

June 15, 2020 Board Items:

New Items:

PB #20-28: Bethany Mar Thoma Church Plan

Final Site Plan Review
90 Old Orangeburg Road, Orangeburg
74.09/1/64; R-80 zoning district

PB #20-29: Karayal Site Plan - Critical Environmental Area

Final Site Plan Review
1071 Route 9W, Nyack
71.09/1/10; R-22 zoning district

Continued Item from January 15, 2020

PB #20-03: Chefman Site Plan – continued item

Prepreliminary/Preliminary Site Plan and SEQRA Review
29 Corporate Drive, Orangeburg
73.19/1/8; LIO zoning district

Continued Items from June 1, 2020

PB#20-21: SQ Properties Site Plan

Prepreliminary/Preliminary Site Plan and SEQRA Review
8 Olympic Drive, Orangeburg
73.15/1/16; LIO zoning district

PB#20-22: 119 Tweed Boulevard Site Plan

Critical Environmental Area
Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review
119 Tweed Boulevard, Upper Grandview
71.17/1/19; R-22 zoning district

Continued Item from May 27, 2020 Planning Board Meeting:

PB#20-19: Onyx Management/ Amazon Delivery Center Plans

Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review
200 & 400 Oritani Drive & 877 Western Highway, Blauvelt,
65.18/1/1 & 22 and 70.06/1/1.12; LO zoning district

Updated: June 10, 2020

Dated: June 3, 2020

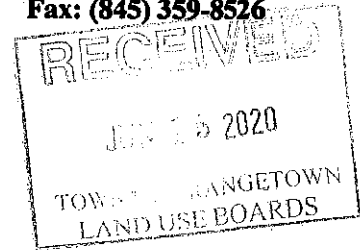


**OFFICE OF BUILDING, ZONING, PLANNING
ADMINISTRATION AND ENFORCEMENT**
TOWN OF ORANGETOWN
20 GREENBUSH ROAD
ORANGEBURG, N.Y. 10962

**Jane Slavin, RA
Director**

(845) 359-8410

Fax: (845) 359-8526



Date: June 15, 2020

To: Cheryl Coopersmith, Chief Clerk
Planning Board

From: Jane Slavin, RA.,
Director O.B.Z.P.A.E.

Subject: **Onyx Management/ Amazon Delivery Center Plans PB #20-19**
Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review
200 & 400 Oritani Drive & 877 Western Highway, Blauvelt
65.18/1/1 & 22 and 70.06/1/1.12; LO zoning district

Property history:

200 Oritani: previously known as building 14

2/6/2008 - ZBA #08-13 – Approval - Prestige Motors variance for outdoor loading berths and parking in required yards.

3/4/2008 – ACABOR #08-06 – Approval of site plan.

2/24/2012 – Certificate of Occupancy issued

400 Oritani: previously known as building 16

2/6/2008 – ZBA #08-14 – Approval – Dealer Tire – Use subject to Performance Standards Review with respect to storage and distribution of new passenger tires.

1/28/2013 – Certificate of Occupancy issued

1/22/2020 – ZBA #20-08 – Approval Performance Standards

Specific condition – "AND FURTHER RESOLVED, that the applicants shall return for additional PERFORMANCE STANDARDS REVIEW OF OPERATIONS AT 400 ORITANI PRIOR TO EXPANDING TO FULL USE OF THE 400 ORITANI BUILDING; AND STILL FURTHER RESOLVED that the applicant shall FIRST UTILIZE THE TEN LOADING DOCKS AT 400 Oritani farthest away from the adjacent residential neighborhood"

4/30/20 - Commercial Use Permits issued



**OFFICE OF BUILDING, ZONING, PLANNING
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
20 GREENBUSH ROAD
ORANGETOWN, N.Y. 10962**

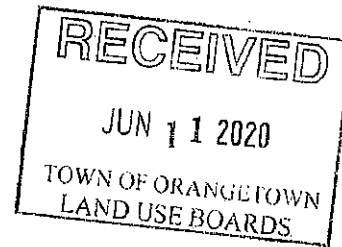
**Jane Slavin, RA
Director**

(845) 359-8410

Fax: (845) 359-8526

June 11, 2020

McCullough, Goldberger & Staudt, LLP
1311 Mamaroneck Avenue, Suite 340
White Plains, NY 10605



Attn: Seth M. Mandelbaum

RE: Onyx Management/ Amazon Delivery Center Plans PB #20-19
Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review
200 & 400 Oritani Drive & 877 Western Highway, Blauvelt
65.18/1/1 & 22 and 70.06/1/1.12; LO zoning district

Dear Seth,

I am in receipt of your letter dated June 4, 2020 in reference to item #3 of my May 22, 2020 letter submitted to Cheryl Coopersmith in reference to the application currently in the process of obtaining the required Land Use Board approvals.

In the Rockland County Supreme Court Decision of Town of Orangetown v. John F. Magee, et al., Index No. 4944/85, dated November 19, 1993¹, the court "*directs that the building permit be reinstated and that construction proceed in accordance with the Zoning Code in effect on July 15, 1985.*" The construction was completed as per the then approved plans and court decision and a Certificate of Occupancy was issued accordingly for each property. Therefore, the owner's vested rights were met.

The current application is a new application for the addition of a new canopy area for loading of sprinter vans. A new application is required to conform to the Zoning Code now in effect. Per Chapter 43, Table 3.11, LO district, Column 7, Additional Use Regulations, Number 2, "*all accessory off-street loading berths shall be within completely enclosed buildings*". The proposed canopy is open on three sides; a variance must be obtained from the Zoning Board of Appeals.

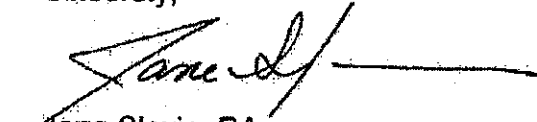
In consideration of your argument that the zoning in effect in 1985 should still apply, the zoning code then in effect had the same wording; LO Zoning, Column 8, Additional Use Regulations, Number 2, "*... all accessory off-street loading berths shall be within completely enclosed buildings...*"² A variance would still be required.

¹ See Town of Orangetown v. John F. Magee, et al., Index No. 4944/85 Dated Nov 19, 1993, attached for your reference.

² See Town of Orangetown Zoning Map, January 1980, page 2, attached for your reference.

Please note that if you would like to proceed to the Zoning Board of Appeals for the next available meeting, you must have the complete zoning package in by tomorrow, June 12, 2020, no later than 12 pm.

