

TOWN OF ORANGETOWN PLANNING BOARD

Meeting of Wednesday, July 24, 2024

MEMBERS PRESENT: Thomas Warren-Chairman, Michael Mandel - Vice Chairman, Andrew Andrews, Denise Lenihan, Michael McCrory, Bruce Bond (alternate member)

MEMBER ABSENT: Lisa DeFeciani

ALSO, PRESENT: Jane Slavin, Director, Office of Building, Zoning, Planning Administration and Enforcement, Rick Pakola, Deputy Town Attorney; Ann Marie Ambrose, Stenographer, Ashley Ley, AKRF Consultant, and Gerard Chesterman, Planning Assistant

Thomas Warren-Chairman called the meeting to order at 7:30 p.m.

Mr. Warren read the agenda. Hearings as listed on this meeting's agenda which are made a part of these minutes were held as noted below:

New Item:

Singer Site Plan

PB #24-35

Prepreliminary/ Preliminary Site Plan and SEQRA Review
20 Terrace Drive, South Nyack
65.60/1/12;
RG-8H zoning districts

POSTPONED

Continued Items from May 8, 2024 Meeting:

WPT Acquisitions Re-subdivision Plan

PB #22-17

Prepreliminary/ Preliminary/
Final Re-subdivision Plan and
SEQRA Review
518 Route 303 & 13 and 21
Mountainview Ave, Orangeburg
74.07/1/2, 33 & 36;
CC, LI, LO zoning districts

**PRELIMINARY
RESUBDIVISION
PLAN APPROVAL
SUBJECT TO
CONDITIONS
NEG. DEC**

WPT Acquisitions Site Plan

PB #22-18

Prepreliminary/ Preliminary Site Plan and SEQRA Review
518 Route 303 & 13 and 21
Mountainview Ave, Orangeburg
74.07/1/2, 33 & 36;
CC, LI, LO zoning districts

**PRELIMINARY SITE
PLAN APPROVAL
SUBJECT TO
CONDITIONS
NEG. DEC**

TOWN CLERK'S OFFICE

2024 SEP 12 P 2:51

TOWN OF ORANGETOWN

Other Business

Referral from the Village of Grand View-On-Hudson: 115 River Road Improvement. Extension on Existing Home located at 115 River Rd, Grand View-On-Hudson, 71.46/1/19

The Board reviewed the submitted Referral and had no comment. The Board made a motion to grant Local Determination. A motion was made by Denise Lenihan and second by Bruce Bond, (alternate member), and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Michael McCrory, aye; Lisa DeFeciani, absent; Bruce Bond, (alternate member), aye; and Andrew Andrews, aye.

The decisions of the June 26, 2024 Planning Board Meeting were reviewed, edited, and approved. The motion for adoption was made and moved by Michael Mandel - Vice Chairman and seconded by Andrew Andrews carried as follows: Thomas Warren - Chairman, aye; Michael Mandel - Vice Chairman, aye; Michael McCrory, abstain; Andrew Andrews, aye; Denise Lenihan, abstain; Bruce Bond, (Alternate Member), abstain; and Lisa DeFeciani, abstain.

The decisions of the July 10, 2024 Planning Board Meeting were reviewed, edited, and approved. The motion for adoption was made and moved by Bruce Bond (Alternate Member) and seconded by Michael Mandel - Vice Chairman and carried as follows: Thomas Warren - Chairman, aye; Michael Mandel - Vice Chairman, aye; Michael McCrory, aye; Andrew Andrews, absent; Denise Lenihan, absent; Bruce Bond (Alternate Member), aye; and Lisa DeFeciani, abstain.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Bruce Bond (Alternate Member) and seconded by Denise Lenihan and agreed to by all in attendance. The meeting was adjourned at **8:51** p.m. The next Planning Board meeting is scheduled for September 11, 2024.

Dated: July 24, 2024
Town of Orangetown Planning Board

TOWN OF ORANGETOWN
2024 SEP 12 P 2:51
TOWN CLERK'S OFFICE

PB #2217: WPT Acquisitions Resubdivision Plan and PB #22-18: WPT Acquisitions Site Plan / SEQRA

**Town of Orangetown Planning Board Decision
July 24, 2024
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**TO: Jesse Cokeley, Colliers Engineering, 50 Chestnut Ridge Road,
Suite 101, Montvale, New Jersey 07645**

FROM: Orangetown Planning Board

RE: WPT Acquisitions Re-subdivision Plan and Site Plan / SEQRA, Continued items: The application of WPT Acquisitions, applicant for East Coast BLR 1993, owner, for Prepreliminary / Preliminary / Final Re-subdivision Plan and Site Plan Review at a site to be known as “**WPT Acquisitions Re-subdivision Plan**” and “**WPT Acquisitions Site Plan**”, respectively, 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 21 and Chapter 21A, respectively, of the Code of the Town of Orangetown. The site is located at 518 Route 303 and 13 & 21 Mountainview Avenue, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.07, Block 1, Lots 2, 33 & 36 in the CC, LI, LO zoning districts.

Heard by the Planning Board of the Town of Orangetown at meetings held **April 13, 2022, November 9, 2022, February 28, 2024, and May 8, 2024.**

At the May 8, 2024 meeting, after hearing public comment, the Board made the following determinations:

The proposed action is classified as a “Type I action” as defined by Section 617.2 (a) of the New York State Environmental Quality Review Regulations (SEQRR).

On motion by Thomas Warren and seconded by Kevin Farry and carried as follows: Thomas Warren – Chairman, aye; Lisa DeFeciani, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman aye; Kevin Farry, aye; Michael McCrory, absent; Lisa DeFeciani, aye Bruce Bond, (alternate member), aye; and Andrew Andrews, aye; the Board declared itself Lead Agency.

On motion by Thomas Warren and second by Kevin Farry and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Kevin Farry, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye; and Andrew Andrews, aye; for the reasons articulated in the attached Determination of Non-Significance, prepared by AKRF, consultant to the Planning Board, which is hereby incorporated by reference and made part hereto, the Planning Board determined that the proposed actions will not have a significant impact on the environment, and the Board issued a Negative Declaration pursuant to SEQRA and determined that a Draft Environmental Impact Statement will not be prepared.

TOWN CLERK'S OFFICE

SEP 12 2:51

TOWN OF ORANGETOWN

**PB #22-17: WPT Acquisitions Re-subdivision Plan
Preliminary Re-subdivision Plan Approval Subject to Conditions**

**Town of Orangetown Planning Board Decision
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**TO: Jesse Cokeley, Colliers Engineering, 50 Chestnut Ridge Road,
Suite 101, Montvale, New Jersey 07645**

FROM: Orangetown Planning Board

RE: WPT Acquisitions Re-subdivision Plan, a Continued item: The application of WPT Acquisitions, applicant for East Coast BLR 1993, owner, for Prepreliminary / Preliminary / Final Re-subdivision Plan Review at a site to be known as "**WPT Acquisitions Re-subdivision 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 21 of the Code of the Town of Orangetown. The site is located at 518 Route 303 and 13 & 21 Mountainview Avenue, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.07, Block 1, Lots 2, 33 & 36 in the CC, LI, LO zoning districts.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, April 13 and November 9, 2022, February 28, May 8 and July 24 2024**, the Board made the following determinations:

April 13, 2022

Jesse Cokeley, Engineer from Collier Engineering and Design, Amy Mele, Attorney, Corey Chase, Traffic Engineer from Dynamic Traffic LLC., appeared and testified.

1. Project Review Committee Report dated March 30, 2022.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE), Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated April 11, 2022.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 8, 2022.
4. Interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated March 29, 2022
5. Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent of Highways, dated March 30, 2022.
6. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated April 11, 2022
7. Letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated March 25, 2022.
8. Notices from Rockland County Department of Health, signed by Elizabeth Mello, PE, dated March 15, 2021.
9. Notice from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer III, dated March 3, 2022.
10. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated March 21, 2022.
11. Project Summary prepared by applicant.

TOWN CLERK'S OFFICE

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12. Re-Subdivision Plan prepared by Dynamic Survey, dated November 22, 2021, revised January 28, 2022.
13. A Short Environmental Assessment Form signed by Jesse Cokeley, dated February 24, 2022, revised April 13, 2022.
14. Email from New York State Department of Transportation, from Jason Brenner, Assistant Engineer, dated March 28, 2022.
15. Letter from Emanuel Law, signed by Ira M. Emanuel, Esq., dated April 6, 2022 and March 28, 2022.
16. Flood Mitigation Flyer prepared by New York State Department of Environmental Conservation, dated January 2022.
17. Traffic Impact Study prepared by Collier Engineering and Design, dated January 13, 2021, last revised November 18, 2021.
18. Email from Ms. Passgrotti, dated April 13, 2022.
19. Email from Elizabeth Dudley, dated April 12, 2022
20. Email from Vanessa Lapin, dated April 12, 2022.
21. Arco Plans -Architectural plans, dated November 16, 2021:
 - a. Floor Plans
 - b. Elevations

A motion was made to have an independent Traffic Consultant review the traffic impact. The motion was made by Michael McCrory and second by Andrew Andrews and carried as follows: : Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Stephen Sweeney, aye; Kevin Farry, aye; Lisa DeFeciani, (alternate member) absent; Michael McCrory, aye; and Andrew Andrews, aye.

The Board reviewed the plans. The meeting was open to the public

A motion was made to open the Public Hearing by Denise Lenihan and second by Kevin Farry and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Stephen Sweeney, aye; Kevin Farry, aye; Lisa DeFeciani, (alternate member) absent; Michael McCrory, aye; and Andrew Andrews, aye.

Public Comment:

Thomas Finsterwald, 15 Mountainview Ave., raised concerns regarding the traffic impact to the area, in particular the turn onto Mountainview.

Vincent Lupi, 106 Spruce Street, Blauvelt, concerns regarding the distance to the intersection, air and water pollution and operating hours and enforcement.

Allison Sullivan, 42 Arthur Street, Blauvelt, raised concerns that the current issues with the traffic noting that it would become worse.

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Liz Dudley, 250 S. Greenbush Road, Orangeburg, expressed concerns regarding the size of the building, safety and clean water.

Vanessa Lapin, 659 Western Highway, Blauvelt, raised concerns regarding quality of life.

James Cleary, 20 Van Terrace, Sparkill, wanted to know if a traffic study was completed, the time frame of accidents and truck turning radius onto Route 303.

Jessica Lapin, 106 Spruce Street, Blauvelt, raised concerns regarding traffic during construction.

There being no one else from the public, a motion was made to close the Public Hearing portion of the meeting by Kevin Farry and seconded by Denise Lenihan and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Stephen Sweeney, aye; Kevin Farry, aye; Lisa DeFeciani, (alternate member) absent; Michael McCrory, aye; and Andrew Andrews, aye.

The applicant requested a CONTINUATION.

November 9, 2022

Jesse Cokeley, Engineer from Collier Engineering and Design, Tony Veneziano, Attorney, Ira Emanuel, Attorney, Amy Mele, Attorney, Corey Chase, Traffic Engineer from Dynamic Traffic LLC, Ashley Ley, AKRF, and Elaine Du, AKRF.

1. Project Review Committees Reports dated March 30 and September 14, 2022.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE), Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated April 11, 2022.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 8, 2022.
4. Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent of Highways, dated March 30, 2022.
5. Letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated September 22, 2022.
6. Letter and notice from Rockland County Department of Health, signed by Elizabeth Mello, PE, dated September 6, 2021.

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7. Notice from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer III, dated March 3, 2022.
8. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated March 21, 2022. Project Summary prepared by applicant.
9. Re-Subdivision Plan prepared by Dynamic Survey, dated January 28, 2022.
10. Full Environmental Assessment Form signed by Jesse Cokeley, dated April 13, 2022, revised October 7, 2022.
11. Email from New York State Department of Transportation, from Jason Brenner, Assistant Engineer, dated March 28 and April 18, 2022.
12. Project Summary prepared by the applicant.
13. Letters from Ira Emanuel, dated November 19, 2021, April 6, 2022 and August 22, 2022.
14. Stormwater Pollution Prevention Plan, dated November 22, 2021, revised October 7, 2022, signed by Jesse Cokeley, PE.
15. Letters from Collier Engineering and Design, signed by Jesse Cokeley, PE, dated August 22 and October 7, 2022.
16. Letter from Dynamic Traffic, signed by Cory Chase, dated July 8, 2022.
17. Phase II Subsurface Investigation Report, prepared by Odelphi Environmental, dated October 18, 2022.
18. Email from Veolia NY, dated April 11, 2022.
19. Sparkill Creek Publication prepared by New York State Department of Environmental Conservation, undated.
20. Traffic Report prepared by Creighton Manning, dated September 1, 2022.
21. Truck Turning plan prepared by Colliers Engineering and Design, dated October 7, 2022.
22. AKRF comment #8 response from Colliers Engineering and Design, dated October 6, 2022.
23. Internal Circulation Plan and Truck Turning Plan, dated October 7, 2022.
24. Traffic Impact study prepared by Dynamic Traffic, dated January 13, 2021, revised October 5, 2022.
25. AKRF reviews dated September 14 and November 2, 2022.
26. Email from Lilly Ligran, dated November 8, 2022.
27. Email from E. Dudley, dated November 8, 2022.

