

TOWN OF ORANGETOWN PLANNING BOARD
Meeting of Wednesday, January 8, 2025

MEMBERS PRESENT:

Thomas Warren, Chairman
Michael Mandel, Vice Chairman
Andrew Andrews
Denise Lenihan
Lisa DeFeciani
Michael McCrory

MEMBER ABSENT: Bruce Bond (Alternate Member), and Matthew Miller

ALSO, PRESENT: Rick Oliver, Deputy Building Inspector, Office of Building, Zoning, Planning Administration and Enforcement, Dennis Michaels, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Gerard Chesterman, Planning Assistant.

Thomas Warren, Chairman called the meeting to order at 7:30 p.m.
Hearings as listed on this meeting's agenda which are made a part of these minutes were held as noted below:

New Items:

Pierce Residence Site Plan **PB #25-01**
Prepreliminary/Preliminary/Final Site Plan
and SEQRA Review **PRELIMINARY SITE**
76 Old Mountain Road, Upper Grandview **APPROVAL SUBJECT to**
~~76.08-1-4~~; R-22 Zoning District **CONDITIONS/ NEG. DEC**

71.05-1-26

60 January
27, 2025

Databank Orangeburg Phase 2 Site Plan **PB #25-02**
Prepreliminary/Preliminary/Final Site Plan
and SEQRA Review **CONTINUATION**
2000 Corporate Drive, Orangeburg
73.15-1-19; LIO Zoning District

Other Business: Brooker Engineering Drainage Consultant – 2025 Consulting Fee Schedule.

The Board reviewed the submitted material and approved the Fee Schedule with the condition that:

- The Drainage Consultant's reports must be submitted to the Town of Orangetown Office of Building, Zoning, Planning Administration and Code Enforcement no later than the Friday before the assigned Planning Board Meeting.

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

TOWN OF ORANGETOWN
2025 JAN 27 A 9:49
TOWN CLERK'S OFFICE

Other Business: Colliers Engineering Drainage Consultant – 2025 Consulting Fee Schedule

The Board reviewed the submitted material and approved the Fee Schedule with the condition that:

- The Drainage Consultant's reports must be submitted to the Town of Orangetown Office of Building, Zoning, Planning Administration and Code Enforcement no later than the Friday before the assigned Planning Board Meeting.

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

Other Business: Petition for Amendment to the Zoning Ordinance of the Town of Orangetown from an "R-80" District to an "R-15" District. Western Highway and Ellsworth Drive. In the Hamlet of Blauvelt. Section 70.05, Block 1 and Lot(s) 14.1, 14.2, 17.1

The Board reviewed the submitted petition and offered that the following comments to be provided to the Town Board;

1. The Planning Board expressed concern about residential access to Ellsworth Drive with the zoning change.

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

2. The Planning Board held that changing from a R-80 zone to a R-15 zone would be too drastic. Instead, a change from an R-80 zone to an R-40 zone should be considered.

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

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Michael Mandel - Vice Chairman and second by Andrew Andrews and agreed by all in attendance. The meeting was adjourned at 9:32 pm. The next Planning Board meeting is scheduled for January 22, 2025.

Dated: January 8, 2025
Gerard Chesterman, Planning Assistant
Town of Orangetown Planning Board

TOWN CLERK'S OFFICE
2025 JAN 27 A 9:49
TOWN OF ORANGETOWN

PB #25-01: Pierce Residence Site Plan
Preliminary Site Plan
Subject to Conditions / NEG DEC.