Sincerely,



Jane Slavin, RA
Director OBZPAE

JS

Enclosures

cc: Robert V. Magrino, Town Attorney
Richard Pakola, Deputy Town Attorney
Cheryl Coopersmith, Chief Clerk to the Boards
Cuddy & Feder LLP
Onyx Management Group, LLC

McCULLOUGH, GOLDBERGER & STAUDT, LLP

ATTORNEYS AT LAW

1311 MAMARONECK AVENUE, SUITE 340

WHITE PLAINS, NEW YORK

FRANK S. McCULLOUGH, JR.
JAMES STAUDT
LINDA S. WHITEHEAD
BETH M. MANDELBAUM

AMANDA L. BRODY
EDMUND C. GRAINGER, III
PATRICIA W. GURAHAN
MEREDITH A. LEFF
MORGAN H. STANLEY
KEVIN E. STAUDT
STEVEN M. WRABEL

CHARLES A. GOLDBERGER
COUNSEL

10605

(914) 949-8400

FAX (914) 949-2510

WWW.McCULLOUGHGOLDBERGER.COM

FRANK S. McCULLOUGH (1905-1988)
EVANS V. BREWSTER (1920-2002)

June 4, 2020

Ms. Jane Slavin, R.A.
Director, Office of Building, Zoning, Planning, Administration and Enforcement
Town of Orangetown
20 Greenbush Road
Orangeburg, NY 10962

Re: Application PB#20-19
Onyx Management/Amazon Delivery Center Plans
New Canopy, Striping & Re-Grading Site Plan
200 & 400 Oritani Drive, 877 Western Highway

Dear Jane:

This firm represents Onyx Management Group, LLC¹ ("Onyx"), the manager of the properties identified as Section 70.06, Block 1, Lot 1.12 ("Lot 1", owned by AG-OE 400 Oritani Drive Owner, L.L.C.), Section 65.18, Block 1, Lot 22 ("Lot 2", owned by AG-OE 200 Oritani Drive Owner, L.L.C.), and Section 65.18 Block 1, Lot 1 ("Lot 3", owned by AG-OE 877 Western Highway Owner, L.L.C.) on the Town of Orangetown Tax Map and commonly known as 200-400 Oritani Drive and 877 Western Highway (collectively, the "Property"). The Property is part of the larger Hudson Crossing development now owned by Onyx, which was previously known as Bradley Corporate Park.

We are writing to respectfully request that Item #3 in your May 22, 2020 Memo to Cheryl Coopersmith, Chief Clerk and the Planning Board regarding the above referenced Site Plan Application be deleted, and that the Memo be re-issued to Ms. Coopersmith and the Planning Board without Item #3, for the reasons set forth below. In addition, since this matter is scheduled to be heard by the Planning Board once again at its June 15, 2020 meeting, we also respectfully request that the updated Memo be issued by the end of next week (by June 12, 2020) if at all possible.

¹ Onyx Management Group, LLC has been authorized by the owners of the three (3) properties to manage the properties, including leasing the properties and applying for any necessary permits.

Onyx has entered into a lease agreement for the current 200 and 400 Oritani buildings and parking field to Amazon.com Services, Inc. ("Amazon") for an Amazon last mile delivery hub. This is a change in tenancy only, and not a change of use, as both buildings are already utilized for warehouse and distribution. The physical improvements proposed by Amazon being considered by the Planning Board include a new canopy over an existing paved area between the buildings under which the Amazon sprinter vans will be filled with outgoing packages, as well as associated re-striping and grading.

Between approximately 2005-2011, the previous Property owner received Town approvals for the construction of 200 Oritani to house Prestige Motors, an automobile wholesaler that stores and distributes vehicles to consumers. Approvals were similarly granted for the construction of 400 Oritani to house Dealer Tire, which consisted of storage and wholesale distribution of passenger tires. 400 Oritani included numerous off-street accessory loading berths, which were approved and constructed without the need for any variances by the ZBA. This distribution use has continued, and 400 Oritani is currently occupied by Accurate Moving Systems, a commercial moving company that stores and ships goods as a part of its business.

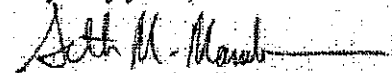
As we discussed at length with you, Rob Magrino and Teresa Kenny last fall, the Property ~~was~~ previously involved in litigation with the Town². One outcome of this litigation was a determination that the owner of the Property has vested rights such that the Orangetown Zoning Ordinance must be applied as it existed in July 1985. This determination has also been regularly and continuously applied by the Orangetown Building Department. It is our understanding that so long as a proposed use is compliant with the Zoning Ordinance as applied by the court, that the use shall be permitted, subject to Performance Standards approval from the Orangetown Zoning Board of Appeals, in accordance with Section 4.1 of the Orangetown Zoning Ordinance. This standard for approval has been applied to the Property in the past, as well as other sites affected by the litigation. Consistent with past practice, and as set forth in your denial letters dated December 6, 2019, on January 22, 2020, the Orangetown ZBA granted Performance Standards approval for Amazon's continuation of the prior warehouse use.

Item #3 of your May 22nd Memo states: "3) Per Chapter 43, Table 3.11, LO district, Column 7, Additional Use Regulations, Number 2, 'all accessory off-street loading berths shall be within completely enclosed buildings.' The canopy is open on three sides; a variance must be obtained from the Zoning Board of Appeals." While this statement is technically accurate with respect to the LO District generally, as noted above the Property is very unique in the way the Zoning Ordinance is applied. Therefore, it would be inconsistent with the Court's decision to now apply the provision you cite, which applies to properties in LO District where warehouses are not permitted, to the Property at this time. This is particularly the case since the existing 15 loading berths at 400 Oritani were approved by the Town and constructed without the need for any variances under this section of the Zoning Ordinance. Rather, the general provision in Section 6.2 of the Zoning Ordinance should apply, which states: "Off-street loading berths, open or enclosed, are permitted accessory to any use except residences for one or two families. However, no off-street loading berth shall be located within a required front yard." The proposed loading berths here are not in the required front yard, and thus are permitted to be open and do not need to be enclosed.

² See *Orangetown v. Magee*, 156 Misc. 2d 881 (Sup. Ct. Dec. 23, 1992).

If you have any questions or would like to discuss this issue in greater detail, please do not hesitate to contact our office.

Very truly yours,

A handwritten signature in black ink, appearing to read "Seth M. Mandelbaum", with a horizontal line extending to the right.

Seth M. Mandelbaum

SMM:srw

cc: Onyx Management Group, LLC
Amazon.com Services, Inc.
Cuddy & Feder LLP (Attorneys for Amazon)
Robert Magrino, Esq.



445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyfeder.com

Anthony B. Gioffre III
agioffre@cuddyfeder.com

6/10/2020

BY EMAIL AND FEDERAL EXPRESS

Chairman Thomas Warren
and Members of the Planning Board
20 Greenbush Road
Orangeburg, New York 10962

Re: Amazon.com Service Inc.
Site Plan Application
Premises: 877 Western Highway & 200-400 Oritani Drive, Blauvelt NY
Tax IDs: 65.18-1-1 & 65.18-1-22 & 70.06-1-1.12

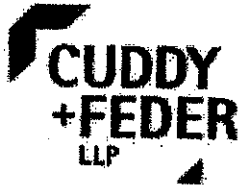
Dear Chairman Warren and Members of the Planning Board:

On behalf of Amazon.com Services Inc. ("Amazon" or the "Applicant"), the lessee of the above referenced Premises, we respectfully submit the enclosed Town of Orangetown ("Town") Planning Board Application for Site Plan approval in connection with the site improvements related to Amazon's re-tenancy of the existing warehouse structures at 200-400 Oritani Road and 877 Western Highway, Blauvelt, New York (the "Premises"). Amazon proposes to make improvements to the site for the use which is approved at the Premises. To wit, its delivery station is the last-mile distribution facility wherein Amazon will unload bulk shipments of goods for delivery, sort the goods, and redistribute the goods onto smaller vans for local deliveries straight to its customers' doors. Amazons' use and operations as described herein were approved by the Town Zoning Board of Appeals ("ZBA") in its Performance Standard Review approval as evidenced in resolutions dated January 22, 2020.

Amazon respectfully requests site plan approval to make improvements to the Premises which will not change the use or operation of the site as approved. Amazon proposes to construct an approximately 23,744 s/f canopy over the existing paved parking area between the two existing buildings as well as other site improvements such as grading and re-striping various portions of the existing paved areas around the buildings. This letter and enclosures are submitted in response to various comments raised by the Planning Board during its May 27, 2020 Public Hearing ("May Public Hearing") as well as in response to various comments and questions raised by the public during the May Public Hearing and in written correspondence.