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

A motion was made to open the Public Hearing by Michael Mandel- Vice Chairman and second by Denise Lenihan and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Tara Heidger, aye; Kevin Farry, aye; Lisa DeFeciani, (alternate member) aye; Michael McCrory, aye; and Andrew Andrews, absent.

Public Comments:

James Castagna, 39 Delongis Court, Sparkill. Stressed concerns regarding traffic safety, holding that Mountainview Ave is not suitable for such traffic. He requested that a SEQRA Positive Declaration should be declared.

Vincent Lupi, 106 Spruce Street, Blauvelt. Brought up concerns: regarding impacts to the Sparkill Creek; pedestrian traffic; and the impact to local residents and local business owners. He held that the Town's Comprehensive plan needs to regulate warehouses.

Elizabeth Dudley, 250 South Greenbush Road, Orangeburg. Suggested an overhaul for the intersection of Mountainview Ave and Route 303. She raised concerns regarding increased trucks on Greenbush Road, recommended a Positive Declaration, and safety concerns for the nearby pedestrian trails.

Craig Aronson, 2 Marisco Court, Blauvelt. As an adjacent business owner on Route 303, stressed that driving into and out of the property is difficult and that this development would make it much worse.

Carrol Baxter, 34 Lawrence Lane, Palisades. Stressed concerns with the unknown tenant and added that the large influx of trucks could impact Oak Tree Road.

Vanessa Lapins, 659 Western Highway, Blauvelt. Held that the public does not support it and that many people have signed a petition against the project. She then added that it belongs in Bradley Park and that the town's Comprehensive Plan concurs.

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Jeff Hendricks, 6 Mountainview Avenue, Blauvelt. Noted that cars utilizing the nearby intersection often have to back up so trucks can make turns. Noting that adding more trucks to the roadways surrounding the intersection would be a disaster. Closed by urging the Board to say no to this project.

There being no one else from the public, a motion was made to close the Public Hearing portion of the meeting by Michael Mandel- Vice Chairman and second by Michael McCrory and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Tara Heidger, aye; Kevin Farry, aye; Lisa DeFeciani, (alternate member) aye; Michael McCrory, aye; and Andrew Andrews, absent.

The Applicant requested a CONTINUATION.

February 28, 2024

Jesse Cokeley, Engineer from Collier Engineering and Design, Tony Veneziano, Attorney, Ira Emanuel, Attorney, and Corey Chase, Traffic Engineer from Dynamic Traffic LLC., appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated March 22, 2023, February 14, 2024 and January 10, 2024.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE), Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated February 23, 2024.
3. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated November 6, 2023 and January 23, 2024.
4. Interdepartmental memorandums from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated October 24, 2023, January 9, 2024 and February 13, 2024.
5. Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent of Highways, dated November 6, 2023.
6. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated February 28, 2024.
7. Letters from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated November 3, 2023 and January 18, 2024.
Letter and notice from Rockland County Department of Health, signed by Elizabeth Mello, PE, dated October 30, 2023.
8. Letters from Rockland County Sewer District No. 1, signed by Nicholas King, Engineer I, dated October 20, 2023 and January 8, 2024.
9. Email from Orange and Rockland Utilities, from Alfred Gaddi, dated September 29, 2023.

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10. Email from Jesse Cokeley, dated February 13, 2024, response memo to the February 8, 2024 memo from AKRF, revised Crash Analysis Memo, and minutes from call with NYSDOT on February 9, 2024.
11. Project Summary prepared by applicant.
12. Re-Subdivision Plan prepared by Dynamic Survey, dated January 28, 2022.
13. A Short Environmental Assessment Form signed by Jesse Cokeley, dated February 24, 2022.
14. Crash Analysis Technical Memorandum from Dynamic Traffic, LLC., signed by Corey Chase, dated February 12, 2024.
15. Letters from Collier Engineering and Design, signed by Jesse Cokeley, dated February 16 and March 30, 2023.
16. Full Environmental Assessment Form dated March 30, 2023, Part 1, Part 2 and Part 3.
17. Stormwater Pollution Prevention Plan, prepared by Collier Engineering and Design, dated April 23, 2023.

The Board reviewed the plan. The meeting was open to the public.

A motion was made to open the Public Hearing by Kevin Farry and second by Bruce Bond (Alternate Member) and carried as follows:

Thomas Warren – Chairman, absent; Denise Lenihan, aye;
Michael Mandel- Vice Chairman, aye; Stephen Sweeney, aye; Kevin Farry, aye;
Lisa DeFeciani, aye; Bruce Bond (alternate member) aye; Michael McCrory, aye;
and Andrew Andrews, aye.

Public Comments:

Vincent Lupi, 106 Spruce Street, Blauvelt, concerns regarding sidewalks and cross walks in the area of the intersection. Also concerned with bus traffic and traffic impacts to the area.

Allison Sullivan, 42 Arthur Street, Blauvelt, raised concerns that due to the development, people will shop elsewhere due to the truck traffic on Mountain View and Route 303.

Thomas Finsterwald, 15 Mountainview Avenue, raised concerns regarding the peak hour traffic in the area and that it will create congestion on the roadways. He wanted to know where the property will come from for widening the road.

Jeff Hendrick, 6 Mountain view, Blauvelt, noted that he has lived at the location his whole life and that presently, his driveway is difficult to use, requesting that a traffic light should be added on Route 303.

Carol Baker, 256 South Greenbush Road, Orangeburg, held that the project lacks clarify, and said that the traffic will be a level F at the intersection.

Elizabeth Dudley, 256 South Greenbush Road, Orangeburg, held that the project does not appear to belong at the proposed project site. She held that there was an accident on Route 303 that created issues with traffic. Held that no one wants more trucks and warehouses.

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Heather Hurley, 160 West Crooked Hill Road, Pearl River, held that the Collier's report is unreliable.

Vanessa Lapin, 659 Western Highway, held that google maps takes you over Mountain View. She referred to the Town of Orangetown Comprehensive Plan.

Larry Vale, 389 Kings Highway, Tappan, held that this project is one more warehouse that the Town does not need.

John Savage, 130 Crescent Road, Piermont, held that this project is environmental degradation. He held that the only reason to approved this project would be if the Town threw out the Master Plan. The people in the Town of Orangetown do not want this project.

There being no one else from the public, a motion was made to close the Public Hearing portion of the meeting by Kevin Farry and seconded by Bruce Bond and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Stephen Sweeney, aye; Kevin Farry, aye; Lisa DeFeciani, aye; Bruce Bond (alternate member) aye; Michael McCrory, aye; and Andrew Andrews, aye.

The applicant requested a CONTINUATION.

The Board requested that AKRF prepare a formal written determination of significance that the Board can review prior to the adoption of SEQR. The applicant concurred and asked for a continuation.

May 8, 2024

Jesse Cokeley, Engineer from Collier Engineering and Design, Tony Veneziano, Attorney, Ira Emanuel, Attorney, Amy Mele, Attorney, Corey Chase, Traffic Engineer, and Spencer Gerberding, appeared and testified before the Board.

The Board received the following communications:

1. Project Review Committee Reports dated April 24, 2024.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, Director, Deputy Building Inspector dated May 2, 2024.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated May 7, 2024.
4. Letter from Collier Engineering and Design with comments for DEME's letter, signed by Jesse Cokeley, P.E., dated May 7, 2024.
5. Memorandum from AKRF, from Elaine Du, P.E.; and Ashley Ley, AICP, dated April 24, 2024
6. Re-Subdivision Plan prepared by Dynamic Survey, dated January 28, 2022.
7. Draft Negative Declaration, dated May 8, 2024.

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

A motion was made to open the Public Hearing portion of the meeting by Michael Mandel – Vice Chairman and second by Andrew Andrews and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Kevin Farry, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye; and Andrew Andrews, aye.

Public Comments:

Elizabeth Dudley, 250 South Greenbush Road, Orangeburg. Expressed issue with the subdivision and stressed that putting an overlay into Route 303 would increase traffic.

Vincent Lupi, 106 Spruce Street, Blauvelt. Stressed that he is strongly against such a large project, expressing that it is not in the interest of the community.

Jeff Hendricks, 6 Mountain View Avenue, Orangeburg. Held that this development is going to create issues for the community.

Thomas Finsterwald, 15 Mountainview Ave, Orangeburg. Does not want the proposed development to be allowed.

Joseph Dudley, 250 South Greenbush Road, Orangeburg. Stressed how the proposed development would not benefit the community.

There being no one else to be heard from the Public, a motion was made by Michael Mandel – Vice Chairman and second by Denise Lenihan and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman aye; Kevin Farry, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye; and Andrew Andrews, aye.

The applicant requested a CONTINUATION.

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July 24, 2024

Jesse Cokeley, Engineer from Collier Engineering and Design, Tony Veneziano, Attorney, Amy Mele, Attorney, Corey Chase, Traffic Engineer, and Spencer Gerberding, appeared and testified before the Board.

The Board received the following communications:

1. Project Review Committee Reports dated July 11, 2024.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, Director, Deputy Building Inspector July 22, 2024.
3. Letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated October July 24, 2024.
4. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated June 17, 2024.
5. Letter from Rockland County Health Department, signed by Brandon Durant, PH.D., dated July 3, 2024.
6. Letter from Rockland County Sewer District No. 1, signed by Nicolas King, Engineer 1., dated July 8, 2024.
7. Letter from New York State Department of Transportation (NYSDOT), signed by Jason Brenner, Assistant Engineer, dated June 28, 2024.
8. Notice from the Rockland County Department of Health , signed by Brandon Durant, PH.D., dated July 3, 2024.
9. Letters from Emanuel Law P.C., signed by Ira Emanuel, Esq., dated May 14 and July 16, 2024.
10. Crash Analysis Technical Memorandum from Dynamic Traffic, LLC., signed by Corey Chase, dated May 14, 2024.
11. Letter from Colliers Engineering and Design, signed by Jesse Cokeley P.E., dated May 17, 2024.
12. Memorandum from AKRF, signed by Elaine Du, P.E., and Ashley Ley, AICP., dated July 3, 2024

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**PB #22-17: WPT Acquisitions Re-subdivision Plan
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The Board reviewed the plans. The hearing was then opened to the Public.

A motion was made to open the Public Hearing portion of the meeting by Michael Mandel – Vice Chairman and second by Andrew Andrews and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Michael McCrory, aye; Lisa DeFeciani, absent; Bruce Bond, (alternate member), aye; and Andrew Andrews, aye.

Public Comment

Vanessa Lapins, 659 Western Highway, Blauvelt. Raised concerns regarding the size of the proposed structure. Noting that the Route 303 Overlay Zone does not account for large scale warehouse development.

There being no one else to be heard from the Public, a motion was made by Michael Mandel – Vice Chairman and second by Andrew Andrews and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Michael McCrory, aye; Lisa DeFeciani, absent; Bruce Bond, (alternate member), aye; and Andrew Andrews, aye.

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

1. The following note shall be placed on the subdivision 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 Town of Orangetown Department of Building, Zoning, Planning Administration and Enforcement reviewed the plans and has no comments at this time.

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4. The Town of Orangetown Department of Environmental Management and Engineering reviewed the information and offered the following comments:

- This applicant's engineer has submitted a "*Conceptual Improvement Plan - Mountainview Avenue*" (last updated 3/13/24) which, among other things, shows the stop bar for the two northbound lanes of Route 303, at the intersection of Mountainview Avenue and Route 303, being relocated 26 feet south of its current location, to accommodate truck traffic turning south onto Route 303, from Mountainview Avenue. A letter was provided from the New York State Department of Transportation (NYSDOT), dated 2/01/24, stating that "*Conceptually, DOT agrees the proposed improvements would contribute to improving the LOS at the intersection.*" However, the "*Vehicle Circulation Plan Mountainview Avenue*" (sheet 2 of 2, also dated 3/13/24) shows that a tractor trailer turning south onto Route 303 will just "clip (come over) the new relocated stop bar and double yellow lines. **This is still not acceptable.** This is also the case for truck traffic turning left, from Route 303 north, onto Mountainview Avenue west (although to a slightly lesser degree.)

