture and Community Appearance Board of Review.

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8. The Short Environmental Assessment Form (EAF) must be revised and resubmitted as follows;
 - a. Part 1, number 12 (b), 13 (a) and number 20, should be Yes.
9. The applicant is reminded that no work is permitted and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped by the Chief Clerk to the Board and the construction plans are reviewed and approved by the inspector.
10. The site plan provided does not match the previously approved site plan (K-Binet) for this property. For example, there is additional impervious area that has been created on the site - parking stalls at the back of the property.
11. The new/ unapproved additional impervious area (identified in comment #10 above) MUST be included in the applicant's engineer's calculations for total area of disturbance and total increase of impervious area. The drainage requirements for this site shall be based upon those numbers.
12. Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to this Department for review and approval. the applicant's engineer shall design onsite storage to achieve a zero increase in runoff from the proposed site.
13. All existing and proposed drywells, seepage pits, and drainage piping (if applicable) shall be shown on the drawing.
14. The existing sanitary septic or sanitary sewer house connections (with connection detail) shall be shown on the plan (including all inverts.)
15. All existing easements and dedications shall be shown on the plan, including metes and bounds, ownership, filing information, etc.
16. Soil erosion and sediment control plans and details shall be submitted to this DEME for review and approval.
17. The sign along Route 303, within the designated street area and the 25-foot landscape buffer, is not present on the previously approved site plan. See comment #10.
18. The location of the referenced benchmark shall be shown on the drawings.

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19. The Town of Orangetown Bureau of Fire Prevention reviewed the submitted plans and information and offered the following comment:

- Show the extension of the existing sprinkler and fire alarm system on the site plan.

20. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

- A review must be completed by the New York State Department of Transportation, any comments or concerns addressed, and all required permits obtained.
- The Town shall be satisfied that all applicable requirements of the Route 303 Overlay Zone have been addressed in the proposed site plan.
- Several questions on the Short Environmental Assessment Form (SEAF) are answered incorrectly. The EAF Mapper Application, provided by the NYSDEC indicates that questions 12b, 13a, and 20 on the SEAF should be answered affirmatively. To ensure accurate SEQRA Documentation, the Village should encourage applicants to use this tool to complete the SEAF as it populates the answers to certain questions using NYS database information.
- The Rockland County Department of Planning requests the opportunity to review any variances that may be needed to implement the proposed subdivision, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).
- The architectural drawings specify a one-story addition. The project narrative, application form, SEAF, and site plan indicate that a two-story addition is proposed. All application material must be consistent.

21. The Rockland County Department of Health (RCDOH) reviewed the submitted plan and information and had held that there are no RCDOH approvals needed for this application.

22. The Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and request no future correspondence for this site.

23. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:

- Town of Orangetown Zoning Board of Appeals
- Rockland County Sewer District #1
- Rockland County Department of Health

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24. Orange and Rockland Utilities reviewed the plan and had the following comment: The proposed addition may be in conflict with the existing gas service as it enters the dwelling in the center. Please contact new business for any service relocations. All code 753 rules must be followed.

25. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans and Board Decisions prior to signing the final plans.

26. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.

27. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and/or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

28. The applicant shall comply with all previous and pertinent conditions of all prior Board Decisions.

29. TREE PROTECTION: The following note shall be placed on the site plan: The Tree Protection and Preservation Guidelines adopted pursuant to Section 21-24 of the Land Development Regulations of the Town of Orangetown will be implemented in order to protect and preserve both individual specimen trees and buffer area with many trees. Steps that will be taken to preserve and protect existing trees to remain are as follows:

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.

d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

- One (1) foot radius from trunk per inch DBH.
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:

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Continuation of Condition #29...

- Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
- Light Impacts Only – Installation of $\frac{3}{4}$ inch of plywood or boards, or equal over the area to be protected.

The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

30. All landscaping shown on the site plans shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

31. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

32. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.

33. If the applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant shall submit their recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Wetlands - U.S. Army Corps of Engineers).

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34. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.

35. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

36. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

The foregoing Resolution was made and moved by Bruce Bond and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman; aye, Denise Lenihan, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, absent; Bruce Bond, aye; Robert Dell, aye and Michael McCrory, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **DECISION** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

**Dated: November 10, 2021
Cheryl Coopersmith
Chief Clerk Boards and Commissions**



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**State Environmental Quality Review Regulations
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

**PB #21-59: Brosna Construction Site Plan
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Town of Orangetown Planning Board Decision

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION: Brosna Construction Site Plan- Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 624 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.14, Block 1, Lot 7 in the LIO zoning district.

REASONS SUPPORTING THIS DETERMINATION:

The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. The reasons supporting this determination are as follows:

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown's Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.

If Conditioned Negative Declaration, the specific mitigation is provided on an attachment.

For Further Information contact:

Office of Building, Zoning and Planning
Administration and Enforcement
Town of Orangetown
20 Greenbush Road
Orangeburg, NY 10962
Telephone Number: 845-359-5100

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

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**TO: Matthew Mohlin, 538 Broadhollow Road, 4th Floor East, Melville,
New York 11747**
FROM: Orangetown Planning Board

RE: Dominican College Athletic Complex Site Plan: The application of Dominican College, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review at a site known as “**Dominican College Athletic Complex Site Plan**” in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 470 Western Highway, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.06, Block 3, Lots 1.1 & 1.3 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at virtual meeting held **Wednesday, January 27, 2021 and an in-person meeting held November 12, 2021**, at which time the Board made the following determinations:

January 27, 2021

Brian Quinn, Sister Mary Eileen O'Brien, Sister Kathleen Sullivan, Brian Ferandes, John Burke and Anthony Cipolla appeared and testified.

The Board received the following communications:

1. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated January 25, 2021 and December 9, 2020.
2. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., January 26, 2021 and December 8, 2020.
3. Letters from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated January 26, 2021 and December 8, 2020.
4. Letters from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated November 18, 2020 and Michael Kenzer, dated November 5, 2020.
5. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated December 2, 2020.
6. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel W. Sullivan, Chairman, dated November 4, 2020.
7. Notice from the Palisades Interstate Park Commission, Karl Roecher, dated November 6, 2020.
8. Plans prepared by H2M Architects & Engineers, dated October, 2020:
 - C1.0: Existing Site Conditions and Removals Plan
 - C2.0: Dimensional Site Plan
 - C3.0: Grading and Drainage Plan
 - C4.0: Planting Plan
 - C5.0: Erosion and Sediment Control Plan
 - C6.0: Site Details
 - 1 of 1: Architectural Plan

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9. A Short Environmental Assessment Form signed by Constance Vavilis, dated October 9, 2020.
10. Building Permit Referral to the Planning Board dated August 13, 2020, prepared by Rick Oliver, Building Inspector.
11. Project Narratives prepared by H2M Architects & Engineers, signed by Matthew Mohlin, PE, dated October 8, 2020.
12. Email from Noor Salik, dated December 8, 2020.
13. Emails from Saverio and Tina Addino, dated January 26, 2021 and December , 2020.
14. Email from Matthew Duffy, dated December 8, 2020.
15. Email from Hugh Duffy, dated December 8, 2020.
16. Letter from Mathew Broderick, received December 8, 2020.
17. Letter from Kenneth McCloskey, dated December 5, 2020.
18. Email from James Nawoichyk, dated December 9, 2020.
19. Email from Angela and Daniel Badillo, dated December 7, 2020, with attachments.

The Board reviewed the plans. The hearing was then opened to the Public.

Public Comment:

James Nawoichyk, 55 Chestnut Oval, raised concerns regarding the time of day that the improved field would be used, music, parking, tree removal and security of the site.

Ken McCloskey, 83 Chestnut Oval, raised concerns that the improvements to the field would include renting it to other users. He held that the proposed location for an improved field is not suitable, it is too close to the neighbors. Mr. McCloskey also raised concerns regarding the proposed lighting.

Edwin Ramos, 34 Carleton Road, held that the neighbors should have been notified of the meeting by Certified Mail. The proposed development of the site will impact the quality of life in the neighborhood.

Lorrain McGrath, 56 Chestnut Oval, held that she selected to live in this neighborhood for its beauty. She held that the improved field will greatly impact the area.

Tina Addino, 87 Chestnut Oval, express concerns that placing a stadium in the neighborhood will devalue her property by 50 to 60 percent. The proposed lighting will be on each night, quoting Town Code Section 21A(7) part B: "... No adverse effects of lights...."