Proposed Improvements and Approved Operations

As stated above, Amazon's occupancy and use of the Premises for its delivery station was previously reviewed and approved by the ZBA on January 22, 2020 following a public hearing on the Performance Standard Review application. Resolutions confirming such approval were provided to the Planning Board in the Applicant's March 26, 2020 submission. The Applicant further encloses as **Exhibit A** hereto the Use Permit Number 49591 dated May 1, 2020 and Use



6/10/2020
Page 2

Permit Number 49589 dated April 30, 2020 issued by the Town of Orangetown which permit Amazon to occupy the existing warehouse structures and operate its delivery station at 200 Oritani Drive and 400 Oritani Drive.

Amazon responds herein to several questions raised during the May Public Hearing and in the subsequent comment letters from the public. First, the Premises is currently developed with the existing warehouse uses and at-grade parking which Amazon is approved to reuse for its operations. The Premises and its existing warehouses have operated as a light-industrial warehouse and distribution use since their construction in or about 2008 (400 Oritani) and 2012 (200 Oritani). These uses include the Prestige Motors automobile storage and distribution at 200 Oritani and the Accurate Moving Systems storage and distribution at 400 Oritani Drive. Amazon is therefore not introducing the warehousing and distribution use to the Premises. Rather, Amazon is merely a new tenant for the same use and the approvals granted by the ZBA allow Amazon to occupy and use the Premises and continue that warehouse and distribution use that has existed for over a decade.

As the Board is aware, the Premises is currently developed with the paved areas providing parking for over 700 vehicles. This existing parking makes the Premises a suitable location for Amazon to operate as it provides sufficient space without the potential adverse impacts associated with significantly increasing impervious coverage or expanding development. It is important to understand that the existing number of parking spaces does not equate to the number of trips that will be generated at once.

However, Amazon requires more parking spaces than vehicles to ensure that there are sufficient parking spaces so that at any given time, the Premises can accommodate Amazon's delivery vans when they are not out delivering, personal vehicles of the delivery drivers arriving at the Premises, and other non-delivery employees working within the distribution center. Amazon's operations are also designed so that trips to and from the site by its employees and delivery vans are spread out throughout the day and concentrated during off-peak times. This ensures that Amazon's operations will not present a substantial increase in traffic at any given time and that most trips occur during times when the roadways are less congested. For these reasons and based on the materials provided, including a detailed Traffic Impact Study, prepared by Maser Consulting P.A, dated December 5, 2019, the ZBA found that Amazon's use and operations do not substantially differ from the existing operations at the Premises and approved Amazon's Performance Standards application.

In relation to this legally permitted and approved occupancy and use, Amazon is respectfully requesting Site Plan approval from the Planning Board to construct the proposed canopy and other sitework to allow Amazon's approved adaptive reuse to operate safer and more efficiently. The proposed canopy and site improvements will not alter Amazon's operation as it was previously approved by the ZBA's Performance Standards Review application. Specifically, the Proposed Development will not increase traffic impacts or the number of trips as previously presented. Nor will the proposed canopy or site improvements result in any changes to the noise



6/10/2020
Page 3

levels, air quality, or emissions.

In furtherance of the proposed site changes, the Applicant hereby submits the following materials and responses as requested by the Planning Board and in response to various comments regarding the proposed canopy and site improvements.

Site Access and Circulation

The Applicant submits the revised Private Site Improvement Plans for DXY4 – Delivery Station prepared by CESO Inc. last updated June 5, 2020 (“Updated Site Plans”). The Updated Site Plans include revised Sheet C10.0 – Circulation Plan which provides the new emergency site access and circulation. This new emergency circulation plan has been developed after consultation with the Town Fire Inspector, Michael Bettmann.

The Applicant also confirms that Amazon and its employees will only use the Oritani Drive access. Amazon’s delivery operations and employees will not use the existing access drive connecting the Premises with Western Highway. Amazon considered installing a locked gate to restrict use of that access drive as discussed during the May Public Hearing but could not accommodate such because that access road is relied upon by other properties in the development. Amazon has coordinated with the owner and manager of the Premises, Onyx Equities, LLC (“Onyx”), to address the concerns regarding use of this access road. Onyx now proposes to install clearance bars and signage in order to prevent Amazon’s trucks, sprinter vans, and other commercial vehicles from using that access to and from Western Highway. Enclosed with this letter are the letter from Onyx’s attorneys, McCullough, Goldberger & Staudt, LLP, dated June 9, 2020 memorializing Onyx’s commitments to install such as well as the plans prepared by SESI Consulting Engineers, DPC dated June 9, 2020 illustrating Onyx’s proposed signage and clearance bar.

Landscaping and Visibility

The Updated Site Plans have also been revised to significantly increase the existing natural buffer along the western boundary line as requested by members of the Planning Board. The revised Landscaping Plan on Sheet C9.0 illustrates the approximate location of adjacent residences and provides a significant increase in the proposed natural buffer beyond what exists and what will already be incorporated as a condition of the ZBA’s Performance Standard Review approvals. A total of 11 Willow Oak, 39 Arborvitae, 31 Blue Spruce, and 24 Norway Spruce have been added to the buffer areas around the property line.

Also enclosed are the Line of Sight materials requested by the Planning Board which demonstrates the sight lines for the two existing adjacent residences near the canopy. The Proposed Improvements are not expected to generate a significant change in visibility or appearance due to its smaller size than the existing warehouse structures adjacent to the proposed canopy. The increased natural buffer will also provide screening for the proposed canopy as well as increase

overall screening for the existing warehouses and approved operations. Below are two aerial photographs of the existing vegetation and screening separating the area where the canopy is proposed and the adjacent residences. Additional details regarding the improved screening will be provided during the June 15, 2020 public hearing.

Figure 1: Streetview looking westerly towards the location of proposed canopy showing the dense natural buffer in the background

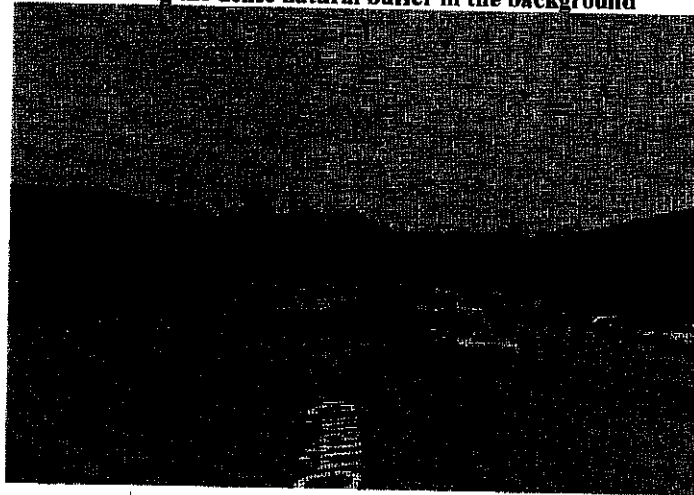


Figure 2: Aerial view of location of proposed canopy showing the dense natural buffer in the background





6/10/2020
Page 5

Stormwater and Water Quality

The Applicant and its consultants are working closely with the Town staff and consultants to address any questions or comments relating to the proposed drainage or stormwater impacts and will continue to do so to ensure its Proposed Improvements will not create any adverse impacts to the community or environment.