More importantly, the drawings submitted to the Planning Board are dated **later** than the NYSDOT approval letter. The NYSDOT letter of 2/01/24 does not reference the date of any drawings, just that they "... *received the conceptual improvement plans prepared by ...* " Based on the dates of the documents submitted, the DOT **could not have** received, reviewed and therefore conceptually approved the current Vehicular Circulation & Conceptual Improvement plans that are part of **this** application package. The intersection **must** be re-designed so that truck traffic turning south onto Route 303, does not adversely impact or enter into/ onto the northern bound "fast" lane of Route 303 AND truck traffic turning west onto Mountainview Avenue does not adversely impact or enter into/ onto the proposed east bound turning lane of Mountainview Avenue. Given the critical nature of the improvements to this intersection with respect to the viability of this project, the substantial changes needed to the Mountainview Avenue/ Route 303 intersection and the unclear nature of what exactly the NYSDOT's conceptual approval is based upon, DEME requests that the applicant's engineer submit, for review and approval, **detailed design drawings** (not just conceptual plans) for the changes to this intersection and also submit these drawings to the NYSDOT for **formal approval by the DOT**. Copies of all correspondence related to this item, between the applicant, NYSDOT, etc., shall be submitted to the Planning Board.

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5. Drainage Review – Brooker Engineering

The application has provided calculations to demonstrate that potential significant adverse impacts with respect to drainage can be mitigated. Brooker Engineering therefore recommend that the 518 NYSR 303 and 13 & 21 Mountainview Avenue Site Plan be approved for drainage subject to no conditions.

Project Description

This is Brooker's fifth drainage review report for this project; the last review was dated February 28, 2024. The property is located on the west side of Route 303 along the east property line and Mountainview Avenue along the southern property line. The land slopes downhill toward Route 303. The site is largely developed with warehouse space and parking areas. There is no post construction stormwater detention on the existing site. The application proposes to add 2.549 acres of impervious area over the 13.94-acre study area.

The hydrologic analysis thoroughly breaks down the site into seven hydrologic points of interest along the perimeter of the parcel. The largest of these design points is Design Point 1, which discharges to a 24-inch pipe that flows east toward Route 303. Within the proposed watershed for subarea 1, four new stormwater management basins are proposed. The largest is micropool extended detention basin 1A, which stores rainfall runoff of 1.8 inches of rainfall over the contributing drainage area of 8.1861 acres.

6. The Rockland County Department of Planning reviewed the plans and offered the following comments.
 1. Extensive research was done over a two-year period to create the Route 303 Overlay Zoning District to ensure that zoning requirements would provide strategies to improve the roadway's operation, aesthetics, and safety aspects. Safety aspects are of paramount importance, as this was one of the underlying reasons for the study. Rockland County Planning recognizes that this portion of the corridor is zoned and primarily developed for industrial and commercial uses; however, there are single family residences along the east side of Route 303, including one directly across from a proposed driveway to the site. The Town must ascertain if the proposed development will result in meeting the intent and scope of the Route 303 Sustainable Development Study. Furthermore, the Town shall be satisfied that all applicable provisions of the Route 303 Overlay Zone, outlined in Article XIII, Section 13.10B. of the Orangetown Zoning Code, have been addressed in the proposed site plan.

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2. The Planning Board shall be satisfied with the information provided in the letter from the New York State Department of Transportation (NYSDOT), dated April 3, 2024. Any outstanding concerns of the NYSDOT must be addressed.
3. A review must be completed by the County of Rockland Drainage Agency, and any required permits obtained.
4. The Sparkill Creek is one of the reasons this proposal was referred to the Rockland County Planning Department for review. The subject site is in the Sparkill Creek watershed and is less than 300 feet west of the Sparkill Creek. Approving this site plan will result in an overall increase in impervious cover in the watershed. Impervious cover results in additional stormwater pollutants such as excess fertilizers, pesticides, oil, sediment, and road salt running off into local waterways. The Sparkill Creek is listed in the FINAL New York State 2018 Section 303(d) List of Impaired/TMDL Waters (June 2020) as a waterbody with impairments that do not support best uses and requires development of a Total Maximum Daily Load (TMDL). The pollutants identified are fecal coliform and oxygen demand. The suspected source of the pollution is urban/stormwater runoff. Development applications within the Sparkill Creek watershed must consider the adverse impacts of potential pollutant loadings to the Creek.
5. An updated review of the May 17, 2024 site plan must be completed by the Rockland County Department of Health, and an application must be submitted to them for review of the stormwater management system to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
6. An updated review of the May 17, 2024 site plan shall be completed by the Rockland County Sewer District No.1 and any concerns addressed.
7. The applicant must comply with the comments provided by the Orangetown Fire Inspector in its letter of April 22, 2024. The Fire Inspector must be satisfied with the truck turning radius plan and confirm that an emergency vehicle has sufficient maneuverability room to and from the southern entrance. In addition, the County of Rockland Office of Fire and Emergency Services or the Orangeburg Fire Department shall be given the opportunity to review the proposal to ensure that there is sufficient maneuverability on site for emergency vehicles.

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8. The site abuts property owned by Consolidated Rail Corp to the west. The proposal shall be sent to CSX Transportation, Inc. for comments.
9. 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.
10. There shall be no net increase in the peak rate of discharge from the site at all design points.
11. Water is a scarce resource in Rockland County; thus, proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health for review.
12. For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction.
13. As required by the Rockland County Stream Control Act, the subdivision/lot merger must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
14. Once a subdivision has been approved, a filed map cannot be used to convey property, nor can the tax maps be updated with the lot changes, until the deeds are filed with the County Clerk, conveying the portions of the lots that are required to achieve the lot configuration indicated on the subdivision map. The applicant and the Town must make sure that the deeds are properly filed with the Rockland County Clerk to ensure that the tax maps are properly updated.
15. All proposed signage shall conform the sign ordinance in Chapter 31 C of the Orangetown Code. Any nonconforming signage requiring variances must be submitted to this department for review, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

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16. The previously submitted Full Environmental Assessment Form (FEAF) dated October 7, 2022 indicated that the proposed plan will minimize impervious surfaces, use pervious materials, or collect and re-use stormwater. (D.2.e.iv, p. 6 of 13). The May 17, 2024 drawings submitted do not show the use of porous materials. To help reduce the impact of this development, reduction of impervious surface should be considered. It is recommended that porous materials be used in the parking area to replace the use of conventional asphalt if proper controls can be employed to effectively control potential pollutant loadings from stormwater. If installed correctly and properly maintained, porous pavers have been shown to be effective in helping manage stormwater runoff. In addition, other green infrastructure techniques should be considered such as bioswales, native landscaped islands in the parking area, rain gardens, and rainwater capture. For long term effectiveness of green infrastructure, it is recommended that the Town and the applicant review Chapter 5 'Green Infrastructure Practices' of the 2015 NYSDEC Stormwater Design Manual. As previously indicated, the Town must be satisfied that the SWPPP conforms to the NYSDEC Stormwater Management and Design Manual.
17. Pursuant to New York State General Municipal Law (GML) Sections 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County's Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
18. In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County agencies are prohibited from issuing a County permit, license, or approval until the report is filed with the County's Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner's report approving the proposed action or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

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7. The Rockland County Department of Health (RCDOH) reviewed the plans and offered the following comment:
 - A. Application is to be made to the Rockland County Department for sanitary sewer extension approval.
 - B. The RCDOH records indicate that there is an existing well on tax lot 74.07-1-33. Location of the well is to be provided on the plans and it is to be noted on the plans that the well is to be decommissioned in accordance to Article II of the Rockland County Sanitary Code. **The decommissioning process included submission of an application and subsequent completion report. A Certificate of Occupancy should not be issued until this office has deemed that the decommissioning is completed.**
 - C. Application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code.
8. Rockland County Sewer District NO.1 (District) reviewed the plans and offered the following comments:
 - The District owns and maintains a 30-inch interceptor sewer in an easement through Tax Lot 74.07-1-2(518 Route 303) along Route 303.
 - No permanent structures may be built within the department's easements.
 - To prevent any damage from occurring to the existing main, the District must be notified when the land within the easement is to be modified. This includes but is not limited to regrading, raising or lowering of manhole frames, or working in close proximity to sewers and manholes within the easement. The office must approve any construction to be done within our easements.
 - Please have the engineer replace the typographical error "old" with "hold" and add the word "easements" to the end of Demolition Note 23 on Sheet No. 2, which currently states, "Contractors must obtain required insurance and sign a waiver to defend, indemnify, save and old [sic] harmless both the County of Rockland and Rockland County Sewer District No. 1 from any claims arising from work performed within Rockland County Sewer District No. 1.

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9. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats prior to signing the final plans.
10. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.
11. 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 §21. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Plan Approval pursuant to Town Code §21 and §6A.
12. **TREE PROTECTION:** The following note shall be placed on the Subdivision 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:
 - 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.

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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.

13. All landscaping shown on the subdivision plan 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.
14. 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.
15. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
16. 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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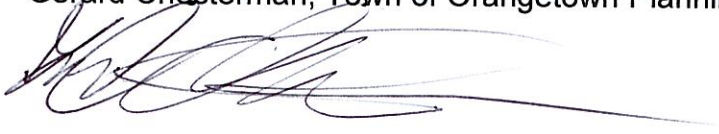
17. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
18. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a 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
19. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

The foregoing resolution was made and moved by Bruce Bond, (alternate member), and second by Denise Lenihan and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Michael McCrory, aye; Lisa DeFeciani, absent; Bruce Bond, (alternate member), aye; and Andrew Andrews, aye.

The Planning Assistant 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: July 24, 2024

Gerard Chesterman, Town of Orangetown Planning Board



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**TO: Jesse Cokeley, Colliers Engineering, 50 Chestnut Ridge Road,
Suite 101, Montvale, New Jersey 07645**
FROM: Orangetown Planning Board

RE: WPT Acquisitions Site Plan, a Continued item: The application of WPT Acquisitions, applicant for East Coast BLR 1993, owner, for Prepreliminary / Preliminary Site Plan Review at a site to be known as "**WPT Acquisitions 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 518 Route 303 and 13 & 21 Mountainview Avenue, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.07, Block 1, Lots 2, 33 & 36 in the CC, LI, LO zoning districts.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, April 13 and November 9, 2022, May 8 and July 24, 2024** the Board made the following determinations:

April 13, 2022

Jesse Cokeley, Engineer from Collier Engineering and Design, Amy Mele, Attorney, Corey Chase, Traffic Engineer from Dynamic Traffic LLC., appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated March 30, 2022.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE), Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated April 12, 2022.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 8, 2022.
4. Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent of Highways, dated March 30, 2022.
5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE., dated April 11, 2022.
6. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated March 29, 2022.
7. Letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated March 25, 2022.
8. Notices from Rockland County Department of Health, signed by Elizabeth Mello, PE, dated March 15, 2021.
9. A letter/notice from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer III, dated March 18, 2022.

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10. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated March 21, 2022.
11. Project Summary prepared by applicant.
12. Site Plans prepared by Colliers Engineering and Design, dated November 22, 2021, last revised March, 2022.
 - Sheet 1: Cover Sheet
 - Sheet 2: Demolition & Existing Conditions Plan
 - Sheet 3: Overall Layout Plan
 - Sheet 4: Layout Plan - East
 - Sheet 5: Layout Plan - West
 - Sheet 6: Grading & Drainage Plan - East
 - Sheet 7: Grading & Drainage Plan - West
 - Sheet 8: Utilities Plan - West
 - Sheet 9: Utilities Plan - East
 - Sheet 10: Landscaping Plan - East
 - Sheet 11: Landscaping Plan - West
 - Sheet 12: Lighting Plan - East
 - Sheet 13: Lighting Plan - West
 - Sheet 14: Phase I Soil Erosion & Sediment Control Plan
 - Sheet 15: Phase II Soil Erosion & Sediment Control Plan
 - Sheet 16: Phase III Soil Erosion & Sediment Control Plan
 - Sheet 17: Construction Details
 - Sheet 18: Construction Details
 - Sheet 19: Construction Details
 - Sheet 20: Construction Details
 - Sheet 21: Construction Details
13. Architectural Plans, prepared by ARCO Design/Build Industrial, dated November 16, 2021
 - Sheet 01: Conceptual Floor Plan
 - Sheet 02: Conceptual Elevations
14. Copies of ZBA #21-83, Interpretation; Use variance not required as presented, dated September 15, 2021 and PB#21-38, Consultation, dated July 14, 2021.
15. A Full Environmental Assessment Form part 1 signed by Jesse Cokeley, dated November 4, 2021, revised April 4, 2022.
16. A Traffic Impact Study prepared by Dynamic Traffic, dated January 13, 2021, last revised November 18, 2021.
17. Email from New York State Department of Transportation from Jason Brenner, dated March 28, 2022.
18. Letter from Emanuel Law, signed by Ira M. Emanuel, Esq., dated April 6, 2022.