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Matthew Broderick, 63 Chestnut Oval, held that if the applicant enlarges the use of the property, it must comply with the R-40 zoning. Since athletic use is not mentioned in the Town Code, it is not permissible. Mr. Broderick held that he has previously been involved in Article 78's and concludes that this project does not fit within the Town Code.

Laura Palazolo, 91 Chestnut Oval, held that this complex is not the way to achieve improvement to the college. The lights will affect the residents, trees and wildlife in the neighborhood.

Vanessa Lapin, 659 Western Highway, requested a comprehensive presentation by the applicant.

Pat McNamee, 75 Chestnut Oval, wanted to know why a stadium would be built in a residential neighborhood.

Rana Park, 43 Carlin Place, held that the applicant evaded questions regarding the rental of the site to private users.

Angelica Badillo, 67 Chestnut Oval, expressed concerns that the improvements to the field would change the quality of life in the neighborhood. Her property value would decrease due to the proposed construction.

Andrew Badillo, 67 Chestnut Oval, held that he is experienced with the construction and rental of stadiums and that the project will diminish the value of his property.

Resident of 34 Parkway South, noted that he just found out about the meeting this evening, however the Board is not listening anyway.

The applicant requested a **CONTINUATION**.

November 10, 2021

1. Project Review Committee Report dated November 3, 2021.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Jane Slavin, Director, dated November 8, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated November 5, 2021.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated October 28, 2021.

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5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated November 10, 2021.
6. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated November 1, 2021.
7. Letter and notice from Rockland County Department of Health, signed by Elizabeth Mello, PE, Senior Public Health Engineer, dated November 8, 2021.
8. Letter from Rockland County Drainage Agency, signed by Shajan Thottakara, PE, CFM, dated November 1, 2021.
9. Letter from H2M, dated August 31, 2021, signed by Matthew Mohlin, PE, Vice President, Department Manager – Civil Engineering.
10. An updated Project Narrative from H2M Architects + Engineers, received November 10, 2021.
11. Stormwater Pollution Prevention Plan for Stormwater Construction Permit, prepared by H2M Architects + Engineers, dated June 2021.
12. Plans prepared by H2M Architects + Engineers, dated August 20, 2021:
 - G0.0: Cover Sheet
 - C1.0: Existing Site Conditions and Removals Plan
 - C1.1: Tree Removal Plan
 - C1.2: Tree Removal List
 - C2.0: Dimensional Site Plan
 - C3.0: Grading and Drainage Plan
 - C3.1: Culvert Sections
 - C4.0: Landscape Plan
 - C5.0: Erosion and Sediment Control Plan
 - C6.0: Site Details
 - C7.0: Bleacher Site Plan, Section, and Elevations
13. Letter from Patricia and Michael McNamee, dated November 7, 2021.
14. Email from Angela and Daniel Badillo, dated November 9, 2021.
15. Email from Tina Addino, dated November 9, 2021, with an attachment.

The Board reviewed the plans. The hearing was then opened to the Public.

Public Comment:

Grace Destasio, Dominican College Student Athlete, Captain of the Woman's Lacrosse Team, held that Dominican College is a Division II team without a turf field and playing on a grass field is dangerous, resulting in injuries to the players. The team presently plays on a field that is 20 minutes away.

Phil DiVenere, 43 Chestnut Oval, raised concerns regarding the decrease in property value and visual effect to the neighborhood. He wanted to know why the field needed to be in its present location.

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Lowell Pierrette, Dominican College Student Athlete, Senior on the Men's Track & Field Team, stated that he loved Dominican College but feels it could be better. He understands that as a student, he will be leaving the area, however, the future development of the new field will only make the College and the Town of Orangetown a better place. The Coach is always looking for recruits to the team, however it is hard to interest new athletes in coming to Dominican with the existing fields.

James Nawoichyk, 55 Chestnut Oval, is in full support of the project without the lights. He raised concerns regarding traffic in the area and the entrance to the site. He liked moving the field to Western Highway, but it may be an issue with parking in the rear of the site. Mr. Nawoichyk expressed concerns regarding the placement of the speakers.