Permit #:BLDR-5465-24

Town of Orangetown Planning Board Decision
January 8, 2025
Page 1 of 12

TO: Chad and Amanda Pierce, 76 Old Mountain Road South, Upper Grandview, New York 10960

FROM: Town of Orangetown Planning Board

25-01 GC January 27, 2025
PB #24-31: **Pierce Residence Site Plan:** The application of Jan Degenshein, applicant, for Chad and Amanda Pierce, owner, for Prepreliminary/Preliminary/Final Site Plan Review at a site to be known as "**Pierce Residence Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 76 Old Mountain Road South, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as ~~Section 71.01, Block 1, Lot 26~~ Section 71.05, Block 1, Lot 26: R-22 zoning district. GC January 27, 2025

Heard by the Planning Board of the Town of Orangetown at a meeting held January 8, 2025 at which time the Board made the following determinations:

January 8, 2025

Jan Degenshein, applicant and architect, and Chad and Amanda Pierce, homeowners, appeared and testified. The Board received the following communications:

1. Project Review Committee Report dated December 11, 2024.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, RA, Director, January 7, 2025.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown signed by Bruce Peters, P.E., Commissioner, dated January 7, 2025.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated December 10, 2024.
5. Brooker Engineering Drainage Consultant letter, signed by Dennis Rocks, P.E., dated January 6, 2025
6. Letter from Rockland County Department of Planning, signed by Douglas J. Schuetz, dated December 17, 2024
7. Letter from Rockland County Sewer District NO. 1, signed by Nicholas King, dated December 11, 2024.
8. Letter from Orange and Rockland Utilities, signed by Alfred Gaddi, P.E., dated December 12, 2024.
9. Narrative titled "Addition to the Residence of Chad and Amanda Pierce", prepared and signed by Applicant Jan Degenshein, dated November 6, 2024.
10. Applicant letter prepared and signed by Applicant Jan Degenshein, dated November 8, 2024.

TOWN OF ORANGETOWN
2025 JAN 27 A 9:49
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board Decision
January 8, 2025
Page 2 of 12

11. Short Environmental Assessment Form, prepared and signed by Chad Pierce, dated October 11, 2024.
12. Architectural Plans titled "Addition to: Pierce Residence", prepared and signed by Jan Degenshein, Architect-Planner, P.C.
 - Last revised October 25, 2024:
 - Drawing NO. A-000: Energy Code Req'mts Location/Zoning Maps, Zoning Information, Site Plan & Drawing List.
 - Drawing NO. A-300: Basement / Foundation Alteration & Addition Plan & Building Section.
 - Drawing NO. A-301: First Floor Alteration & Addition Plans & Deck Details.
 - Drawing NO. A-302: Second Floor Alteration & Addition Plans & Rescheck
 - Last revised September 18, 2024:
 - Drawing NO. A-010: Basement Floor Existing Conditions & Demolition Plans General Notes & Demolition Notes & Legend.
 - Drawing NO. A-030: Existing Elevations & Exterior Demolition
 - Drawing NO. A-500: South & West Proposed Elevations
 - Drawing NO. A-501: North & East Proposed Elevations
 - Drawing NO-700: Wall Sections & Details
 - Last revised April 3, 2024:
 - Drawing NO. A-020: First & Second Floors Existing Conditions & Demolition Plans.
13. Notice from the Town of Orangetown Zoning Board of Appeals consenting the Planning Board to serve as Lead Agency, signed by Michael J. Bosco, dated December 4, 2024.
14. Notice from the Town of Orangetown Zoning Board of Appeals indicating no comments at this time, signed by Michael J. Bosco, dated December 4, 2024.
15. Notice from the Rockland County Department of Planning consenting the Planning Board to serve as Lead Agency, signed by Rachael Gaffney, dated December 9, 2024.
16. Notice from the Rockland County Department of Planning indicating comments attached, signed by Michael J. Bosco, dated December 9, 2024.

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: Matthew Miller, absent; Thomas Warren - Chairman, aye; Michael Mandel - Vice Chairman, aye; Michael McCrory, aye; Andrew Andrews, aye; Denise Lenihan, aye; Bruce Bond (alternate member), Absent; and Lisa DeFeciani, aye.