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19. Letter from Colliers Engineering and Design, signed by Jesse Cokeley, dated November 4, 2021.
20. Flood Mitigation and Resilience Report, prepared by New York State Department of Environmental Conservation, dated January, 2020.
21. Traffic Impact Study prepared by Colliers Engineering and Design, dated January 13, 2021, revised November 18, 2021.
22. Email from Maria Passgrotti dated April 13, 2022.
23. Email from Elizabeth Dudley dated April 13, 2022.
24. Email from Elizabeth Dudley and Vanessa Lapin dated April 12, 2022.
25. Copy of the Town of Orangetown Building Permit Referral to the Planning Board signed by Rick Oliver.

The Board reviewed the plan. The meeting was open to the public.

A motion was made to open the Public Hearing by Denise Lenihan and second by Kevin Farry and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Stephen Sweeney, aye; Kevin Farry, aye; Lisa DeFeciani, (alternate member) absent; Michael McCrory, aye; and Andrew Andrews, aye.

Public Comment:

Thomas Finsterwald, 15 Mountainview Ave., raised concerns regarding the traffic impact to the area, in particular the turn onto Mountainview.

Vincent Lupi, 106 Spruce Street, Blauvelt, concerns regarding the distance to the intersection, air and water pollution and operating hours and enforcement.

Allison Sullivan, 42 Arthur Street, Blauvelt, raised concerns that the current issues with the traffic will become worse.

Liz Dudley, 250 S. Greenbush Road, Orangeburg, expressed concerns regarding the size of the building, safety and clean water.

Vanessa Lapin, 659 Western Highway, was looking for clarity for the public, raised concerns regarding quality of life.

James Cleary, 20 Van Terrace, Sparkill, wanted to know if a traffic study was completed, the time frame of accidents and truck turning radius onto Route 303.

Jessica Lapin, 106 Spruce Street, Blauvelt, raised concerns regarding traffic during construction

There being no one else from the public, a motion was made to close the Public Hearing portion of the meeting by Kevin Farry and seconded by Denise Lenihan and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Stephen Sweeney, aye; Kevin Farry, aye; Lisa DeFeciani, (alternate member) absent; Michael McCrory, aye; and Andrew Andrews, aye.

The applicant requested a CONTINUATION.

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November 9, 2022

Jesse Cokeley, Engineer from Collier Engineering and Design,
Tony Veneziano, Attorney, Ira Emanuel, Attorney, Amy Mele, Attorney,
Corey Chase, Traffic Engineer from Dynamic Traffic LLC, Ashley Ley, AKRF, and
Elaine Du, AKRF.

The Board received the following communications:

1. Project Review Committee Reports dated September 14 and October 26, 2022.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE), Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated October 3 and October 28, 2022.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated November 6, 2022.
4. Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent of Highways, dated March 30, 2022.
5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE., dated October 25, 2022.
6. Interdepartmental memorandums from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated September 13 and October 25, 2022.
7. Letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated September 22 and November 7, 2022.
8. Notices from Rockland County Department of Health, signed by Elizabeth Mello, PE, dated September 6, 2022.
9. A letter/notice from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer III, dated September 2 and October 27, 2022.
10. Letters from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated September 2 and October 24, October 21 and October 14, 2022.
11. Emails from Orange and Rockland Utilities from Alfred Gaddi, PE, dated August 25 and September 13, 2022.
12. Emails from New York State Department of Transportation, from Jason Brenner, dated April 18 and September 27, 2022.
13. Project Summary prepared by applicant.

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14. Site Plans prepared by Colliers Engineering and Design, dated November 22, 2021, revised August 22, 2022:
 - Sheet 1: Cover Sheet
 - Sheet 2: Demolition & Existing Conditions Plan
 - Sheet 3: Overall Layout Plan
 - Sheet 4: Layout Plan - East
 - Sheet 5: Layout Plan - West
 - Sheet 6: Grading & Drainage Plan - East
 - Sheet 7: Grading & Drainage Plan - West
 - Sheet 8: Utilities Plan - West
 - Sheet 9: Utilities Plan - East
 - Sheet 10: Landscaping Plan - East
 - Sheet 11: Landscaping Plan - West
 - Sheet 12: Lighting Plan - East
 - Sheet 13: Lighting Plan - West
 - Sheet 14: Phase I Soil Erosion & Sediment Control Plan
 - Sheet 15: Phase II Soil Erosion & Sediment Control Plan
 - Sheet 16: Phase III Soil Erosion & Sediment Control Plan
 - Sheet 17: Construction Details
 - Sheet 18: Construction Details
 - Sheet 19: Construction Details
 - Sheet 20: Construction Details
 - Sheet 21: Construction Details
15. A Planning and Traffic Review prepared by AKRF dated September 14, 2022, revised November 2, 2022.
16. Letters from Colliers Engineering & Design August 22, September 14, and October 7, 2022, signed by Jesse Cokeley, PE.
17. Comment letter from Collier Engineering and Design regarding comment #8 of AKRF review, dated October 6, 2022.
18. Letters from Emanuel Law, dated November 19, 2021, April 6 and August 22, 2022, signed by Ira Emanuel, Esq.
19. A Full Environmental Assessment Form signed by Jesse Cokeley, dated April 13, 2022, revised October 7, 2022.
20. Part 1 – Stormwater Pollution Prevention Plan, prepared by Colliers Engineering and Design, dated November 22, 2021, revised October 7, 2022, with an attachment of Existing Drainage Area Map dated November 22, 2021 and Proposed Drainage Area Map dated October 7, 2022.
21. Letter from Dynamic Traffic, dated July 8, 2022, signed by Cory Chase, with attachment of WPT site Access Exhibit, dated August 9, 2022.
22. Traffic Impact Study prepared by Dynamic Traffic dated January 13, 2021, revised October 5, 2022.
23. Phase II subsurface Investigation Report, prepared by Odelphi Environmental dated October 18, 2019.
24. Email from Veolia NY from William Prehoda, dated April 11, 2022
25. Traffic Study prepared by Creighton Mann, dated September 1, 2022, signed by Frank Filiciotto and Start Hipp.

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

A motion was made to open the Public Hearing by Michael Mandel - Vice Chairman and second by Denise Lenihan and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Tara Heidger, aye; Kevin Farry, aye; Lisa DeFeciani, (alternate member) aye; Michael McCrory, aye; and Andrew Andrews, absent.

Public Comments:

James Castagna, 39 Delongis Court, Sparkill. Stressed concerns regarding traffic safety, holding that Mountainview Ave is not suitable for such traffic. He requested that a SEQRA Positive Declaration should be declared.

Vincent Lupi, 106 Spruce Street, Blauvelt. Brought up concerns: regarding impacts to the Sparkill Creek; pedestrian traffic; and the impact to local residents and local business owners. He held that the Town's Comprehensive plan needs to regulate warehouses.

Elizabeth Dudley, 250 South Greenbush Road, Orangeburg. Suggested an overhaul for the intersection of Mountainview Ave and Route 303. She raised concerns regarding increased trucks on Greenbush Road, recommended a Positive Declaration, and safety concerns for the nearby pedestrian trails.

Craig Aronson, 2 Marisco Court, Blauvelt. As an adjacent business owner on Route 303, stressed that driving into and out of the property is difficult and that this development would make it much worse.

Carrol Baxter, 34 Lawrence Lane, Palisades. Stressed concerns with the unknown tenant and added that the large influx of trucks could impact Oak Tree Road.

Vanessa Lapins, 659 Western Highway, Blauvelt. Held that the public does not support it and that many people have signed a petition against the project. She then added that it belongs in Bradley Park and that the town's Comprehensive Plan concurs.

Jeff Hendricks, 6 Mountainview Avenue, Blauvelt. Noted that cars utilizing the nearby intersection often have to back up so trucks can make turns. Noting that adding more trucks to the roadways surrounding the intersection would be a disaster. Closed by urging the Board to say no to this project.

There being no one else from the public, a motion was made to close the Public Hearing portion of the meeting by Michael Mandel- Vice Chairman and second by Michael McCrory and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Tara Heidger, aye; Kevin Farry, aye; Lisa DeFeciani, (alternate member) aye; Michael McCrory, aye; and Andrew Andrews, absent.

The applicant requested a CONTINUATION.

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February 28, 2024

Jesse Cokeley, Engineer from Collier Engineering and Design, Tony Veneziano, Attorney, Ira Emanuel, Attorney, and Corey Chase, Traffic Engineer from Dynamic Traffic LLC., appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated January 10 and February 14, 2024.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE), Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated February 23, 2024.
3. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated November 6, 2023 and January 23, 2024.
4. Interdepartmental memorandums from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated October 24, 2023, January 9, 2024 and February 13, 2024.
5. Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent of Highways, dated November 6, 2023.
6. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated February 28, 2024.
7. Letters from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated March 27, 2023, November 3, 2023 and January 18, 2024.
8. Letter and notice from Rockland County Department of Health, signed by Elizabeth Mello, PE, dated October 30, 2023.
9. Letters from Rockland County Sewer District No. 1, signed by Nicholas King, Engineer I, dated October 20, 2023 and January 8, 2024.
10. Email from Orange and Rockland Utilities, from Alfred Gaddi, dated September 29, 2023.
11. Email from Jesse Cokeley, dated February 13, 2024, response memo to the February 8, 2024 memo from AKRF, revised Crash Analysis Memo, and minutes from call with NYSDOT on February 9, 2024 and comment memo from NYSDOT.
12. Project Summary prepared by applicant.
13. Preliminary Site Plan for WPT Acquisitions LLC., prepared by Colliers Engineering and Design, dated March 30, 2023.
14. A Short Environmental Assessment Form signed by Jesse Cokeley, dated February 24, 2022.
15. Traffic Impact Study prepared by Dynamic Traffic dated January 13, 2021, revised December 19, 2023.

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16. Full Environmental Assessment Forms, part 1, part 2 and part 3, last dated March 30, 2023.
17. Letters from Colliers Engineering and Design, signed by Jesse Cokeley, dated February 26, March 30, September 15 and December 22, 2023.
18. Reports prepared by AKRF dated November 2, 2022, February 28 and March 21, 2023.
19. Truck Turning Exhibit prepared by Colliers Engineering and Design, dated October 7, 2022.
20. Letter from Anthony Veneziano dated February 21 and December 20, 2023.
21. Air Quality and Noise Study prepared by Colliers Engineering and Design, dated February 21, 2024.
22. Letter from New York State Department of Transportation, signed by Lance Gorney.
23. Stormwater Pollution Prevention Plan, prepared by Colliers Engineering and Design, dated November 22, 2021, revised August 23, 2023.
24. Letter from Stantac, dated March 29, 2023.

The Board reviewed the plan. The meeting was open to the public.

A motion was made to open the Public Hearing by Kevin Farry and second by Bruce Bond (Alternate Member) and carried as follows: the Public Hearing portion of the meeting by Kevin Farry and seconded by Bruce Bond and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Stephen Sweeney, aye; Kevin Farry, aye; Lisa DeFeciani, aye; Bruce Bond (alternate member) aye; Michael McCrory, aye; and Andrew Andrews, aye.

Public Comments:

Vincent Lupi, 106 Spruce Street, Blauvelt, concerns regarding sidewalks and cross walks in in the area of the intersection. Also concerned with bus traffic and traffic impacts to the area.

Allison Sullivan, 42 Arthur Street, Blauvelt, raised concerns that the due to the development, people will shop elsewhere due to the truck traffic on Mountain View and Route 303.

Thomas Finsterwald, 15 Mountainview Avenue, raised concerns regarding the peak hour traffic in the area and that it will create congestion on the roadways. He wanted to know where the property will come from for widening the road.

Jeff Hendrick, 6 Mountain view, Blauvelt, noted that he has lived at the location his whole life and that presently, his driveway is difficult to use, requesting that a traffic light should be added on Route 303.

Carol Baker, 256 South Greenbush Road, Orangeburg, held that the project lacks clarify, and said that the traffic will be a level F at the intersection. Ms. Baker held that no one wants more trucks and warehouses.