Specifically, the Applicant is proposing a new stormwater management infiltration basin to address any increased stormwater runoff. The stormwater improvements will treat stormwater for both quality and quantity with a new infiltration pond. The Town's drainage consultant, Kenneth DeGennaro, P.E of Brooker Engineering, PLLC, has reviewed the proposed drainage materials and provided his initial comments in his letter dated May 26, 2020. Mr. DeGennaro's May 26, 2020 letter confirms that the information provided by the Applicant demonstrates that any potential impacts can be mitigated and therefore recommends that the site plan be approved for drainage.

The Applicant is also in receipt of the letter from the Orangetown Department of Environmental Management and Engineering dated May 20, 2020 which requests results of soil borings and percolation tests prior to the Planning Board issuing final site plan approval. The Applicant hereby encloses the Geotechnical Engineering Services Report prepared by Professional Service Industries Engineering, PLLC dated March 26, 2020 ("Geotechnical Report") providing the results of those tests. The Applicant respectfully submits that all other comments from the Town and its drainage consultant are technical in nature and will be addressed as a condition of site plan approval.

Furthermore, the Applicant's March 26, 2020 submission includes its Short Environmental Assessment Form dated March 12, 2020 ("SEAF"). The SEAF, as well as the Applicant's submission materials, confirm that there will be no alteration of or encroachment into any existing wetland or waterbody. The majority of site work will be limited to those areas of the site that are already developed. The Applicant is merely proposing to disturb approximately 7,000 s/f of currently unpaved surface. This proposed disturbance will not create any detriment to any existing waterbodies and any changes in stormwater runoff will be managed as set forth above.

In addition to the review by the Town and its consultants, the Applicant will also be applying to the New York State Department of Environmental Conservation ("NYSDEC") for coverage under the State Pollution Discharge Elimination System ("SPDES") to confirm no adverse impacts to surface or groundwater resulting from the Proposed Improvements. Once again, we understand that this would typically be a condition of site plan approval, prior to the issuance of a Building Permit, and anticipate that such coverage will be granted based on the nature of the improvements and the comments from the Town's consultants.

The Applicant also confirms that there are no records of any threatened or endangered species at the Premises as indicated in the NYSDEC's email comments dated May 14, 2020. The Applicant



6/10/2020
Page 6

also does not anticipate the Proposed Improvements will create any detriment or adverse impacts on any existing wildlife or habitat due to the limited area of disturbance and existing industrial/commercial conditions of the areas to be disturbed.

Lighting

The Applicant's Updated Site Plans enclosed with this letter provide the requested photometric lighting plan illustrating the Proposed Improvements' lighting levels throughout the Premises, which demonstrates that the project would not have any adverse impact on surrounding properties.

Cultural Resources

In response to the comment raised in the NYSDEC comment email dated May 14, 2020, the Applicant hereby submits the letter enclosed as **Exhibit B** from the New York State Office of Parks, Recreation and Historic Preservation dated May 12, 2020 which concludes that "no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project."

Traffic

No aspect of this application raises a traffic issue. The Applicant reiterates that it is not proposing any changes to its use or occupancy that will impact traffic levels as previously approved by the ZBA during the Performance Standard Review. The New York State Department of Transportation ("NYSDOT") comments received by email dated May 28, 2020 were also provided and evaluated during the ZBA's consideration of Onyx's Performance Standard Review application for Amazon's proposed use and occupancy. Onyx is coordinating with the NYSDOT and the Orangetown Highway Department to address these comments and incorporate the recommended mitigation measures.

Notice and Procedure

The Applicant has complied with any and all notice requirements as set forth herein. Specifically, in advance of the May Public Hearing, the Applicant provided the Town of Orangetown Chief Clerk to the Planning Board with stamped envelopes bearing the names and addresses of each property owner of record within 200' of the Premises as listed by the Town of Orangetown Tax Assessor's office. The Planning Board Clerk subsequently filled those envelopes with the legal notices and mailed same to each property within the 200' radius. The Applicant also erected signs furnished by the Town of Orangetown Chief Clerk to the Planning Board advertising the public hearing and details for participation. Said signs were placed at every corner of the lot and at least once every 100' facing each public street or public right-of-way. Affidavits confirming these notice provisions were complied with within the necessary timeframes are on file with the Town of Orangetown. The Applicant has therefore complied with the notice requirements set forth in the



6/10/2020
Page 7

Town of Orangetown Code Section 21A-14.1.

Please be further advised that, subsequent to the May Public Hearing, notices advertising the June 15, 2020 continued public hearing were re-mailed and reposted at the expense of the Applicant to ensure all parties are afforded the opportunity to be heard.

Onyx similarly noticed the January 21, 2020 ZBA public hearing during which the Performance Standard Review application for Amazon's proposed use and occupancy was reviewed and approved in accordance with all applicable notice requirements. Affidavits confirming that the notices were mailed to each property owner of record within 200' of the Premises as listed by the Town of Orangetown Tax Assessor's office as well as the necessary signs were posted by Town Code Chapter 43, Section 10.322B & C respectively are on file with the Town.

Materials Enclosed

Amazon respectfully submits that the proposed canopy and other site work will not create any adverse impacts to the nearby properties or environment. The Proposed Improvements are minor in relation to the existing light-industrial character of the area and do not materially alter the use or operations as previously approved by the ZBA. The Applicant therefore respectfully requests that the Planning Board issue preliminary and final site plan approval. Any remaining design details or agency approvals can be accommodated as a condition of such preliminary and final site plan approval.

Amazon submits the below materials in furtherance of its requested preliminary and final site plan approval for the proposed canopy and other related site work:

- Exhibit A: Use Permit Number 49591 dated May 1, 2020 and Use Permit Number 49589 dated April 30, 2020; and
- Exhibit B: No Impact Determination issued by the New York State Office of Parks, Recreation and Historic Preservation dated May 12, 2020.

Please also find enclosed the revised Private Site Improvement Plans for DXY4 – Delivery Station prepared by CESO Inc. last updated June 5, 2020 and the Geotechnical Engineering Services Report prepared by Professional Service Industries Engineering, PLLC dated March 26, 2020. Also submitted are the enclosed letter from Onyx's attorneys, McCullough, Goldberger & Staudt, LLP dated June 9, 2020 and plans for the proposed signage and clearance bar prepared by SESI Consulting Engineers, DPC dated June 9, 2020.



6/10/2020
Page 8

The Applicant looks forward to appearing before the Planning Board at its June 15, 2020 meeting for the continued public hearing on this matter. Should the Planning Board or Town Staff have any questions or concerns in the interim, please do not hesitate to contact me. Thank you for your time and consideration in this matter.

Very truly yours,

Anthony B. Gioffre III

Anthony B. Gioffre III

Attachments

cc: Amazon.com Service Inc.
CESO, Inc.
Onyx Management Group, LLC (Landlord)
Seth Mandelbaum, Esq. (Attorney for Landlord)

Cheryl Coopersmith

70 App 5/8/20 20

From: Islam, Mohammed S (DOT) <Mohammed.Islam@dot.ny.gov>
Sent: Thursday, May 28, 2020 8:49 AM
To: Cheryl Coopersmith
Cc: Pacheco, Ivelisse (DOT)
Subject: FW: SEQR # 19-265 Amazon, 200-400 Oritani Dr., Orangetown, NY

[External Email]

Dear Ms. Coopersmith:

The New York State Department of Transportation is in receipt of a submittal dated April 28, 2020 for the above referenced project. Below is the response from NYSDOT.