TOWN OF ORANGETOWN
2025 JAN 27 A 9:50
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board Decision
January 8, 2025
Page 3 of 12

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

SEQRA

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, and the applicant's consultant and having heard from the following

offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Department of Highways, Rockland County Planning Department, Rockland County Sewer District #1, and having reviewed the drawings presented by the applicant's professional consultants; a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

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

TOWN OF ORANGETOWN
2025 JAN 27 A 9:50
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board Decision
January 8, 2025
Page 4 of 12

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

Motion for lead agency was made by Michael Mandel-Vice Chairman and second by Andrew Andrews and carried as follows: Matthew Miller, absent; Thomas Warren - Chairman, aye; Michael Mandel - Vice Chairman, aye; Michael McCrory, aye; Andrew Andrews, aye; Denise Lenihan, aye; Bruce Bond (alternate member), Absent; and Lisa DeFeciani, aye

On motion by Michael Mandel-Vice Chairman and seconded by Lisa Defeciani and carried as follows: Matthew Miller, absent; Thomas Warren - Chairman, aye; Michael Mandel - Vice Chairman, aye; Michael McCrory, aye; Andrew Andrews, aye; Denise Lenihan, aye; Bruce Bond (alternate member), Absent; and Lisa DeFeciani, aye. The Board made a Negative Declaration pursuant to SEQRA.

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

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

TOWN OF ORANGETOWN
2025 JAN 27 A 9:50
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board Decision
January 8, 2025
Page 5 of 12

4. The Town of Orangetown Office of Building, Zoning, Planning, Administration and Enforcement reviewed the information and offered the following comments:
 1. The narrative states that they intend to enclose the existing porch, however the plans indicate that the existing porch is being full demolished and new foundation and grading are occurring. The SEAF must be revised to indicate full scope of work.
 2. The scale of the proposed site plan is small and the numbers are difficult to read. Scale of drawing should be enlarged. Plans must also be signed/sealed by surveyor or engineer per Town Code.
 3. Existing trees in the area of the proposed work shall be shown and any trees that are being removed, if any.
 4. A retaining wall is shown on A-300 and must also be shown on the proposed site plan and indicate the dimensions and the top of wall elevation and the bottom of wall elevation.
 5. The addition of the second floor over the existing/proposed porch location is an expansion of non-conforming bulk as the front yard is only 16.1' with 40' required. Per 9.34, *"Extension or enlargement ... To the extent the district bulk regulations permit, and on application of the Board of Appeals, any use, except a sign, first permitted by right or by special permit, in any district, may be extended up to but not exceeding an aggregate increase of 50% in its floor area or of its land area occupancy if a nonbuilding use. However, this provision may be used only once for each such use."*
 6. Per Chapter 43, Table 3.12, the following bulk variances are required;
 - Column 8, required front yard is 40' with 16.1' proposed.
 - Column 11, rear yard required is 45' with 14.19' proposed.
 7. The SEAF must be revised as follows;
 - #7 shall be YES
 - #12b shall be YES
 - #14 check Suburban
 - #15 shall be YES and indicate Atlantic Sturgeon and Shortnose Sturgeon
 - #20 shall be YES and indicate 344075 & 546031
 8. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped and the construction plans are reviewed and approved by the inspector.

TOWN CLERK'S OFFICE
2025 JAN 27 A 9:50
TOWN OF ORANGETOWN

Town of Orangetown Planning Board Decision
January 8, 2025
Page 6 of 12

5. The Town of Orangetown Department of Environmental Management and Engineering (DEME) reviewed the information and offered the following comments:
 1. The total area of disturbance shall be listed on the site plan.
 2. The proposed ground cover underneath the new wood deck shall be clearly labeled on the plans.
 3. The total area of new impervious surface(s) shall be listed on the site plan. Also, all locations that comprise the total area of new impervious surfaces shall be clearly identified and dimensioned on the site plan. A table summarizing all these locations shall be added to the plans.
 4. If the total amount (SQFT) of new impervious surfaces is equal to or greater than 400 SQFT, the applicant's engineer shall submit drainage calculations for a post construction stormwater runoff system for the project. The system shall be designed up to and including the 100-yr. storm.
 5. If a post construction storm system is required, soil analysis, perc tests and determination of groundwater elevations shall be performed at the proposed stormwater system location. These tests/ investigations shall be performed in the spring when the ground water table is typically at its highest. These tests shall be performed **PRIOR** to this proposal receiving **Final Approval** to ensure the adequacy of the design. The information/ test results/ elevations shall be added and incorporated into the drainage calculations. This Department shall be notified at least 48 hours in advance of these field tests/ investigations. Copies of all correspondence related to these issues shall be submitted to this Department.
 6. If a post construction storm system is required, a post construction stormwater maintenance agreement for proposed stormwater system shall be submitted to this Department and the Town Attorney's office for review and approval. Said agreement shall include a maintenance and management schedule, individual inspection checklists for all existing and proposed storm water facilities, contact person with cell phone number, yearly report to be submitted to this Department, etc.
 7. A stabilized construction entrance shall be added to the site plan.
 8. A separate soil erosion and sediment control plan shall be submitted with the drawings.