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Elizabeth Dudley, 256 South Greenbush Road, Orangeburg, held that the project does not appear to belong at the proposed project site. She held that there was an accident on Route 303 that created issues with traffic.

Heather Hurley, 160 West Crooked Hill Road, Pearl River, held that the Collier's report is unreliable.

Vanessa Lapin, 659 Western Highway, held that google maps takes you over Mountain View. She referred to the Town of Orangetown Comprehensive Plan.

Larry Vale, 389 Kings Highway, Tappan, held that this project is one more warehouse that the Town does not need.

John Savage, 130 Crescent Road, Piermont, held that this project is not environmentally safe in his opinion. He held that the only reason to approve this project would be if the Town threw out the Master Plan. The people in the Town of Orangetown do not want this project.

There being no one else from the public, a motion was made to close the Public Hearing portion of the meeting by Kevin Farry and seconded by Bruce Bond and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel- Vice Chairman, aye; Kevin Farry, aye; Lisa DeFeciani, aye; Bruce Bond (alternate member) not voting; Michael McCrory, aye; and Andrew Andrews, aye.

The applicant requested a CONTINUATION.

The Board requested that AKRF prepare a formal written determination of significance that the Board can review prior to the adoption of SEQR. The applicant concurred and asked for a continuation.

May 8, 2024

Jesse Cokeley, Engineer from Collier Engineering and Design, Tony Veneziano, Attorney, Ira Emanuel, Attorney, Amy Mele, Attorney, Corey Chase, Traffic Engineer, and Spencer Gerberding, Applicant, appeared and testified before the Board. The Board received the following communications:

1. Project Review Committee Reports dated April 24, 2024.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, Director, Deputy Building Inspector dated May 2, 2024.

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3. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated May 7, 2024.
4. Interdepartmental memorandum from the Department of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated April 22, 2024.
5. Letters from Collier Engineering and Design with comments for DEME's letter, signed by Jesse Cokeley, P.E., dated May 7, 2024, February 16 and March 30, 2023.
6. Memorandum from AKRF, from Elaine Du, P.E.; and Ashley Ley, AICP, dated April 24, 2024
7. Letter from the New York State Department of Transportation (NYSDOT), signed by Jason Brenner, Assistant Engineer, dated April 3, 2024 and Lance Gorney, dated January 27, 2023.
8. Draft Negative Declaration, dated May 8, 2024.
9. Preliminary Site Plan, prepared by Colliers Engineering and Design, last revised March 13, 2024:
 - SHT No. 1 of 24: Cover Sheet
 - SHT No. 2 of 24: Project Notes
 - SHT No. 3 of 24: Demolition & Existing Conditions Plan
 - SHT No. 4 of 24: Ariel Plan
 - SHT No. 5 of 24: Layout Plan
 - SHT No. 6 of 24: Wayfinding Signage and Striping Plan
 - SHT No. 7 of 24: Grading & Drainage Plan
 - SHT No. 8 of 24: Stormwater Management Practice Blow-ups
 - SHT No. 9 of 24: Utilities Plan
 - SHT No. 10 of 24: Sanitary Blow Up
 - SHT No. 11 of 24: Landscape Plan
 - SHT No. 12 of 24: Site Cross Section
 - SHT No. 13 of 24: Phase I Soil Erosion & Sediment Control Plan
 - SHT No. 14 of 24: Phase II Soil Erosion & Sediment Control Plan
 - SHT No. 15 of 24: Phase III Soil Erosion & Sediment Control Plan
 - SHT No. 16 of 24: Phase IV Soil Erosion & Sediment Control Plan
 - SHT No. 17 of 24: Lighting Plan
 - SHT No. 18 of 24: Construction Details
 - SHT No. 19 of 24: Construction Details
 - SHT No. 20 of 24: Construction Details
 - SHT No. 21 of 24: Construction Details
 - SHT No. 22 of 24: Construction Details
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 - SHT No. 24 of 24: Construction Details

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10. Truck Turning Exhibit for WPT Acquisitions LLC., prepared by Colliers Engineering and Design, dated November 28, 2023:
 - o 1 of 2: Internal Circulation Plan – Firetruck
 - o 2 of 2: Internal Circulation Plan – Firetruck
11. Vehicle Circulation Plan: Mountain View Avenue, prepared by Dynamic Traffic, LLC, dated January 10, 2024.
12. Vehicle Circulation Plan B: Mountain View Avenue, prepared by Dynamic Traffic, LLC, dated January 10, 2024.
13. Vehicle Circulation Plan, prepared by Dynamic Traffic, LLC, dated March 13, 2024:
 - o Sheet Number: 1 of 2: Vehicle Circulation Plan
 - o Sheet Number: 2 of 2: Vehicle Circulation Plan
14. Conceptual Improvement Plan: Mountain View Avenue, Prepared by Dynamic Traffic, LLC, dated January 10, 2024, last revised March 13, 2024.
15. Truck Stacking Exhibit, prepared by Dynamic Traffic, dated December 14, 2023.
16. Letters from Dynamic Traffic dated July 11 and June 29, 2022 signed by Cory chase, with attachments.
17. Air Quality and Noise Study, prepared by Collier Engineering and Design, dated February, 2024.
18. Truck Stacking Exhibit for Mountainview Avenue, prepared by Dynamic Traffic, dated December 14, 2024.
19. Traffic Impact Study prepared by Dynamic Traffic, last revised December 19, 2023.

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

A motion was made to open the Public Hearing portion of the meeting by Michael Mandel – Vice Chairman and second by Denise Lenihan and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Kevin Farry, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye; and Andrew Andrews, aye.

Public Comment:

Thomas Finsterwald, 15 Mountainview Ave, Orangeburg. Brought up issues with the traffic study. He also stressed concerns regarding congestion and generator placement.

Carrol Baxter, 34 Lawrence Lane, Palisades. Stressed that the proposed building would be too large for the area and should be placed elsewhere in another town. Took issue with such large trucks operating on Mountainview Avenue.

Vincent Lupi, 106 Spruce Street, Blauvelt. Stated that there are too many assumptions with the traffic study. Took issue with large trucks in the area for construction and operation purposes, siting potential for contamination in the Sparkill Creek. He closed with saying that he wants the proposal and plan removed all together.

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John Abbatangelo, 7 Route 340, Orangeburg. He spoke on behalf of the Sparkill Creek Watershed Alliance and spoke about the potential for contamination. He took issue with there being no spill response plan.

Jeff Hendricks, 6 Mountain View Avenue, Orangeburg. He questioned the board and the applicant if there would be any sound blockage for the generators.

Joseph Dudley, 250 South Greenbush Road, Orangeburg. He brought up the issues of enforcement, congestion, hazardous materials, a lack of job creation and traffic safety.

Allison Sullivan, 42 Arthur Street, Blauvelt. She took issue with the industrial uses in the area, specifically pertaining to odor and lack of enforcement. She stressed concern regarding automobile safety and questioned NYSDOT's knowledge of the area. She stressed strong opposition to the proposal.

Elizabeth Dudley, 250 South Greenbush Road, Orangeburg. She took issue with nearby warehouses collaborating to make Route 303 fit for truck traffic, the number of loading docks proposed and that culvert bridge is not guaranteed. She noted that the intersection has an F rating, and will remain an F after improvements. Ms. Dudley questioned the precedent that prohibits large trucks on Mountainview Avenue and held that 2,400 tax paying residents have signed a petition to stop the warehouse projects in Orangetown.

Michael Andrea, 32 Arthur Street, Blauvelt. He stressed concerns about pavement in relation to the size of the building, expressing the potential for excessive runoff to occur and impact adjacent and nearby properties.

There being no one else to be heard from the Public, a motion was made to close the hearing by Kevin Farry and second by Andrew Andrews and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Kevin Farry, aye; Michael Mandel – Vice Chairman aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye; and Andrew Andrews, aye.

The applicant requested a CONTINUATION

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Jesse Cokeley, Engineer from Collier Engineering and Design, Tony Veneziano, Attorney, Amy Mele, Attorney, Corey Chase, Traffic Engineer, and Spencer Gerberding, appeared and testified before the Board.

The Board received the following communications:

1. Project Review Committee Reports dated July 11, 2024.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, Director, Deputy Building Inspector July 22, 2024.
3. Interdepartmental letter from the Town of Orangetown Bureau of Fire Prevention, signed by Dave Majewski, Chief Fire Inspector, dated July 9, 2024.
4. Letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated October July 24, 2024.
5. Memorandum from AKRF, from Elaine Du, P.E.; and Ashley Ley, AICP, dated July 3, 2024
6. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated June 17, 2024
7. Letter from Rockland County Health Department, signed by Brandon Durant, PH.D., dated July 3, 2024.
8. Letter from Rockland County Sewer District No. 1, signed by Nicolas King, Engineer 1, dated July 8, 2024

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9. Letter from New York State Department of Transportation (NYSDOT), signed by Jason Brenner, Assistant Engineer, dated June 28, 2024.
10. Notice from the Rockland County Department of Health identifying comments attached, signed by Brandon Durant, PH.D., dated July 3, 2024.
11. Letter from Emanuel Law P.C., signed by Ira Emanuel, Esq., dated July 16, 2024.
12. Crash Analysis Technical Memorandum from Dynamic Traffic, LLC., signed by Corey Chase, dated May 14, 2024.
13. Vehicle Circulation Plan Mountainview Avenue, last revised July 9, 2024, prepared by Dynamic Traffic. LLC.
14. Environmental Construction Contingency Plan, prepared by Landmark Environmental, dated May 2024.
15. Mountainview Entrance Plan – Large Truck, prepared by Colliers Engineering and Design, dated May 17, 2024.
16. Truck Turning Exhibit for WPT Acquisitions LLC, prepared by Colliers Engineering and Design, dated May 17, 2024.
 - Sheet Number: 1 of 1: Mountainview Entrance Plan – Large Truck
 - Sheet Number: 5 of 24: Layout Plan
17. Preliminary Site Plan for WPT Acquisitions LLC, prepared by Colliers Engineering and Design, last revised May 17, 2024.
 - Sheet Number: 5 of 24: Layout Plan
18. Email from the Applicant Colliers Engineering and Design, signed by Jesse Cokeley, dated July 10, 2024
19. Technical Memorandum from Dynamic Traffic LLC, signed by Corey Chase, dated May 14, 2024
20. Letter from Colliers Engineering and Design, signed by Jesse Cokeley P.E., dated May 17, 2024
21. Letter from Ira Emanuel, dated May 14, 2024

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

A motion was made to open the Public Hearing portion of the meeting by Andrew Andrews and second by Michael Mandel – Vice Chairman and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Michael McCrory, aye; Lisa DeFeciani, absent; Bruce Bond, (alternate member), aye; and Andrew Andrews, aye.

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Public Comments

Thomas Finsterwald, 15 Mountainview Avenue, Orangeburg. Raised concerns pertaining to contamination, truck activity interfering with traffic and noise from the generators.

Vanessa Lapins, 659 Western Highway, Blauvelt. Brought up the ineffectiveness of the overlay district and the uncertainty of the Board. She questioned the Board on how traffic is going to be regulated and was surprised that this project has reached the New York State Governor's office.

There being no one else to be heard from the Public, a motion was made by Michael Mandel – Vice Chairman and second by Andrew Andrews and carried as follows: Thomas Warren – Chairman, nay; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Michael McCrory, nay; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye; and Andrew Andrews, aye.

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

1. The following note shall be placed on the subdivision 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 backup generator shall be moved to the north side of the site away from the residential properties.
4. The location of the existing well to be shown on the site plan with a note stating that it will be decommissioned.
5. Updated landscape plans to be submitted to the Town of Orangetown Architecture and Community Appearance Board of Review (ACABOR) for review and approval.