1. Please provide the electronic SYNCHRO files for NYSDOT review.
2. As a mitigation measure, please have the applicant provide a modem and transfer switch for traffic signal (R-107) at Route 303 and Bradley Hill Rd. For your reference, we have included specifications for these. In addition, Bradley Hill Rd should be restriped to provide two lanes approaching Route 303 and it should extend to Flower Ln intersection (left turn only lane and a through/right turn lane).

Please reference the NYSDOT SEQRA number 19-265 on all correspondence.

If you have any further questions, please contact us at (845) 437-5149 or by email at dot.sm.r08.HWPpermits@dot.ny.gov.

Sincerely,

Mohammed Sohan Islam

Traffic and Safety | mohammed.islam@dot.ny.gov
New York State Department of Transportation, Hudson Valley Region
4 Burnett Boulevard, Poughkeepsie, NY 12603

From: Cheryl Coopersmith [<mailto:CCoopersmith@orangetown.com>]
Sent: Tuesday, April 28, 2020 10:16 AM
To: Allison Kardon <akardon@orangetown.com>; dsampath@orangetown.com; Michael Yannazzone <myannazzone@orangetown.com>; Demassio, Stephen (DOT) <Stephen.Demassio@dot.ny.gov>; dec.sm.DEP.R3@dec.ny.gov; alexandra.ryan@usace.army.mil; william.prehoda@suez.com
Subject: Town of Orangetown Referral from the Planning Board

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Thank you,
Cheryl Coopersmith
Chief Clerk Boards and Commissions

Town of Orangetown

20 South Greenbush Road
Orangeburg, New York 10962
845-359-8410 ex. 4330

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

Cheryl Coopersmith

From: patvan987@aol.com
Sent: Thursday, June 4, 2020 3:56 PM
To: Cheryl Coopersmith
Subject: June 4th meeting

[External Email]

Planning Board

TO: Architecture & Community Appearance Board of Review

RE: ACABOR #20-25 AND ACABOR #20-26

Please note Will this Loading Canopy area be used 24 hours a day and seven days a weeks. Will it be lite up? When the leaves are off the trees my property is lite with lights from the building adjacent to my property. As this states: "Amazon Delivery Station", does this mean deliveries will be made all day and all night. This means canopy will be lite up.

I sincerely hope the board will consider lighting when or if this is approved!

Patricia T. VanderBeek
74 Leber Road
Blauvelt, NY 10913
845-359-9497

TB Bd 6-6-2020
+ Forwd 6-15-2020

PB # 20-19

Copied to App
6-8 Dave P

Cheryl Coopersmith

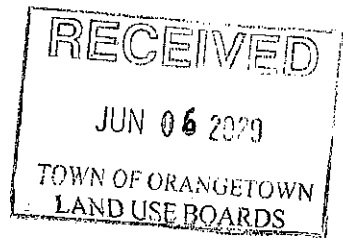
From: Cheryl McNeil <rocklandamazon@gmail.com>
Sent: Friday, June 5, 2020 3:03 PM
To: Denise Sullivan; OBZPAE; Cheryl Coopersmith
Cc: annetteburke19@yahoo.com; Paul Valentine; Orangetown Supervisor; Thomas Diviny; Denis Troy; Gerald Bottari; jmurphy7977@yahoo.com; jillflorescia@yahoo.com; jjg803@gmail.com; cchill0217@gmail.com; martinelittlewood7@gmail.com
Subject: Onyx/Amazon Project

[External Email]

Ms. Coopersmith: Please forward this letter to all members of the Planning Board. Thank you.

To:
Dsullivan@orangetown.com
obzpae@orangetown.com
ccoopersmith@orangetown.com

CC:
supervisor@orangetown.com
tdiviny@orangetown.com
dtroy@orangetown.com
gbottari@orangetown.com
pvalentine@orangetown.com
All Members of the Planning Board



Community members:
jillflorescia@yahoo.com
jjg803@gmail.com
cchill0217@gmail.com
annetteburke19@yahoo.com
jmurphy7977@yahoo.com
martinelittlewood7@gmail.com

Dear Denise Sullivan, Esq., and Director Jane Slavin,

After attending the May 27th, 2020 Planning Board meeting via Zoom, we have a number of questions regarding the Amazon project at 877 Western Hwy and 200-400 Oritani Drive in Blauvelt.

Many of us in the community are very concerned with the process by which this project has so far received approval with almost no public knowledge. After reading numerous documents concerning this project, we will try to be succinct in directing to you those questions most relevant to your roles; and we will CC you on correspondence to other departments and individuals from which I am also soliciting information. One somewhat confusing aspect of the process is discerning who or which board is designated responsible for various decisions and authority.

It's our understanding you are responsible for classifying the Onyx/Amazon project as a Type II, or unlisted, case with respect to its SEQR status. That is, you are the primary movers in advocating for that designation, and the Zoning Board (only 3 of the 5 members) approved it on January 22nd. We would like to request a detailed description explaining why you decided as you did. In reading through the state regulations on this subject at <https://www.energy.gov/sites/prod/files/2015/06/f22/S617.pdf>, it's apparent to us that this project could have been listed as a Type I case. If that had been done, the public would now have much more information, and there would now be a much greater effort to ensure that the sensitive area (e.g., natural wetlands, wildlife, threatened population of Snapping Turtles; our reservoirs and clean water supply; residences immediately abutting the project site; Western Hwy is an historical road with cultural significance, etc.) is protected with due process. Absent that opportunity for transparency and due process, we are asking for a full accounting of your decision to classify this project as Type II/unlisted.

In particular, please address these specific questions:

- **How is the proposed Amazon use of Bradley Corporate Park the "same" or even "similar" to its previous use as a warehouse?**
- **How is the 24/7 use of the Park by over 700 Sprinter vans and over 15 semitrailers the "same" as what has gone on there before?**
- **In what way does the scope of this proposed operation not warrant a serious environmental impact review given the increased emissions and proximity to our public drinking water?**

It's obvious to anyone not steeped in regulations and legalese that this enormous Amazon project does not simply affect those within a 200 ft. radius. The air/water quality issues, traffic issues, and impact on wildlife (including the threatened population of Snapping Turtles -- the official NY State Reptile -- in our reservoir), affect every single person in Orangetown and beyond. An independent traffic study, a proper SEQR, and a series of public meetings and methods of disseminating full information to the entire Town (as opposed to the ONE meeting on January 22nd in which this project was both introduced and approved, without the public knowing beforehand that a full SEQR was not going to be demanded) would have been the right thing to do.

Thank you for your attention, and we look forward to your reply at your soonest convenience.

Best Regards,

Cheryl McNeil	Vanessa Lapins
56 Old Western Hwy	659 Western Hwy
Blauvelt, NY 10913	Blauvelt, NY 10913
917-952-8424	914-912-6816

TO Bd 6-6-2020
For 6-15-2020
HJ

PB # 20-19

Copy to
App 6-5
Dant

Cheryl Coopersmith

From: Cheryl McNeil <rocklandamazon@gmail.com>
Sent: Friday, June 5, 2020 2:56 PM
To: Orangetown Supervisor; Thomas Diviny; Denis Troy; Gerald Bottari; Paul Valentine; Cheryl Coopersmith
Cc: Denise Sullivan; OBZPAE; jillflorescia@yahoo.com; jjg803@gmail.com; cchill0217@gmail.com; annetteburke19@yahoo.com; jmurphy7977@yahoo.com; martinelittlewood7@gmail.com
Subject: Onyx/Amazon Project

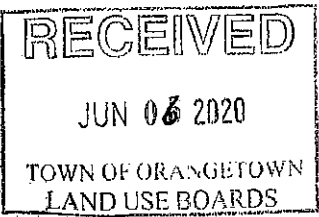
External Email

Ms. Coopersmith: Please forward this letter to all members of the Planning Board. Thank you.