Rebecca Nutting, Dominican College Student Athlete, Senior on the Woman's Lacrosse Team, noted that improvement of the site to a turf field has been in discussion for four years. The existing grass field has holes and divots and floods, creating the field unusable. Ms Nutting explained to the Board that the field that the college uses is 20 minutes away, requiring the students to drive on the New York State Thruway and the Palisades Interstate Parkway; taking risks trying to get to practice. She asked the Board that if your child was in the same situation, wouldn't you want the best for them.

Pat McNamee, 75 Chestnut Oval, expressed concerns regarding the improvement to the existing fields; the field is directly behind her property. The proposed improvements include a track, and she doesn't know why the applicant needs a better field. Ms McNamee held that the college has neglected the field in the past and the new improvements will be a huge detriment to the neighborhood. She questioned the notations on the site plan, holding that it appears that the infrastructure for the lighting would be constructed.

John Park, 4343 Carlin Place, raised concerns regarding the increase in traffic due to the addition of more parking spaces at the college, resulting in safety issues for schools, and people crossing the street.

Charles Bassi, Dominican College Student Athlete, stated that he was recruited in 2018 to the Men's Lacrosse team. This fall, he had injuries due to the condition of the field. Mr. Bassi loves Dominican College and wants to see it prosper by offering better conditions at the school.

John Dellacava, 7 Cypress Lane, wanted to know if the infrastructure for the lighting would be constructed.

Christal Parris, Dominican College Student Athlete, Sophomore on the Woman's Track and Cross-Country Team, noted that the Coach makes the teams clean up the field after each use. She also held that the teams would be using the fields during the daytime when most neighbors are not home.

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Brian Barker, Dominican College Student Athlete, stated that the student's preparation for the season is in the gym and it is a disadvantage when playing other teams who have proper fields. He noted that the field turns to mud when it rains.

Iesen Abau, Dominican College Student Athlete, Senior, expressed concerns that the teams at Dominican College do not have a field to practice on, giving the other teams an unfair advantage. Presently, the college uses a field that is 20 minutes away, requiring the students to drive on the NYS Thruway and the Palisades Interstate Parkway; this is dangerous for the students. Adding that the students are very considerate of the neighbors.

Tina Addino, 87 Chestnut Oval, held that neighbors have worked with Dominican College over the years and believes that the students should have a turf field, however, the location of the field is not the correct location. She held that there is not enough replanting of trees for the trees that were removed.

Laurence Riebro, Dominican College Student Athlete, on the Men's Track Team, told the Board that practice is now held in the parking lot and gym. A new field is necessary.

Abby Monteria, Dominican College Student Athlete, Senior, Captain of the Woman's Soccer Team, expressed that the field was important to the school and it was a hardship to drive 20 minutes to a practice location. She recalled that her parents were student athletes at Dominican, and as a child coming to see them play soccer.

Gryon Graff, Dominican College Student Athlete, held that the improvement to the field will improve the community and that the neighbors should attend the games. Injuries are a significant issue on the grass field. Dominican College needs a high-level field in order to recruit students on an international level.

John Burke, Vice-President of Student Development at Dominican College, expressed to the Board that planning for the field started in 2014. Currently the teams use fields and streets all over the County and Dominican College needs its own field. He held that athletics drive enrollment at the school, however, once the students are there, many leave due to the quality of the fields. Mr. Burke has talked to the neighbors and students and has tried to solve problems over the years. He also noted that the current capacity of the bleachers may be 180 people, however many people sit on the berm near the field, increasing the total spectators to approximately 270 people.

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Kimberly Piard, Head Coach of the Men's and Woman's Track and Field Teams, expressed concerns that the teams need a home and its own facility. Dominican would be unable to grow the track teams without a proper track. Currently, she asks other facilities to use their tracks, such as the high school, adding that Dominican College should have a property turf field. In addition, it would be a great addition for future students coming to the school to have a top facility.

Ken McCloskey, 83 Chestnut Oval, expressed concerns that the field does not fit into the site and that there will be increased usage of the field during the summer. He wanted to know if there would be commercial use of the field.

Joubert Derival, Assistant Cross-Country Coach, expressed to the Board that there have been days that the teams travel from high school to high school looking for a practice track. He acknowledged the concerns of the neighborhood; however, the students have sacrificed for the neighbors. Mr. Derival wanted to know how much the Planning Board will sacrifice for the students of Dominican College.