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6. No Certificate of Occupancy will be given until all bridge work and traffic mitigation is completed.
7. The sound barrier comments outlined in the AKRF memo dated April 24, 2024 must be satisfied prior to final approval.
8. The Town of Orangetown Department of Building, Zoning, Planning Administration and Enforcement reviewed the Information and has no comments at this time.
9. The Town of Orangetown Department of Environmental Management and Engineering (DEME) reviewed the information and offered the following comments:
 - This applicant's engineer has submitted a "Conceptual Improvement Plan - Mountainview Avenue" (last updated 3/13/24) which, among other things, shows the stop bar for the two northbound lanes of Route 303, at the intersection of Mountainview Avenue and Route 303, being relocated 26 feet south of its current location, to accommodate truck traffic turning south onto Route 303, from Mountainview Avenue. A letter was provided from the New York State Department of Transportation (NYSDOT), dated 2/01/24, stating that "Conceptually, DOT agrees the proposed improvements would contribute to improving the LOS at the intersection." However, the "Vehicle Circulation Plan - Mountainview Avenue" (sheet 2 of 2, also dated 3/13/24) shows that a tractor trailer turning south onto Route 303 will just "clip" (come over) the new relocated stop bar and double yellow lines. This is **still not acceptable**. This is also the case for truck traffic turning left, from Route 303 north, onto Mountainview Avenue west (although to a slightly lesser degree.) More importantly, the drawings submitted to the Planning Board are dated **later** than the NYSDOT approval letter. The NYSDOT letter of 2/01/24 does not reference the date of any drawings, just that they "... received the conceptual improvement plans prepared by..." Based on the dates of the documents submitted, the DOT **could not have** received, reviewed and therefore conceptually approved the current Vehicular Circulation & Conceptual Improvement plans that are part of this application package. The intersection **must** be re-designed so that truck traffic turning south onto Route 303, does not adversely impact or enter into/ onto the northern bound "fast" lane of Route 303 AND truck traffic turning west onto Mountainview Avenue does not adversely impact or enter into/ onto the proposed east bound turning lane of Mountainview Avenue. Given the critical

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Continuation of Condition #9...

nature of the improvements to this intersection with respect to the viability of this project, the substantial changes needed to the Mountainview Avenue/ Route 303 intersection and the unclear nature of what exactly the NYSDOT's conceptual approval is based upon, DEME requests that the applicant's engineer submit, for review and approval, **detailed design drawings** (not just conceptual plans) for the changes to this intersection and also submit these drawings to the NYSDOT **for formal approval by the DOT**. Copies of all correspondence related to this item, between the applicant, NYSDOT, etc., shall be submitted to the Planning Board.

- The proposed improvements to Mountainview Avenue, from the site driveway entrance/ exit on Mountainview Avenue to the Route 303 intersection (widening, additional left turn lane, etc. - as shown on the Conceptual Improvement Plan) **MUST** be added to the drawings set. As mentioned in comment #1 above, this improvement plan and all related plans and details, shall be revised and made full/ approvable design drawings
- DEME is aware that the applicant's engineers have/ are in the process of revising the SWPPP. Once received, a formal review shall be sent to the applicant's engineer under separate cover.
- The drawings and the SWPPP shall identify, using the NYSDEC *Stormwater Management Design Manual* (NYSDEC-SMDM) identification names/letters/ numbers, what NYSDEC approved stormwater design features are to be utilized for stormwater purposes for this project.
- Multiple cross-sections for each and every proposed stormwater bio-retention/ extended detention systems/ basins shall be provided on the drawings. Cross-sections shall include; storage volume for given design storms and elevations, 25-foot pond buffers, 12-foot-wide stabilized maintenance paths (that reach the forebay/ main pool/outlet structure/ emergency spillway, flared end inlets, etc.), aquatic bench, safety bench, pond drain valve, permanent sediment depth markers with detail, stormwater practice signage with detail, plantings (if utilized for water quality control), emergency overflow spillways with elevations, etc.
- The berm "behind" the proposed emergency overflow from the micropool extended detention basin shall be reinforced to prevent scour in case the emergency overflow is utilized. This reinforcing shall be shown and called out on the drawings and details for same added to the drawings.

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Continuation of Condition #9...

- The proposed bioretention basins are not designed as per the (NYSDEC-SMDM. For example, required plantings, grass filter strip below a level spreader or grass channel • gravel diaphragm - mulch layer, off-line filtering practice, 6-inch perforated pipe underdrain system, 1-foot depth gravel bed for underdrain, minimum of 2-foot separation between filter bottom and groundwater, minimum of 25 feet of grass filter strip between basin and paved areas.
- It appears that bioretention area IB does not/ cannot meet the 25-grass filter strip length based on its current location. Therefore, the basin shall be designed with an off-line filtering practice, as per NYS-SMDM sections 6.4.2 and Appendix K. Also, bioretention basins 1 C & 1 D shall clearly show the required grass filter strip - gravel diaphragm - mulch layer as per NYS SMDM section 6.4.3. Calculations for all of the above shall be clearly listed in the SWPPP introduction / stormwater quality section, calculation appendix and shown on the drawings/& "blow-up" I sections for each basin.
- Bioretention basins IC & ID are NOT design in accordance with the NYSDEC - SMDM, Section 6.4.2, 6.4.3 & Append K Detail K.5. These basins shall be redesigned to meet the NYSDEC-SMDM requirements.
- The landscape plan shows woody vegetation (mostly trees) at the eastern and southern toe of the slopes for the micropool extended detention basin. This is expressly prohibited by the NYSDEC-SMDM "Key Considerations" - Landscaping, page 6-21. The landscape plan shall be revised to remove all proposed woody foliage from these areas. The required 15- and 25-foot setbacks shall be shown on the landscape plan, around the toe of the basin embankments and emergency spillways. DEME is aware of the intent of screening; however, stormwater regulations supersede this.
- In connection with comment 10 above, the landscaping plans currently only show basic seed mixture as the ground cover for the proposed stormwater basins. However, the NYSDEC-SMDM calls for a diverse range of wetland plantings for micropool extended detention basins. The landscaping plans shall be revised to meet the design standards in the NYSDEC-SMDM.
- The water quality elevations for each bioretention basin shall be added to their individual cross-sections, along with related storage volume.
- The Drawings and SWPPP shall clearly show and explain how the proposed drainage piping, that exhausts the proposed bioretention basin and extended detention basin will be accessed and maintained.

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- The dimensions of the proposed maintenance access path tum-around, for the micropool extended detention basin, shall be added to the drawings (including the blow-up drawing.)
- The inlet piping into the proposed micropool extended detention basin shall be extended so the invert of FES S-11 is just above the forebay.
- The current layout of the micropool extended detention basin is not in compliance with the NYS-SMDM. For example, there must be a rip-rap pilot channel connection the sediment forebay to the micropool. The basin shall be redesigned to meet all of the requirements spelled out in the NYS-SMDM.
- Profiles for proposed drainage piping (any all existing piping to remain -- if applicable) shall be provided on the drawings.
- A post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for the proposed stormwater systems shall be submitted to DEMA and the Town of Orangetown Attorney's office for review and approval. Said agreement shall include a maintenance and management schedule, separate/ labeled checklists for each and every existing and proposed stormwater feature (i.e. catch basin, manhole, piping run, water quality structure, bio-retention basin, micropool extended detention basin, etc.), contact person with telephone number, yearly report to be submitted to DEMA, etc.
- The SWPPP, drawings, Sequence of Construction and SESC plans shall clearly specify and indicate how and when all of the existing stormwater infrastructure (as well as all of the other existing utilities) are to be removed. The Sequence of construction and drawings shall thoroughly explain and show how the proposed micropool extended detention basin is to be converted from a temporary sediment basin to an extended detention basin. In other words, how will the basin be cleaned, final grading achieved, planting installed, final stabilization achieved and where will stormwater flows go while this process is occurring.
- The SESC plans shows only one proposed temporary sediment basin. Given the size of the proposed disturbance, additional sediment basin(s) shall be designed for the site and shown on the drawings. The sizing of the basin(s) shall be calculated utilizing the Temporary Sediment basin Design Data sheet (provided in the NYS DEC "Blue Book" page 5.24. this information shall be added to the SWPPP, in its own Appendix.

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- The timing of the proposed sanitary sewer main relocation shall be revised so that the sewer main relocation shall be the third item under Phase 1 of the Construction sequence (first actual construction to take place). The demolition and site clearing **DO NOT** need to happen before this sanitary sewer is relocated. Given the fact that the existing sanitary main is live, this work is critical and **MUST** be completed **PRIOR** to the demolition and site clearing. This will ensure that this work is completed properly and in a timely manner. The drawings, drawing notes and SWPPP shall all be revised to reflect this change. Lastly, this sewer main relocation shall be mentioned in the SWPPP Introduction.
- The utility plans calls out the new sanitary sewer piping as "(GC to match ex. pipe material)" As the proposed re-alignment calls for two (2) completely new piping runs, the pipe to be used shall be SOR 35. This shall be called out on the drawings and the required sanitary profiles.
- The sanitary manholes shall be labeled as existing or proposed on all of the drawings, including the "blow-up" of the proposed realignment of the Town of Orangetown sanitary main at the south west corner of the property. A profile for this re-alignment shall be added to the drawings.
- The meaning of the call-out note on drawing 14 of 24 that states "*GC to confirm if the sewer line is present. This sewer line should from main and the end for future connection*" (the note is clipped on the drawing) shall be explained. Also, it is unclear as to what sewer line this note is for.
- The applicant's engineer shall develop a detailed bypass & construction plan for the proposed Town owned sanitary sewer main realignment. The plan shall include how the existing flow in the pipe will be maintained for 24 hrs./ day, 7 days per week for the duration of the bypass construction. It shall also include a construction sequence for the realignment, contractor staffing plans, equipment to be used, duration of realignment construction, 24-hour emergency contact information, etc. This shall be submitted with this application for review and approval by DEME.
- Sanitary calculations for the proposed site, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval.

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- As-Builts (including plans, profiles, blow-ups, cross-sections, details, etc.) shall be submitted to DEME for review and approval for the proposed public sanitary main relocation and all of the existing (which are to remain) and proposed stormwater management systems.
- The existing sanitary sewer building and house connections that are to be abandoned, shall be clearly shown and labeled on the demolition plan (and a separate plan if deemed necessary the applicant's engineer for ease of review.) These lines shall be labeled as to be removed to the main. Additionally, the existing connection(s) shall be labeled to be cut and capped at the main(s) they tie into.
- A note shall be added to the plans (10, 13-16) stating that the Town of Orangetown Sewer Inspector shall be notified at least 48 hours in advance of any and all construction on or near existing and proposed sanitary sewer facilities.
- DEME and the Planning Board shall be copied in on 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 site plan.
- A note shall be added to the Site Plan indicating the source benchmark for the referenced datum (including the BM elevation.)

10. The Town of Orangetown Bureau of Fire Prevention reviewed the information and offered the following comments:

- The southern entrance appears to restrict Fire Apparatus access. Show that a straight fire apparatus 48' long with a 271" wheelbase can enter the property from both directions.
- Construction plans should include the following information:
 - Installation of a NFPA 13 compliant sprinkler system
 - Installation of a fire alarm system to the NFPA 72 standard
 - Installation of a key lock box
 - Emergency Responder Radio Coverage within the building 2020 NYS IFC 510.1

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11. Drainage Review – Brooker Engineering

The application has provided calculations to demonstrate that potential significant adverse impacts with respect to drainage can be mitigated. Brooker Engineering therefore recommend that the 518 NYSR 303 and 13 & 21 Mountainview Avenue Site Plan be **approved for drainage subject to no conditions.**

Project Description

This is Brooker's fifth drainage review report for this project; the last review was dated February 28, 2024. The property is located on the west side of Route 303 along the east property line and Mountainview Avenue along the southern property line. The land slopes downhill toward Route 303. The site is largely developed with warehouse space and parking areas. There is no post construction stormwater detention on the existing site. The application proposes to add 2.549 acres of impervious area over the 13.94-acre study area.

The hydrologic analysis thoroughly breaks down the site into seven hydrologic points of interest along the perimeter of the parcel. The largest of these design points is Design Point 1, which discharges to a 24-inch pipe that flows east toward Route 303. Within the proposed watershed for subarea 1, four new stormwater management basins are proposed. The largest is micropool extended detention basin 1A, which stores rainfall runoff of 1.8 inches of rainfall over the contributing drainage area of 8.1861 acres.

12. AKRF reviewed the plans and offered comments, see attached July 3, 2024 memorandum

13. The Rockland County Department of Planning reviewed the plans and offered the following comments.

1. Extensive research was done over a two-year period to create the Route 303 Overlay Zoning District to ensure that zoning requirements would provide strategies to improve the roadway's operation, aesthetics, and safety aspects. Safety aspects are of paramount importance, as this was one of the underlying reasons for the study. The Rockland County Planning Department recognizes that this portion of the corridor is zoned and primarily developed for industrial and commercial uses; however, there are single family residences along the east side of Route 303, including one directly across from a proposed driveway to the site. The Town must ascertain if the proposed development will result in meeting the intent and scope of the Route 303 Sustainable Development Study. Furthermore, the Town shall be satisfied that all applicable provisions of the Route 303 Overlay Zone, outlined in Article XIII, Section 13.10B. of the Orangetown Zoning Code, have been addressed in the proposed site plan.