To:
supervisor@orangetown.com
tdiviny@orangetown.com
dtroy@orangetown.com
gbottari@orangetown.com
pvalentine@orangetown.com
ccoopersmith@orangetown.com

CC:
Dsullivan@orangetown.com
obzpae@orangetown.com
All Members of Planning Board

Community Members:
jillflorescia@yahoo.com
jjg803@gmail.com
cchill0217@gmail.com
annetteburke19@yahoo.com
jmurphy7977@yahoo.com
martinelittlewood7@gmail.com



Dear Supervisor Kenny and Members of the Orangetown Town Board:

After attending the May 27th, 2020 Planning Board meeting via Zoom, we have a number of questions regarding the Amazon project at 877 Western Hwy and 200-400 Oritani Drive in Blauvelt.

Many of us in the community are very concerned with the process by which this project has so far received approval with almost no public knowledge. After reading numerous documents concerning this project, we will try to be succinct in directing to you those questions most relevant to your roles; and we will CC you on correspondence to other departments and individuals from which we are also soliciting information. One somewhat confusing aspect of the process is discerning who or which board is designated responsible for various decisions and authority.

Regarding public knowledge, Ms. Arbolino informed us that it is a Town regulation that an entity (whether a resident or a commercial interest) has only to notify those parties located within 200 feet of the perimeter of the property in question, as to the application for future use. It doesn't matter whether the entity applying for a variance or permit be a single family homeowner putting in a pool or deck, or a multinational corporation developing a property that will see the traffic of almost 1000 vehicles – the 200 ft rule is the same. So please answer these questions: **Is this a Town law, or a county or state law? When was this enacted? Who is the agency to whom the citizens can appeal this law and petition for change?**

We understand that public posted signs are to face public roads. We were informed that only 2 of over 70 reportedly posted signs faced Route 303. Many of these signs were on pink paper approximately 8.5 x 11 inches. The ones on 303 were larger, but the speed limit on 303 is 40 MPH. The only people who would have read those two signs are pedestrians; there is no way the general public driving by would have been alerted to their content. The rest were posted on the site in vacant parking lots where there is no regular public access. This ineffective notification of the public is very concerning. Even if it fulfills the letter of the law, does it fulfill the spirit? Is it good enough, for you on the Town Board?

At the May 27th Planning Board meeting, it was evident that many Board members had many questions, and there was even surprise at the scope of the Amazon project (for instance, the Amazon lawyer said there would be space for over 700 Sprinter vans, even though their original information presented to the Zoning Board on 1/27/2020 indicated 160 Sprinter vans). There was additional surprise, and confusion, at the fact that the Amazon project appears to be a "done deal" in ways, already approved in the main by the Zoning Board at only one public meeting, on 1/22/2020, at which only one member of the public spoke (very few people knew about it). If Planning Board members had many questions, so much more was the case with the general public. So please answer these questions: **Is there a place where the public can go, either physical or online, to find detailed information about proposed commercial development WELL BEFORE (at least a week) meetings in which this development will be addressed, in order to give members of the public enough time to analyze the information and disseminate it to interested parties who are not within the 200 ft. radius of proposed development sites?**

Thank you for your attention, and we look forward to your reply at your soonest convenience.

Best Regards,

Cheryl McNeil	Vanessa Lapins
56 Old Western Hwy	659 Western Hwy
Blauvelt, NY 10913	Blauvelt, NY 10913
917-952-8424	914-912-6816

PB # 20-19

Emailed Ed 6-5-2020
copy in package for 6-15-2020
copy to Appl. 6-5
Sunt

Cheryl Coopersmith

From: Cheryl McNeil <rocklandamazon@gmail.com>
Sent: Friday, June 5, 2020 3:46 PM
To: Cheryl Coopersmith
Cc: OBZPAE; Orangetown Supervisor; Thomas Diviny; Denis Troy; Gerald Bottari; Paul Valentine; Denise Sullivan; martinelittlewood7@gmail.com; jillflorencia@yahoo.com; annetteburke19@yahoo.com; jmurphy7977@yahoo.com; jjg803@gmail.com; cchill0217@gmail.com
Subject: Onyx/Amazon Project (third email in series of 3)

[External Email]

Ms. Coopersmith: Please forward this letter to all members of the Planning Board. Thank you.

To:
ccoopersmith@orangetown.com
All Members of the Planning Board

CC:
supervisor@orangetown.com
tdiviny@orangetown.com
dtroy@orangetown.com
gbottari@orangetown.com
pvalentine@orangetown.com
Dsullivan@orangetown.com
obzpaee@orangetown.com

Community Members:
jillflorencia@yahoo.com
jjg803@gmail.com
cchill0217@gmail.com
annetteburke19@yahoo.com
jmurphy7977@yahoo.com
martinelittlewood7@gmail.com

To the Orangetown Planning Board:

After attending the May 27th, 2020 Planning Board meeting via Zoom, we have a number of questions regarding the Amazon project at 877 Western Hwy and 200-400 Oritani Drive in Blauvelt.

Many of us in the community are very concerned with the process by which this project has so far received approval with almost no public knowledge. After reading numerous documents concerning this project, we will try to be succinct in directing to you those questions most relevant to your roles; and we will CC you on correspondence to other departments and individuals from which I am also soliciting information. One somewhat confusing aspect of the process is discerning who or which board is designated responsible for various decisions and authority.

First, we would like to thank the many members of the Planning Board who appeared to take seriously the concerns of those in the public who spoke at the meeting; and for expecting a "continuance" at the end of the meeting, due to the large number of unanswered questions. We, and a number of other community members, felt "heard" at that meeting, and we are grateful. We hope that you will continue to treat the Amazon project approval/denial process with a sense of gravitas, and a constructive curiosity about the heavy impact this project would likely have on our community.

We would like to disclose that we shop frequently on Amazon. We understand that to enjoy the privilege of speedily delivered goods, there are social and environmental impacts, and we must be willing to pay them if we are to shop there. It is not the existence of a last-mile Amazon distribution point in my community to which we are opposed; it is the scope of the operation in that particular location; and the process by which the project is being implemented. Furthermore, we understand that allowing commercial entities to operate in our community is essential to maintaining a healthy tax base. We are not opposed to large commercial entities in Orangetown. But they must be good neighbors, and it is your job, as our representatives and experts, to ensure that's the case. Therefore, the way in which this project is evaluated by the Boards is key – and so far, it doesn't give us confidence that Amazon will indeed be a good neighbor, because we're not seeing effective oversight.

First off, we're not clear why this project was classified as "unlisted/Type II" with respect to its SEQR status, by the Zoning Board at the behest of Jane Slavin and Denise Sullivan. It could easily have been classified as Type I and subject to a full environmental review. The proposed use is not the same or similar. The scope of the operation is well beyond anything that has happened there before. We have asked for fuller information from Ms. Sullivan and Ms. Slavin but our impression at this moment is that there is no way the public could have known, before the Jan 22nd Zoning Board meeting, that the Onyx/Amazon project would not see a full environmental impact review and all it entails. It was discussed publicly for the first time on Jan. 22nd, and it was decided that same meeting that a full SEQR would not be required, leading to the project approval that very same meeting. If we were you, we would be very concerned at such a process.