Joe Clinton, Athletic Director at Dominican College, noted that he has held the position for 33 years, seeing the college rebuilt the gym. He told the Board that Dominican offers its facilities to other Rockland County groups, such as OMM and is involved in many community activities. Dominican College has done every thing on a community basis, and is willing to work with the Town of Orangetown in order to achieve this project.

Christina Romrol, Dominican College Student Athlete, requested that the Board support Dominican College and the incoming students. She noted that the new bleachers will not look into the neighbor's houses, and will not impact traffic to the area. Ms Romrol expressed concern that many students do not have cars making it difficult to get to practice, since it is a 20-minute car drive.

There being no one else from the Public, a motion was made to close the Public Hearing portion of the meeting by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, aye; Robert Dell, aye; Stephen Sweeney, absent, and Bruce Bond, aye.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (a) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, aye; Robert Dell, aye; Stephen Sweeney, absent, and Bruce Bond, aye, the Board declared itself Lead Agency.

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Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board's analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, H2M Architects + Engineers, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Planning Department, Rockland County Sewer District #1, Palisades Interstate Park Commission, and having reviewed the drawings presented by the applicant's professional consultant; H2M Engineers and Architects, a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;

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- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Bruce Bond and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, nay; Robert Dell, nay; Andrew Andrews, aye, Stephen Sweeney, absent, and Bruce Bond, aye, the Board made a Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Preliminary Site Plan Approval Subject to the Following Conditions:**

At 11: 33 p.m. a motion to go into Executive Session was made by Andrew Andrews and seconded by Michael Mandel and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, aye; Robert Dell, aye; Andrew Andrews, aye, Stephen Sweeney, absent, and Bruce Bond, aye.

At 11: 37 p.m. a motion to close the Executive Session was made by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, aye; Robert Dell, aye; Andrew Andrews, aye, Stephen Sweeney, absent, and Bruce Bond, aye.

A motion to vacate the prior decision was made by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, aye; Robert Dell, aye; Andrew Andrews, aye, Stephen Sweeney, absent, and Bruce Bond, aye.

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A motion was made to reopen the meeting was made by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, aye; Robert Dell, aye; Andrew Andrews, aye, Stephen Sweeney, absent, and Bruce Bond, aye.

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Preliminary Site Plan Approval Subject to the Following Conditions:**

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The landscape plan shall be revised to include screening on the south side of the field with approximately 80 replacement trees.
5. There shall be no portable lighting used for events at the field.
6. The legend on the Site Plan shall that the marks on the site plan are for conduits for the Scoring Board.

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7. The berm on the west side of the field, near Chestnut Oval properties, shall be a minimum of 4 feet high.

8. The applicant must obtain a Water Course Diversion Permit from the Town of Orangetown Town Board.

9. The applicant shall submit a "Line of Sight" plan, from Chestnut Oval and Carlton Road, from the property line to the Press Box.

10. In reference to the December 9, 2020, from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, the applicant submitted an overall site survey dated October 1, 2015 as prepared by Corless and Associates. Per the previous comments, the proposed field complex shall be shown to clearly indicate the relationship to the existing structures on the complex and the dwelling locations on the abutting properties.

11. The Bulk Chart shall be revised as follows:

- a) Minimum Lot area required is 5 Acres not 80,000 sq. ft.
- b) Minimum Front Yard must be added, required is 50', proposed front yard setback to the proposed press box must be supplied by applicant.
- c) Minimum Lot Width required is 400', not 300'.
- d) Minimum Street Frontage required is 50' not 150'

12. The 50' setback line from the new scoreboard and 65' setback line to the track appear to be dimensioned to the chain link fence. They must be corrected to show setback to the property line.

13. The applicant is now proposing some additional screening on the west side of the site adjacent to the residential properties. Per Table 3.11, column 7, number 2, additional use regulations, the Board may require that adequate screening be provided to protect the adjacent properties.

14. The application shall be reviewed and approved by the Town of Orangetown Architecture and Community Appearance Board of Review.

15. Per Chapter 41, the applicant must obtain approval from the Town of Orangetown Town Board for the diversion of the stream and a permit from the Town Clerk. At the time of this letter the request is scheduled to be heard by the Town Board on November 30, 2021.