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2. The Planning Board shall be satisfied with the information provided in the letter from the New York State Department of Transportation (NYSDOT), dated April 3, 2024. Any outstanding concerns of the NYSDOT must be addressed.
3. A review must be completed by the County of Rockland Drainage Agency, and any required permits obtained.
4. The Sparkill Creek is one of the reasons this proposal was referred to this department for review. The subject site is in the Sparkill Creek watershed and is less than 300 feet west of the Sparkill Creek. Approving this site plan will result in an overall increase in impervious cover in the watershed. Impervious cover results in additional stormwater pollutants such as excess fertilizers, pesticides, oil, sediment, and road salt running off into local waterways. The Sparkill Creek is listed in the FINAL New York State 2018 Section 303(d) List of Impaired/TMDL Waters (June 2020) as a waterbody with impairments that do not support best uses and requires development of a Total Maximum Daily Load (TMDL). The pollutants identified are fecal coliform and oxygen demand. The suspected source of the pollution is urban/stormwater runoff. Development applications within the Sparkill Creek watershed must consider the adverse impacts of potential pollutant loadings to the Creek.
5. An updated review of the May 17, 2024 site plan must be completed by the Rockland County Department of Health, and an application must be submitted to them for review of the stormwater management system to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
6. An updated review of the May 17, 2024 site plan shall be completed by the Rockland County Sewer District No.1 and any concerns addressed.
7. The applicant must comply with the comments provided by the Orangetown Fire Inspector in the letter of April 22, 2024. The Fire Inspector must be satisfied with the truck turning radius plan and confirm that an emergency vehicle has sufficient maneuverability room to and from the southern entrance. In addition, the County of Rockland Office of Fire and Emergency Services or the Orangeburg Fire Department shall be given the opportunity to review the proposal to ensure that there is sufficient maneuverability on site for emergency vehicles.

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8. The site abuts property owned by Consolidated Rail Corp to the west. The proposal shall be sent to CSX Transportation, Inc. for comments.
9. 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.
10. There shall be no net increase in the peak rate of discharge from the site at all design points.
11. Water is a scarce resource in Rockland County; thus, proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health for review.
12. For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction.
13. As required by the Rockland County Stream Control Act, the subdivision/lot merger must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
14. Once a subdivision has been approved, a filed map cannot be used to convey property, nor can the tax maps be updated with the lot changes, until the deeds are filed with the County Clerk, conveying the portions of the lots that are required to achieve the lot configuration indicated on the subdivision map. The applicant and the Town must make sure that the deeds are properly filed with the Rockland County Clerk to ensure that the tax maps are properly updated.
15. All proposed signage shall conform the sign ordinance in Chapter 31 C of the Orangetown Code. Any nonconforming signage requiring variances must be submitted to this department for review, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

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16. The previously submitted Full Environmental Assessment Form (FEAF) dated October 7, 2022 indicated that the proposed plan will minimize impervious surfaces, use pervious materials, or collect and re-use stormwater. (D.2.e.iv, p. 6 of 13). The May 17, 2024 drawings submitted do not show the use of porous materials. To help reduce the impact of this development, reduction of impervious surface should be considered. It is recommended that porous materials be used in the parking area to replace the use of conventional asphalt if proper controls can be employed to effectively control potential pollutant loadings from stormwater. If installed correctly and properly maintained, porous pavers have been shown to be effective in helping manage stormwater runoff. In addition, other green infrastructure techniques should be considered such as bioswales, native landscaped islands in the parking area, rain gardens, and rainwater capture. For long term effectiveness of green infrastructure, it is recommended that the Town and the applicant review Chapter 5 'Green Infrastructure Practices' of the 2015 NYSDEC Stormwater Design Manual. As previously indicated, the Town must be satisfied that the SWPPP conforms to the NYSDEC Stormwater Management and Design Manual.
17. Pursuant to New York State General Municipal Law (GML) Sections 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County's Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
18. In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County agencies are prohibited from issuing a County permit, license, or approval until the report is filed with the County's Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner's report approving the proposed action or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

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**PB #22-18: WPT Acquisitions Site Plan
Preliminary Site Plan Approval
Subject to Conditions**

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14. The Rockland County Department of Health (RCDOH) reviewed the plans and offered the following comments:

- Application is to be made to the Rockland County Department for sanitary sewer extension approval.
- The RCDOH records indicate that there is an existing well on tax lot 74.07-1-33. Location of the well is to be provided on the plans and it is to be noted on the plans that the well is to be decommissioned in accordance to Article II of the Rockland County Sanitary Code. **The decommissioning process included submission of an application and subsequent completion report. A Certificate of Occupancy should not be issued until this office has deemed that the decommissioning is completed.**
- Application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code.

15. Rockland County Sewer District NO.1 (District) reviewed the plans and offered the following comments:

- The District owns and maintains a 30-inch interceptor sewer in an easement through Tax Lot 74.07-1-2(518 Route 303) along Route 303.
 - No permanent structures may be built within the department's easements.
 - To prevent any damage from occurring to the existing main, the District must be notified when the land within the easement is to be modified. This includes but is not limited to regrading, raising or lowering of manhole frames, or working in close proximity to sewers and manholes within the easement. The office must approve any construction to be done within the easements.
 - Please have the engineer replace the typographical error "old" with "hold" and add the word "easements" to the end of Demolition Note 23 on Sheet No. 2, which currently states, "Contractors must obtain required insurance and sign a waiver to defend, indemnify, save and old [sic] harmless both the County of Rockland and Rockland County Sewer District No. 1 from any claims arising from work performed within Rockland County Sewer District No. 1.

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- If the building footprint extends onto 518 Route 303, the engineer will have to verify that the District's 30-inch sewer main in the easement is not within the zone of influence of the foundation. If it is, necessary design precautions must be done to protect the sewer.

16. Orange and Rockland Utilities (O & R) reviewed the submitted information and offered the following comment:

- There is an existing gas service stub that may be in conflict with the proposed work. Please contact O&R's new business department for all relocations and new service requests. All code 753 rules must be followed.

17. The New York State Department of Transportation (NYSDOT) reviewed the plans and offered the following comments:

- NYSDOT has conducted a truck turning review to determine the locations of the stop bars on Route 303 and Mountain View Avenue. Based on the truck turning diagrams for right turns from Mountain View Avenue will interfere with the current stop bar location for the northbound Route 303. The northbound Route 303 stop bar will need to be relocated further back from the intersection similar as the plans provided by Dynamic Traffic on May 8th, 2024. This new stop bar location would be pushed back a proposed 26' from its original location. To determine the acceptance of this location NYSDOT will need the applicants engineer to provide the NYSDOT with stamped drawings of the truck turning movements expected by their development to and from Mountain View Avenue. In addition, please provide the left turn movement of Mountain View Avenue in the next submission.
- Will the proposed distance from the new stop bar locations to signal face meet requirements as stated in section 4D.07 of the Manual of Uniform Traffic Control Devices?
- NYSDOT will need to be provided with detail plans of the rights in/out driveway connection to Route 303 for a highway work permit.
- NYSDOT recommends that the crash history be expanded to include the years of 2020 to 2023 so there is a comparison of crash before, during and after COVID-19. In addition, please provide the crash data to show what type of accident and if any were fatal or had serious injury.

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- Segment crash rate should be determined for the corridor area. Please have the applicant use the information below to determine crash rate and provide the accident that occur between each intersection.
 - Determine the Crash Rate: First, calculate the crash rate(s) in crashes per million vehicle miles (MVM) for the entire study area, using all crashes (non-intersection and intersection crashes). Next, calculate the crash rate(s) for linear segments within the study area that have different highway characteristics, development density/land use (AADT; number of lanes; divided or undivided; functional class; rural or urban; controlled access or uncontrolled access) using all crashes.

$$\begin{aligned} &\text{Segment Crash Rate (acc/MVM)} \\ &= \\ &\frac{1,000,000 \times \text{No. of crashes per year}}{365 \times \text{AADT} \times \text{segment length (in miles)}} \end{aligned}$$

For isolated intersections, calculate the crash rate in crashes per million entering vehicles (MEV) within the study area, using only intersection crashes.

$$\begin{aligned} &\text{Intersection Crash Rate (acc/MEV)} \\ &= \\ &\frac{1,000,000 \times \text{No. of crashes per year}}{365 \times (\text{the sum of directional AADTs on all approaches})} \end{aligned}$$

18. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans prior to signing the final plans.
19. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.
20. 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. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Plan Approval pursuant to Town Code §21A and §6A.

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21. 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:

- No construction equipment shall be parked under the tree canopy.
- There will be no excavation or stockpiling of earth underneath the trees.
- Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.
- The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - i. One (1) foot radius from trunk per inch DBH
 - ii. 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:
 1. 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.
 2. 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.

22. All landscaping shown on the site plan 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.

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23. 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.
24. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
25. 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 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).
26. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
27. 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
28. A note shall be included on the filed site plan to the effect that approval is granted for ITE Land Use Code 150 warehousing only, and any future intent for alternate warehousing will require a new application to the Building Department and Planning Board.
29. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

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The foregoing resolution was made and moved by Bruce Bond (alternate member), and second by Denise Lenihan and carried as follows: Thomas Warren – Chairman, nay; Denise Lenihan, aye; Michael Mandel – Vice Chairman, aye; Michael McCrory, nay; Lisa DeFeciani, absent; Bruce Bond (alternate member), aye; and Andrew Andrews, aye.

The Planning Assistant 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: July 24, 2024

Gerard Chesterman, Town of Orangetown Planning Board



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

Date: May 8, 2024

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

The Town of Orangetown Planning Board as Lead Agency has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: WPT Acquisitions, LLC Proposed Warehouse

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

WPT Acquisitions (the "Applicant") proposes to construct a 175,760-square foot (sf) warehouse with 150 on-site parking spaces, 30 trailer storage spaces, 30 land banked parking spaces, and 34 loading bays (the "Proposed Project") on a 13.805-acre property in the CC, LI, LO, and Route 303 Overlay Zoning Districts (the "Project Site"). The Project Site comprises three tax lots: 74.07-1-36 (12.07-acres), 74.07-1-33 (0.39 acres), and 74.07-1-2 (1.34 acres) which would be merged as part of the Proposed Project. The Project Site is presently improved with a vacant approximately 106,000 sf church which would be demolished to accommodate the Proposed Project. The Applicant proposes to widen Mountain View Avenue from the Project Site entrance to its intersection with NYS Route 303. The Applicant would install a dedicated left turn lane from Mountain View Avenue to NYS Route 303. The Applicant would be responsible for any necessary upgrades to the existing traffic signal at NYS Route 303 and Mountain View Avenue. The proposed roadway and intersection improvements require Highway Work Permits from the NYS Department of Transportation and Town of Orangetown Highway Department. The Proposed Project requires site plan and re-subdivision approval from the Town of Orangetown Planning Board.

Location: 518 NYS Route 303 and 13 & 21 Mountain View Avenue
Town of Orangetown
Rockland County, NY
Tax ID: Section 74.07, Block 1, Lots 2, 33, & 36

Reasons Supporting This Determination:

The following materials have been reviewed:

- Letter from Colliers Engineering, dated March 13, 2024
- Letter from Colliers Engineering, dated February 26, 2024
- Letter from Colliers Engineering, dated February 13, 2024
- Preliminary Site Plan (24 sheets) prepared by Colliers Engineering, last revised March 13, 2024
- Orangeburg Industrial – Air Quality & Noise Studies prepared by Colliers Engineering, last revised February 26, 2024
- Crash Analysis Memo prepared by Dynamic Traffic, last revised February 12, 2024
- Meeting Minutes for call with NYSDOT prepared by Dynamic Traffic, dated February 9, 2024
- Conceptual Improvement Plan prepared by Dynamic Traffic, LLC, last revised March 13, 2024
- Vehicular Circulation Plan prepared by Dynamic Traffic, LLC, last revised March 13, 2024
- Vehicle Circulation Plan B prepared by Dynamic Traffic, dated January 10, 2024
- Truck Stacking Exhibit for Mountain View Avenue prepared by Dynamic Traffic, dated December 14, 2023
- Traffic Impact Study prepared by Dynamic Traffic, , last revised December 19, 2023
- Revised Fire Truck Turn Exhibit, prepared by Colliers, last revised November 28, 2023
- Comment Letter from New York State Department of Transportation, dated February 1, 2024
- Full Environmental Assessment Form Part 2 Summary Memo prepared by Colliers Engineering, revised March 30, 2023
- Full Environmental Assessment Form Part 1 prepared by Colliers Engineering, last revised March 30, 2023
- Full Environmental Assessment Form Part 2 prepared by Colliers Engineering, last revised February 16, 2023

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- Full Environmental Assessment Form Part 3 prepared by Colliers Engineering, last revised February 1, 2024
- Letter from Veneziano & Associates, dated December 21, 2023
- Letter from Veneziano & Associates, dated March 14, 2024
- A Phase I Environmental Site Assessment (ESA) report (Multiple Parcels, 13-21 Mountain View Avenue) was prepared by WENCK Associates, Inc. (WENCK) in December 2020.
- A Phase I ESA report (Vacant Parcel, 518 Route 303) was prepared by WENCK in January 2021.
- A Phase II ESA report (13 Mountain View Ave. & 518 Route 303) was prepared by Odelphi Environmental, Inc. in October 2019.
- Memorandums from AKRF, Inc. to the Town of Orangetown Planning Board dated September 14, 2022, November 2, 2022, March 21, 2023, November 3, 2023, February 28, 2024, and April 24, 2024.