Now that the project has been approved, and it's in your hands to approve/deny the site plan for the canopy and accompanying projects as the Lead Agency, we ask you to do your due diligence, and beyond. It is in your power to scrutinize the project plan and to demand compliance to the fullest extent. Please use that power, in the interest of protecting our community.

These are the primary issues/questions:

1. Air quality: where is the study of the impact of over 700 (driving & idling) Sprinter vans and 15 semitrailers every day, 7 days a week, on air quality? Amazon has signed a contract with Rivian to build electric trucks. You can demand that a large percentage of the Sprinters be electric. Not only would this save air quality, it would improve water run-off issues, as the oils/discharges would be significantly less.
2. Water quality: We're not sure how a full SEQR is not required of one of the largest multinational corporations on the planet using a site immediately abutting a reservoir system that supplies our only drinking water. There will be runoff. How do we know that the holding pond and other measures will be sufficient for the particulate matter exuded by over 700 Sprinters and more than 15 semi's EVERY DAY?
3. Light pollution: There are many residences immediately abutting the proposed Amazon project property that will be affected by the very intense lighting necessary to run this operation. What sort of study is being made of this effect?

4. Noise pollution: What will it truly sound like, to the residences abutting the Amazon property, to hear the semi's and the Sprinters and the employee cars, nearly 1000 of them every day? How much vegetation is necessary to mitigate those ill effects? Can, in fact, the ill effects be effectively mitigated?
5. Property values: What is the estimated effect on the property values of the residences directly abutting the property? And what is the property value effect on our entire community, if there are ill effects to the air and water quality overall?
6. Species protection: What will the impact of the huge operation be on the Snapping & Painted Turtle conservation project run by the Hudson Valley Humane Society? As a community, we have worked very hard to protect this threatened species (the official NY State reptile) for a number of years, not only for the turtles' own sakes, but also to protect our water quality. Turtles are essential to maintaining water quality in the reservoirs adjacent to the Amazon property. There has been a marked decrease in the health of the turtle population the last decade, hence the reason for our conservation project. Suez has been instrumental in helping with the conservation because they know: turtles are essential to their own bottom line. Will this Amazon project endanger the turtles, who migrate each Spring across Western Hwy and into the area that Amazon has taken over? How will anyone know, without a study? It is simply false, the claim that Amazon makes, that there are no threatened species in the area.

According to the documents supplied to the Zoning and Planning Boards, and available to the public, there is much left to do. After the meeting on May 27th, it seemed a bit hopeless, like most everything was already approved, and the Planning Board did not have discretion to do much. But THAT IS NOT THE CASE. You in fact have a great deal of power to make sure Amazon provides full information and assurances, as well as mitigation efforts.

To start, there are

- The original application said there is room for 160 Sprinter vans; at the 5/27 meeting, the Amazon lawyer said there would be over 700 Sprinter vans.
- The original application said there would be 5-10 semitrailers "at first"; the Amazon lawyer on 5/27 said there would be 10-15.

The Planning Board can pursue these discrepancies.

Second, the traffic study was paid for by Onyx (Amazon). It is not independent. You can demand that an independent study be conducted – one that takes into account the plan to use over 700 sprinters and well over 15 semis per day (if it's 15 "to start", what will it eventually be?).

Third, as per Jane Slavin 5/22/20

- A variance is needed from the Zoning Board for the canopy, because according to "Additional Use Regulations, Number 2", "All accessory off-street loading berths shall be within completely enclosed buildings." The Planning Board can block approval of this canopy.
- Amazon has to demonstrate the project is compliant with ZBA Performance Standard Approval dated 1/2/2020, and that there will be no increase in traffic volumes (as presented in Maser's Traffic Study).
- The Zoning Board MAY have to review the performance standards. The Planning Board can demand that that review be done.
- ACABOR must review and approve. That entity can deny approval.

Fourth, as per the Commissioner of Planning for Rockland County, 5/22/20:

- The County of Rockland Dept. of Highways must review. It may have already done so. The Planning Board can demand that it take a second look.
- The County of Rockland Dept. of Health must review. It may have already done so, via Elizabeth Mello's "no comment" letter. The Planning Board can demand that it take a second look. I would submit it must. How can Ms. Mello have "no comment" on an operation that will clearly affect air quality at the very least?
- Verification (by whom?) must be made that soil and erosion control measures meet the NYS standards for Urban Erosion and Sediment Control; and that there is no net increase in the peak rate of discharge from the site at all design points. The Planning Board can follow through and make sure that's done.
- The lighting plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line. The Planning can and should make sure that is the case.

Fifth, as per Vincent Altieri, Rockland County Drainage Agency, 5/7/20:

- The RCDA doesn't have jurisdiction, but Mr. Altieri has expressed concerns that the Planning Board, which is the lead agency for SEQRA purposes, and other boards "review all development proposals and ensure that the developments with increase in impervious area and/or land disturbance will not result any increase in stormwater runoff from the site and has adequate measures to prevent sediment from leaving site." How will the Planning Board make sure that this study is done?

Sixth, As per Christina Pacella at the DEC (christina.pacella@dec.ny.gov, 845-256-2250), 5/14/20:

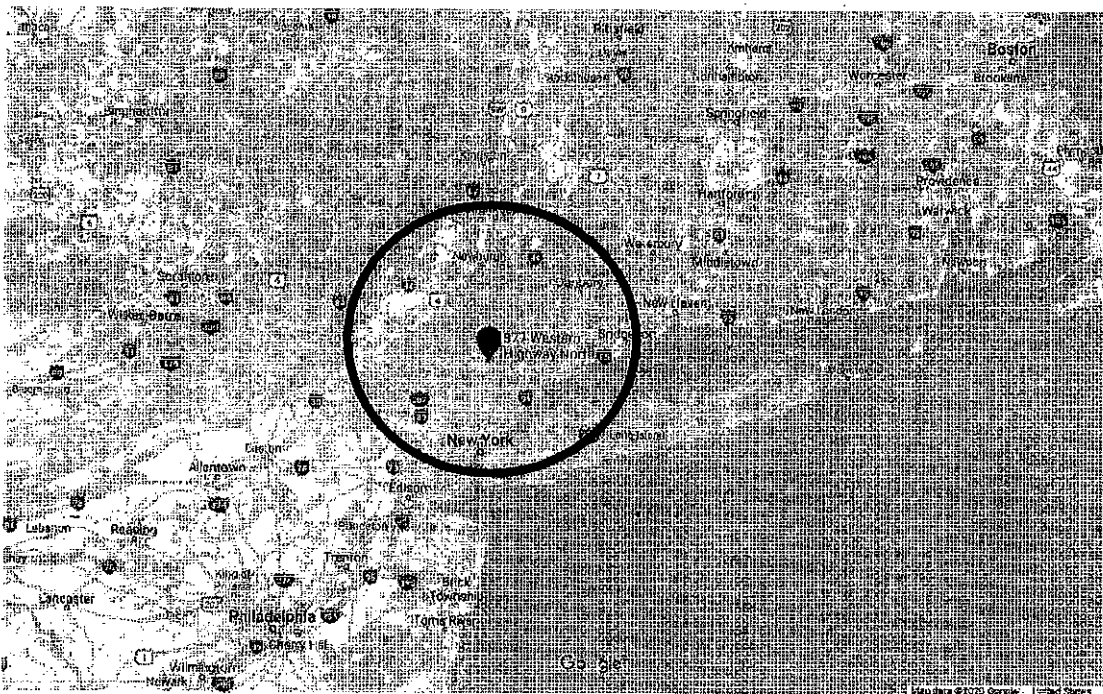
- Amazon is "responsible for ensuring that work shall not pollute any stream or waterbody . . . by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project". How will the Planning Board ensure Amazon proves this?
- The Army Core of Engineers must make a determination whether or not the work requires a permit due to impact on federal wetland or waters (917-790-8411). If the reservoir fits in that description, the Planning Board can see that the ACOE gets involved.
- State listed species impact – "further information from on-site surveys or others sources MAY be required to fully assess impacts on biological resources". The Planning Board can demand that a study be done!
- The project will disturb over 1 acre – Amazon must do a Stormwater Pollution Prevention Plan (SWPPP), reviewed and accepted by the Town via a Municipal Separate Storm Sewer System (MS4) Acceptance Form submitted to the DEC. The Planning Board should make sure this is done to satisfaction.
- The DEC's Division of Water must review and approve the plan to connect to the municipal sewer. The Planning Board can make sure this is done.
- The DEC's Division of Water (914-428-2505) MAY have to ensure that the project won't exceed the authorized max in taking of water. If it exceeds the max, the Planning Board does not have to approve it!