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16. Applicant must provide information for the Public Address system and proposed hours of operation. The Planning Board requested that the field be used from dawn to dusk.
17. The location map shall have more detail and show parcel boundaries.
18. The Short Environmental Assessment Form to be in order.
19. The Stormwater Pollution Prevention Plan is under review and a formal review shall be sent directly to the applicant's engineer. However, below is a tentative list of SWPPP and SWPPP related items required:
- a.) The Project Description and Scope of the SWPPP and the drawings shall clearly identify the specific type of NYSDEC water quality/ quantity system(s) that are being proposed, using the naming system spelled out in the NYSDEC Stormwater Management Design Manual.
 - b.) The Project Description and Scope, other pertinent sections of the SWPPP, as well as the design calculations, need to demonstrate how the design criteria and minimum standards spelled out in Chapter 5 – Green Infrastructure and Chapter 9 – Redevelopment, of the New York State Stormwater Management Design Manual, are being addressed/ satisfied.
 - c.) Full pre and post construction stormwater calculations, with pre and post graphical and tabular hydrographs shall be provided in the SWPPP. These required items shall be placed in separate/ labeled/ individual sections/appendices.
 - d.) Full design calculations and details for all proposed stormwater quality/ quantity systems/ features shall be made part of the SWPPP. This shall include all of the backup calculations for the summary sheet supplied in the SWPPP.
 - e.) The beginning of the SWPPP shall include a table showing elevation vs. area vs volume numbers for the proposed infiltration pond system & WQ practices.
 - f.) The drainage calculations shall also contain year storm vs volume vs elevation tables for all of the proposed stormwater systems and WQ features.
 - g.) The SWPPP shall include a more thorough breakdown, in table form, of the proposed impervious surfaces on this project. E.g. separate out the field, the track, the stands, sidewalks, etc.
 - h.) The Project Description and Scope shall state the total amount of new impervious area to be created by the project.
 - i.) Appendix C shall include specific during construction inspection checklists for all of the proposed stormwater quality/ quantity structures e.g. Cultec chamber system (one set for each system – east and west), drainage manholes, piping, open channel, rip-rap, etc.

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- j.) Appendix K shall include specific post construction inspection checklists for all of the proposed stormwater quality/ quantity structures e.g. Cultec chamber system (one set for each system – east and west), drainage manholes, piping, open channel, rip-rap, etc.
- k.) The drainage calculations shall include storage- elevation tables and curves for the stormwater systems and water quality (WQ) practices. The pre and post calculations and hydrographs shall be separated into separate appendices.

20. It appears that some of the notes and/ tables/ lettering on drawing C3.0 have been cut off/ over-written, etc. This shall be corrected.

21. As previously requested, the SWPPP and drainage calculation shall include **ALL** design parameters for the proposed 5-foot wide open bottom culvert: the year-storms it can pass, the calculations that determined its size and slope, any and all potential upstream and downstream impacts (whether positive, negative or neutral), etc.

22. Installation details for the proposed stream piping culvert shall be added to the drawings and the SWPPP.

23. The actual, full and signed soils report, soil information/ breakdown (as shown on drawing C3.0), and the perc and groundwater tests shall be included in the SWPPP, not just an 8 1/2 x 11 copy of the drawing C3.0.

24. The SWPPP and drawings/ details shall include complete and detailed installation and post construction maintenance information for the stormwater proposed stormwater systems. Detailed written descriptions for same shall be added to the SWPPP. These descriptions shall include a thorough explanation of how inspection and maintenance are to occur and instructions for each (to be included in the required post-construction stormwater maintenance agreement – comment #14 below) to ensure the systems continued operation. For example, as discussed with the applicant's engineer, video inspection of detention system at least once every two (2) years, with a copy of written report and copy of video to be supplied with each years' annual inspection report

25. The rim and invert elevations for all proposed inspection ports and drainage manholes shall be listed on all of the plans (including all plan views.)

26. A separate drawing shall be added to the plan set that shows a detailed view of the proposed filed underdrain system and how it will tie into the proposed Cultec chamber systems. The detailed view will show pipe length, size, slope, material and elevation for the entire underdrain system. The SWPPP will thoroughly discuss the connection of the underdrain system to the Cultec system and how it will function based on the storms analyzed.