TOWN OF ORANGETOWN
2025 JAN 27 A 9 50
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board Decision
January 8, 2025
Page 7 of 12

CONTINUATION OF CONDITION # 5.....

9. The existing sanitary sewer house connection or septic system shall be shown on the drawings (including all inverts.)
 10. Iron pins shall be drawn and labeled at each property corner. If iron pins are not currently present, they shall be as "to be installed" as part of this site plan.
 11. The datum for the contours shall be given. Also, A note shall be added to the Site Plan indicating the source benchmark for the referenced datum (including the BM elevation.)
6. The Town of Orangetown Bureau of Fire Prevention reviewed the information and does not have any comments at this time.
7. **Drainage Review – Brooker Engineering**
It is the consultant's opinion that potential increases in stormwater runoff can be successfully mitigated for this project. We therefore recommend that the Pierce Residence Application can be approved for drainage subject to the above Project Comments.

Project Description

This the consultants first drainage review report to the Planning Board for this project. The applicants wish to enclose a first-floor roofed porch and add a second story addition to their existing house located at 76 Old Mountain Road South.

Project Comments

Site Plans:

1. Topographic contour labels are too small to read.
2. The Plans and Narrative indicate a modest increase in impervious area whereas the Narrative indicates a slight decrease in runoff. Please provide an explanation for how the decrease in runoff is achieved.
3. Once the potential change in runoff has been clarified the Applicant's Professional Consultant needs to indicate what impact if any this change may have.
4. Roof downspout locations and contributing roof areas should be indicated.
5. Indicate location of septic tank and absorption field/pit

TOWN OF ORANGETOWN
2025 JAN 27 A 9 50
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board Decision
January 8, 2025
Page 8 of 12

CONTINUATION OF CONDITION # 7.....

6. For the next submission please provide a narrative that responds to each comment. The Narrative should also indicate if any other discretionary revisions have been made to the plans that are not related to review comments.

8. The Rockland County Department of Planning reviewed the information and offered the following comments:
 1. Several questions on the Short Environmental Assessment Form (SEAF) are answered incorrectly. The EAF Mapper Application, provided by the New York State Department of Environmental Conservation (<https://gisservices.dec.ny.gov/eafmapper/>), indicates that questions 7, 12b, 15, and 20 on the SEAF should be answered affirmatively. To ensure accurate SEQRA documentation, the Town should encourage applicants to use this tool to complete the SEAF as it populates the answers to certain questions using New York State database information.
 2. As question 12b of the Short Environmental Assessment form (SEAF) should have been answered affirmatively per New York State records, a review must be completed by the New York State Office of Historic Preservation.
 3. This property is located within the Upper Grandview and Environs Critical Environmental Area (CEA). Section 10.223(g)(1) of the Orangetown zoning code outlines specific site plan and review requirements for permits within that area. Per the requirements of that Section, all existing trees should be identified on the site plan. The Planning Board must be assured that all CEA review requirements have been met.
 4. The application must also be referred to the Rockland County Soil and Water Conservation District unless waived by the Inspector in line with the requirements of Section 10.223(g)(1)(c). A review must be completed by the Rockland County Soil and Water Conservation District which is within the Rockland County Division of Environmental Resources, and any comments or concerns addressed, and any required permits obtained.
 5. The project narrative states that the applicant intends to reduce the slope of land close to the new north side addition, but no grading plan or further details have been provided. The Planning Board must be assured that there shall be no net increase in the peak rate of discharge from the site at all design points.