On April 13, 2022, the Planning Board classified the proposed action as a Type I Action and circulated its intent to serve as Lead Agency in a coordinated review of the project, to which no other agency has objected.

The Planning Board held publicly noticed meetings on May 8, 2024; February 28, 2024; January 24, 2024; April 12, 2023; November 8, 2023; November 9, 2022; and April 13, 2022, at which time members of the public were given the opportunity to comment on the proposed project.

Potential Impact on Land

The Proposed Project involves the construction on and physical alteration of the Project Site. However, the Project Site is previously developed, and the Proposed Project would not impact significant environmental or geological features as none are present on the Project Site. The depth to the water table is greater than 3 feet, a minimal amount of steep slopes greater than 15% would be disturbed, the Project Site does not contain exposed bedrock, and the Project Site is not located within a Coastal Erosion Hazard Area. The Proposed Project would remove fewer than 1,000 tons of natural material from the Project Site. The Proposed Project would disturb more than one acre and would increase the amount of impervious surface on the Project Site. However, a Stormwater Pollution Prevention Plan (SWPPP) has been designed and will be implemented to manage erosion and minimize stormwater runoff. In addition, the Proposed Project would be phased to limit the amount of disturbance at any one point in time per the request of Orangetown DEMA in granting a waiver from the 5-acre disturbance limit identified in the SPDES General Permit for Construction Activity (GP-0-20-001).

Potential Impact on Water Resources and Flooding

There are no wetlands or surface water resources on the Project Site. A SWPPP has been prepared to manage stormwater runoff from the Project Site. Stormwater would be captured onsite and conveyed by an existing municipal storm sewer. The Project Site is not located within a floodway or floodplain. However, the Sparkill Creek traverses under Mountain View Avenue at its intersection with Route 303. This culvert is currently planned to be improved to minimize flooding at the intersection. As part of the Proposed Project, the Applicant would pay for the increase in cost to extend the culvert/bridge to accommodate the proposed widening of Mountain View Avenue. With these improvements in place, the Proposed Project is not anticipated to result in any significant adverse impacts to water resources or cause flooding.

Potential Impact on Groundwater Resources

The Proposed Project is not anticipated to result in any significant adverse impacts to groundwater resources. The Proposed Project would connect to existing public water supply and sanitary sewer systems with adequate capacity and adequate plans for growth. In addition, as a warehouse use, the amount of water use and sanitary sewage generation would be minimal. As such, there would be no onsite wells or sanitary discharge to groundwater. In addition, the Proposed Project would not include petroleum or chemical storage, nor would it involve the commercial application of pesticides.

Potential Air Quality Impacts

The Applicant analyzed the potential impacts to air quality from mobile and stationary sources associated with the Proposed Project. The analysis, which was reviewed by the Lead Agency's air quality consultants, found that the Proposed Project would not result in any significant adverse air quality impacts.

Potential Impacts to Natural Resources

The Project Site is largely developed. As such, there are no significant plant or animal habitats on the Project Site. Therefore, no significant adverse impacts to natural resources are anticipated.

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Potential Impacts to Aesthetic Resources

The Project Site was evaluated for potential visibility from officially designated and publicly accessible aesthetic resources. The only eligible and potentially impacted Aesthetic Resource is the Clausland Mountain Viewshed, located roughly 3,000 feet east of the Project Site. However, that viewshed includes existing views of the Route 303 corridor, which has existing warehouse and commercial uses to the Proposed Project. Since the Proposed Project is in the same scale, size, and architectural appearance as several existing industrial properties to the immediate north and east of the Project Site, all within the Clausland Mountain viewshed, no significant adverse impacts to aesthetic resources are anticipated. Furthermore, the Proposed Project includes landscaped screening along the property boundaries to minimize views of the new facility.

Potential Impacts to Historic and Archeological Resources

The Proposed Project would not result in any impacts to historic or archeological resources. The Project Site does not contain, nor is it substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places. There are no listed historic or cultural resources within 1,000 feet of the Project Site. In addition, the site has not been determined by the Commissioner of the NYS Office of Parks Recreation and Historic Preservation to be eligible for listing on the State Register of Historic places.

Potential Impacts on Transportation

The Proposed Project would generate new truck trips on NYS Route 303 and Mountain View Avenue. Potential traffic impacts were thoroughly evaluated in a traffic impact study prepared by the Applicant and a separate traffic study prepared by the Lead Agency's consultant. Both traffic impact studies were peer reviewed by the Lead Agency's traffic consultant. To mitigate potential traffic impacts, the Proposed Project incorporate the following improvements which have been reviewed and conceptually approved by the New York State Department of Transportation:

1. Installation of camera detection at the Mountain View Avenue/NYS Route 303 intersection and Orangeburg Road /NYS Route 303 intersection.
2. Project Site entrance on NYS Route 303 shall be right tun in/right turn out only. All trucks seeking to turn left must use the signalized intersection at Mountainview Avenue.
3. Widening and rebuilding of Mountainview Avenue to accommodate two eastbound lanes (one left turn, one through and right turn) and one westbound lane. Associated with this improvement, the Applicant would widen the culvert/bridge under Mountain View Avenue. The Applicant would also be responsible for necessary improvements to the existing traffic signal at NYS Route 303 and Mountain View Avenue, including adding a new signal head at the eastbound approach and realigning the traffic signal head locations for the northbound approach.

Therefore, with the proposed improvements in place, the Proposed Project would not result in any significant adverse impacts to transportation.

Potential Impact on Energy

The Proposed Project is not anticipated to result in any significant adverse impacts to energy use. The Project Site is a redevelopment site, and the existing infrastructure present at the property is anticipated to have the necessary capacity to support the Proposed Project. The Proposed Project will not require the creation or extension of an energy transmission or supply system. Although the Proposed Project may involve heating and/or cooling of more than 100,000 square feet of building area when completed, the building is designed to a semi-heated space. As such, during the winter months, the building would only be heated to fifty-five degrees in compliance with semi-heated code requirements.

Potential Impact on Noise, Odor, and Light

The Applicant analyzed the potential noise impacts from mobile and stationary sources associated with the Proposed Project. Based on this analysis, a sound barrier may be required to achieve a 13-17 dBA reduction in cumulative sound level at two receptors. However, because achieving this level of performance from an outdoor barrier is challenging and would require the barrier to be tall and very close to sources and/or receivers, the Applicant shall be required to study the barrier closer to final design but prior to consideration of final site plan approval. With the sound barrier in place, the Proposed Project would not result in any significant adverse noise impacts. In addition, the Proposed Project would not utilize blasting during construction.

No odors would be produced from the Proposed Project.

The Proposed Project includes outdoor lighting within the parking lot and safety lighting. All fixtures will be fully shielded, downward-directed and no light spillage would occur onto adjacent properties or roadways. The lighting has been designed to minimize glare.

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Potential Impacts on Human Health

The Project Site is not located on, adjacent to, or near a contaminated site and will not use, create, dispose of, or store hazardous substances. A Phase I Environmental Site Assessment was prepared for the Project Site and found no evidence of recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs) or historical recognized environmental conditions (HRECs) in connection with the subject property. A Phase II Subsurface Investigation was prepared that detected no PCB compounds nor semi-volatile organic compounds in the samples taken. The compounds that were detected were at concentrations below the NYS limits.

Although the Phase I ESA concluded that no RECS were present, the Lead Agency considers there to be a Business Environmental Risk (BER) related to the 13 Mountain View Avenue parcel based on the historical use of pharmaceutical research. The BER status is supported by the waste generation documented by the Phase I, which included several petroleum and halogenated solvents including carbon disulfide, and the carbon disulfide that was detected in groundwater collected from the Site during the Phase II ESA. Additionally, no closure data was included regarding the 20,000-gallon fuel oil UST, details are not available related to the chemical storage and handling practices of the former medical/pharmaceutical research companies, and the operation/discharge specifics of the potential wastewater treatment building. The existing ASTs and transformer should be removed in accordance with all existing local, state, and federal regulations.

Prior to the issuance of a building permit or site disturbance, a Soil Management Plan (SMP) shall be required to address the existing issues identified by the previous ESAs, and/or unknown issues encountered during site earthwork. The SMP shall include:

1. Handling, stockpiling, and disposal procedures for any historic fill material encountered during site earthwork.
2. A contingency plan to address any unknown underground storage tanks encountered during the site earthwork.
3. A contingency plan to address any areas with evidence (staining or odors) of soil contamination, especially during excavation near former 20,000-gallon fuel oil UST location, and demolition of the water treatment building/underground sump and weir system.
4. Management and handling of excavated materials should be conducted in accordance with applicable federal, state, and local regulations including testing requirements for offsite disposal and reuse.

With the SMP in place, no significant adverse impacts to human health are anticipated.

Potential Impacts on Land Use and Zoning

The Proposed Project is an allowable use and consistent with local zoning and the applicable bulk and parking standards. No variances are required. The Project Site is zoned LI1 which permits, among other uses, "Warehouse sales or storage/Warehouses." The proposed use is consistent with other commercial land uses along the Route 303 corridor.

Potential Impacts on Community Character

The Project Site is located on Route 303, which is largely commercial and industrial. Previous uses on the Project Site include a church and a manufacturing facility. The Project Site is adjacent to a strip shopping center to the east, an industrial facility to the north, and a freight railway line to the west. There are residential uses on Mountain View Avenue to the southeast and a college farther to the west. Trees and landscaping are proposed along the Project Site boundaries to minimize views of the Proposed Project from offsite locations.

Conclusion

The Planning Board has reviewed the full Environmental Assessment Form (EAF) and has thoroughly analyzed the information concerning relevant areas of environmental concern both submitted by the applicant and gather by the Planning Board through its consultants and the public. In addition to the factors considered above, the Planning Board considered the following guidance from the State Environmental Quality Review Act and its implementing regulations and determined that the Proposed Action would:

- (i) Not result in "a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;" (§617.7(c)(1)(i))
- (ii) Not result in "the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife

- species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;" (§617.7(c)(1)(iii))
- (iii) Not result in "the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;" (§617.7(c)(1)(iii))
 - (iv) Not result in "the creation of a material conflict with a community's current plans or goals as officially approved or adopted;" (§617.7(c)(1)(iv))
 - (v) Not result in "the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;" (§617.7(c)(1)(v))
 - (vi) Not result in "a major change in the use of either the quantity or type of energy;" (§617.7(c)(1)(vi))
 - (vii) Not result in "the creation of a hazard to human health;" (§617.7(c)(1)(vii))
 - (viii) Not result in "a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;" (§617.7(c)(1)(viii))
 - (ix) Not result in "the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;" (§617.7(c)(1)(ix))
 - (x) Not result in "the creation of a material demand for other actions that would result in one of the above consequences;" (§617.7(c)(1)(x))
 - (xi) Not result in "changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or (§617.7(c)(1)(xi))

The Planning Board of the Town of Orangetown, acting as Lead Agency, and having reviewed the EAF and all supplementary information, has determined that the Proposed Action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not need to be prepared.

For Further Information:

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20 Greenbush Road
Orangetown, NY 10962

Telephone Number: (845)359-8410 x4302

A Copy of this Notice has been filed with:

- Rockland County Planning Department
- Rockland County Highway Department
- Rockland County Park Commission
- Rockland County Environmental Resources
- Rockland County Drainage Agency
- Rockland County Health Department
- Rockland County Sewer District No. 1
- Town of Orangetown OBZPA
- Town of Orangetown DEME
- Town of Orangetown Highway
- Town of Orangetown DTA
- Town of Orangetown Fire Prevention
- Town of Orangetown Traffic Advisory Board
- Town of Orangetown ZBA
- Town of Orangetown Park & Recreation
- New York State Department of Transportation
- New York State Department of Environmental Conservation
- Orange and Rockland Utilities
- Veolia
- CSX Railroad
- Environmental Notice Bulletin

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