27. The pipe material, pipe size, length and slope for all proposed drainage piping shall be added to the plans (including all plan views.)

28. Drawing C3.0 shall include the total number of Cultec chamber rows along with the total overall length of each row set (total east side and total west side.)

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29. Profiles for **ALL** proposed drainage piping shall be added to the plans, including but not limited to, east side Cultec chamber to drainage manhole DA-1, trench drain to drainage manhole DA-1, open box concrete culvert, etc.

30. On Drawing C5.0, the limit of disturbance shall be shown to include the area receiving the erosion control blanket on the north side of the proposed culvert.

31. It is unclear as to what the symbol in the bottom of the existing stream bed, above and below the new culvert, on drawing C5.0 is supposed to represent. This symbol shall be identified.

32. Legends shall be added to all the plans.

33. As previously requested, a post construction stormwater maintenance agreement for the proposed stormwater systems shall be submitted to the Town of Orangetown DEMA and the Town Attorney's office for review and approval in connection to receiving Final Approval. Said agreement shall include an inspection and management schedule, special inspection requirements (see comment #8 above), inspection check list, contact person with telephone number, yearly report to be submitted to this Department, etc. A separate appendix shall be added to the SWPPP for this agreement.

34. The location, sizing, and exhaust of the proposed stone outlet sediment trap shall be more detailed on the SESC drawing. It is recommended that a blow-up of the sediment trap be added to the drawings for clarity. Also, A separate appendix shall be added to the SWPPP that shall include calculations for the sizing of the basin, its specifications, its required cleanout height, its maintenance, etc.

35. Copies of all correspondence (including any and all approvals) with the New York State Department of Environmental Conservation, U.S. Army Corps. of Engineers, the Rockland County Drainage Agency, etc., in connection with this proposed subdivision, shall be supplied to the Planning Board and this Department, prior to signing the map.

36. Drainage Review Recommendation – Brooker Engineering

The application has provided sufficient information to demonstrate that potential significant adverse impacts with respect to drainage can be mitigated. Brooker Engineering, the Planning Board Drainage Consultant therefore recommends that the Dominican College Athletic Complex Site Plan be approved for drainage subject to the following Project Comments.

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Continuation of Condition #36...

Project Description

This is the third drainage review report for this project; the last review was dated January 26, 2021. The project consists of the construction of a new athletic turf field with bleachers at the Dominican College campus. Stormwater runoff flows east in this area of the property towards an existing stream, which is an unmapped FEMA watercourse. The area contains mostly grass ground cover and is downhill of the residential area to the west.

Approximately 3.61 acres of impervious area are being added by the project. An underground infiltration system is proposed to provide stormwater mitigation. This system provides 38,995 CF of storage, which translates to storage of 3.1 inches of stormwater runoff from the new impervious surfaces. The existing stream will be realigned and a new culvert is proposed at this location. Supporting calculations have been provided to justify the size of the new culvert.

Project Comments

1. As per the January 26, 2021 review, provide stage versus discharge and stage versus storage calculations used for the hydrograph routing. Provide the 10-year and 100-year peak water surface elevations.
2. As per the January 26, 2021 review, show the connections from the trench drain to the detention system.
3. As per the January 26, 2021 review, show the invert elevations for the outlet structure and weir on Detail 9.0 on Sheet 6.0. Clarify how the adjustable weir will be operated.
4. As per the January 26, 2021 review, the delineation for drainage subarea DA-2 in the hydrologic model should include off-site areas from the west where surface water runoff flows to the east and is conveyed to the detention system.
5. Clarify on Drawing C3.0 that the new trench drain follows the entire perimeter of the track; provide a detail for the trench drain.
6. Demonstrate how stormwater runoff from the new pad for the bleachers will be directed to the stormwater detention system.
7. Clarify on the Linear Leaching Chamber Detail on Drawing C6.0 that the invert elevation of 188.0 is referencing the bottom of stone or bottom of pipe. Show the dimensions for the overall width of each system, including separation distances between culvert chambers. Label the number of chambers per each row on Drawing C3.0.