TOWN OF ORANGETOWN
2025 JAN 27 A 9:50
TOWN CLERK'S OFFICE

CONTINUATION OF CONDITION # 8.....

6. The Hudson Valley Natural Resources Mapper identifies the subject site as a Significant Biodiversity Areas (SBAs). SBAs are landscape areas in the Hudson River Estuary that contain high concentrations of biodiversity or unique ecological features. These areas contribute to and serve as a framework for conservation partnerships and voluntary protection efforts. One of the most significant threats to biodiversity is habitat destruction, alteration, and fragmentation. Careful consideration should be given to development impacts with an SBA. Proactive planning that avoids or minimizes impact to the habitat of Important areas and maintains habitat connections for wildlife movement will contribute to the long-term biodiversity of the region.
7. Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the site. This plan must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
8. There shall be no net increase in the peak rate of discharge from the site at all design points.
9. The November 6, 2024 Narrative submitted with this application indicates that a zoning code interpretation and or variances will be required. We request the opportunity to review any variances that may be needed to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v). Additionally, any future site plan applications are also subject to a review by this department, as mandated by New York State General Municipal Law, Section 239-m (3)(a)(iv).
10. A review must be done by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.
11. A review must be completed by the Rockland County Highway Department, any comments or concerns addressed, and any required permits obtained.
12. 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.

TOWN OF ORANGETOWN
2025 JAN 27 A 9 51
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board Decision
January 8, 2025
Page 10 of 12

CONTINUATION OF CONDITION # 8.....

13. 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.
9. The Rockland County Sewer District # 1 reviewed the information and offered the following comments
 1. Rockland County Sewer District No. 1 does not object to the Planning Board serving as lead agency for this review.
 2. Rockland County Sewer District No. 1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District.
10. Orange and Rockland Utilities reviewed the information and offered the following comment:
 1. The proposed addition may be in conflict with the existing gas service. Please contact O&R's new business department for any disconnects/reconnects. All gas facilities must be located prior to work and all code rules must be followed.
11. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
 - The Town of Orangetown Zoning Board of Appeals
 - Rockland County Department of Planning
12. 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:
 1. No construction equipment shall be parked under the tree canopy.
 2. There will be no excavation or stockpiling of earth underneath the trees.

TOWN OF ORANGETOWN
2025 JAN 27 A 9:51
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board Decision
January 8, 2025
Page 11 of 12

CONTINUATION OF CONDITION # 12.....

3. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.
4. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from trunk per inch DBH
 - Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

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

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

TOWN OF ORANGETOWN
2025 JAN 27 A 9:51
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board Decision
January 8, 2025
Page 12 of 12

16. If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's (applicant's engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicant's engineer's) disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Federal Wetlands - U.S. Army Corps of Engineers).
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 Michael Mandel-Vice Chairman and second by Andrew Andrews and carried as follows: Matthew Miller, absent; Thomas Warren - Chairman, aye; Michael Mandel - Vice Chairman, aye; Michael McCrory, aye; Andrew Andrews, aye; Denise Lenihan, aye; Bruce Bond (alternate member), Absent; and Lisa DeFeciani, 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: January 8, 2025
Gerard Chesterman, Planning Assistant
Town of Orangetown Planning Board



TOWN OF ORANGETOWN
2025 JAN 27 A 9:51
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board
State Environmental Quality Review Regulations
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

PB #25-01: Pierce Residence Site Plan
Preliminary Site Plan
Subject to Conditions / NEG DEC.

Permit #:BLDR-5465-24

Town of Orangetown Planning Board Decision
January 8, 2025

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

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

NAME OF ACTION: Pierce Residence Site Plan

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

DESCRIPTION OF ACTION: Preliminary Site Plan Subject to Conditions / NEG DEC.

LOCATION: The site is located at 76 Old Mountain Road South, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section ~~71-01~~, Block 1, Lot 26: R-22 zoning district.

71.05 GC January 27, 2025

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

TOWN CLERK'S OFFICE
2025 JAN 27 A 9:51
TOWN OF ORANGETOWN