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37. The Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

- A review must be completed by the Rockland County Highway Department, any concerns addressed, and all required permits obtained.
- A review must be done by the Rockland County Department of Health, to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Code.
- If there is any encroachment into the Federal wetlands, a review must be completed by the United States Army Corps of Engineers and all required permits obtained.
- Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition, November 2016, of the New York State Standards for Urban Erosion and Sediment Control.
- There shall be not net increase in the peak rate of discharge from the site at all design points.
- The Bulk Table on the site plan appears to be applying Use Group H to the site. However, since the proposed athletic complex is part of a school campus, Use Group F applies. The Bulk Table must be updated to reflect this. The use group must also be specified.
- A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line, especially since the surrounding area is residential.
- The planting detail must be shown on the planting plan. It is indicated on this plan that the wetland vegetation identified in the Plant Material List will be planted in the areas to the southeast of the proposed track, however these plants are not shown on the plan itself. These plants shall be shown on the plan so it can be known where they will be located and how many of these plants are actually proposed.
- The application materials do not indicate if a sound system will also be included in the new athletic complex. If one is to be included, the hours of operation shall be provided. The sound system must comply with the Town's Noise Ordinance, as outlined in Chapter 22 of the Town Code.
- The adjacent properties and roadways must be shown on the site plan. This is especially important to include since many trees are being removed from the site to accommodate the proposed sports complex.
- Retaining walls that are over four (4) feet in vertical height shall be designed by a licensed New York State Professional Engineer and be in compliance with the NYS Fire Prevention and Building Code. Design plans shall be signed and sealed by a licensed NYS Professional Engineer.
- The application form and site data section on the site plan both state the property will receive water from United Water New York. These materials must be corrected to state water will be provided by SUEZ New York.
- The location map must include parcel boundaries.

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38. The Rockland County Department of Health had the following comments which are incorporated herein as conditions of approval:

- Application is to be made to the Rockland County Department of Health for review for compliance with the County Mosquito Code.

39. The Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and request no future correspondence for this site.

40. Rockland County Drainage Agency (RCDA) has reviewed the information submitted and available maps and determined that the site is outside the jurisdiction of RCDA, pursuant to the Rockland County Stream Control Act, Chapter 846.

41. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:

- Town of Orangetown Zoning Board of Appeals
- Palisades Interstate Park Commission
- Rockland County Planning Department

42. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans and Board Decisions prior to signing the final plans.

43. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.

44. TREE PROTECTION: The following note shall be placed on the Site Plan: The Tree Protection and Preservation Guidelines adopted pursuant to Section 21-24 of the Land Development Regulations of the Town of Orangetown will be implemented in order to protect and preserve both individual specimen trees and buffer area with many trees. Steps that will be taken to reserve and protect existing trees to remain are as follows:

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

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Continuation of Condition #44

- One (1) foot radius from trunk per inch DBH
 - Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.
- The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

45. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and/or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

46. All landscaping shown on the site plans shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

47. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

48. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.

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49. If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's (applicants' engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicants engineer's) disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Federal Wetlands - U.S. Army Corps of Engineers).

50. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.

51. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

52. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

The foregoing Resolution was made and moved by Andrew Andrews and seconded by Michael Mandel and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Michael McCrory, nay; Robert Dell, nay; Andrew Andrews, aye, Stephen Sweeney, absent, and Bruce Bond, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **DECISION** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

Dated: November 10, 2021
Cheryl Coopersmith
Chief Clerk Boards and Commissions
Attachment



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**State Environmental Quality Review Regulations
NEGATIVE DECLARATION
Notice of Determination of Non-Significance
PB #20-57: Dominican College Athletic
Complex Site Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

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**Town of Orangetown Planning Board Decision
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This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

**NAME OF ACTION: Dominican College Athletic Complex Site
Preliminary Site Plan Approval Subject to Conditions**

SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 470 Western Highway, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.06, Block 3, Lots 1.1 & 1.3 in the R-40 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. The reasons supporting this determination are as follows:

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown's Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.

If Conditioned Negative Declaration, the specific mitigation is provided on an attachment.

For Further Information contact:

Office of Building, Zoning and Planning
Administration and Enforcement
Town of Orangetown
20 Greenbush Road, Orangeburg, NY 10962
Telephone Number: 845-359-5100

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

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TOWN OF ORANGETOWN