In conclusion, as members of the Planning Board, regardless of the fact the Zoning Board pushed this Amazon project through without due diligence, you don't have to do the same. You are the Lead Agency. You have the power to raise important questions, demand proper studies, involve the community in a transparent and constructive fashion, and demand serious mitigation of the ill effects such that this Amazon project is smaller in scope, and appropriate to its location adjacent to sensitive

environmental and residential areas. This project can be made to adjust, so that it is good for everyone.

What is a good adjustment, in our estimation? These are our suggestions:

- The Amazon lawyer said at the 5/27 meeting that the site would serve a 45-mile radius. That is huge, and inappropriate. We would suggest a 10-15 mile radius, which is still very large (please see the map, below, of what a 45 mile radius looks like).
- 200 Sprinter van maximum per day, operating between 10 am and 8 pm, avoiding rush hours
- 15 semitrailer maximum per day, to operate between 7 pm and 11 pm.
- Electric powered vehicles to minimize emissions
- Full compliance with all of the above bullet points
- Clarity on the Western Highway entrance and a plan to enforce emergency-only access.



We are watching, and hopeful.

Best Regards,

Cheryl McNeil	Vanessa Lapins
56 Old Western Hwy	659 Western Hwy
Blauvelt, NY 10913	Blauvelt, NY 10913
917-952-8424	914-912-6816

The community members CC'd on this letter have verbally agreed with the largest points made. A more general letter from community members will be sent to you before the June 15th meeting.

May 27, 2020 Board Items:

New Items:

PB #20-16: BCH Realty, LLC Site Plan

Prepreliminary/Preliminary Site Plan and SEQRA Review

20 Mountainview Avenue, Orangeburg, 74.07/1/27; LI & CC zoning districts

PB #20-17: Lane Resubdivision Plan

Prepreliminary/Preliminary/Final Subdivision Plan and SEQRA Review

125 Park Avenue, Palisades, 77.20/2/76, 77 & 78; R-15 zoning district

PB#20-18: Orange Bank & Trust Site Plan & Monument Location

Prepreliminary/Preliminary/Final Site Plan and SEQRA Review

374 South Middletown Road, Nanuet, 64.17/1/78; CO zoning district

PB#20-19: Onyx Management/ Amazon Delivery Center Plans

Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review

200 & 400 Oritani Drive & 877 Western Highway, Blauvelt, 65.18/1/1 & 22 and 70.06/1/1.12; LO zoning district

*continued
all ready
head into the
Record.*

Dated: May 15, 2020



OFFICE OF BUILDING, ZONING, PLANNING
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
20 GREENBUSH ROAD
ORANGETOWN, N.Y. 10962

Jane Slavin, RA
Director

(845) 359-8410

Fax: (845) 359-8526

Date: May 22, 2020

To: Cheryl Coopersmith, Chief Clerk
Planning Board

From: Jane Slavin, RA.,
Director O.B.Z.P.A.E.



Subject: **Onyx Management/ Amazon Delivery Center Plans PB #20-19**
Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review
200 & 400 Oritani Drive & 877 Western Highway, Blauvelt
65.18/1/1 & 22 and 70.06/1/1.12; LO zoning district

Submission Reviewed:

Private site improvement plans as prepared by Cesco Co. dated 3/12/2020.

The applicant is proposing to add a canopy structure to the existing building at 400 Oritani and site plan improvements.

- 1) The site plan must indicate the existing property lot lines.
- 2) The bulk table must be revised to show the square footage of the proposed canopy and the proposed FAR.
- 3) Per Chapter 43, Table 3.11, LO district, Column 7, Additional Use Regulations, Number 2, "all accessory off-street loading berths shall be within completely enclosed buildings". The canopy is open on three sides; a variance must be obtained from the Zoning Board of Appeals.
- 4) Applicant must demonstrate that the project as proposed is compliant with the ZBA Performance Standard Approval dated January 2, 2020 and that there will be no increase in the traffic volumes as presented in the Traffic Study prepared by Maser Consulting dated December 5, 2019. Performance standards review by the Zoning Board may be required.
- 5) The proposed canopy and associated driveway changes eliminate the emergency access as previously approved. Applicant must provide alternate emergency access and clearly delineate on the plan.

6) ACABOR review and approval is required.

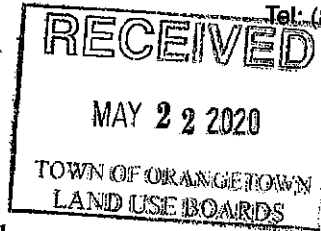
7) The SEAF appears to be in order.

JS
5/22/2020



Department of Environmental Management and Engineering
Town of Orangetown

127 Route 303 Orangeburg New York 10962
Tel: (845) 359-6502 • Fax: (845) 359-6951



May 20, 2020

Planning Board
Town of Orangetown
1 Greenbush Road
Orangeburg, New York 10962
Attn: Cheryl Coppersmith, Chief Clerk

Re: Onyx Management/ Amazon Delivery Center Site Plan

PB# 20-19

Gentlemen:

This Department has the following comments/ recommendations:

1. The Drainage Report supplied is under review. However, a proper/full SWPPP, with drainage calculation shall be supplied. A cursory review of the Drainage Report has reveal a number of issues with it:
 - a.) The SWPPP shall be bound by a 3-ring binder.
 - b.) The Project Narrative to the SWPPP and the drawings shall clearly identify the specific type of infiltration pond that is being proposed using the naming system spelled out in the NYSDEC Stormwater Management Design Manual.
 - c.) The beginning of the SWPPP shall include a table showing elevation vs. area vs volume numbers for the proposed infiltration pond system & WQ practices.
 - d.) The drainage calculations shall also contain year storm vs volume vs elevation tables for all of the proposed stormwater systems and WQ features.
 - e.) The NOI shall be added to the SWPPP
 - f.) An appendix shall be included containing the required "during" construction checklists for all of the proposed stormwater management facilities as well as all of the proposed soil erosion and sediment control features.
 - g.) An appendix shall be included containing the required post construction checklists for all of the proposed stormwater management facilities: infiltration pond, catch basin, piping, etc.
 - h.) The drainage calculations shall include storage- elevation tables and curves for the stormwater infiltration system and water quality (WQ) practices. The Pre and post calculations and hydrographs shall be separated into separate appendices.
 - i.) The project narrative shall include the name and address and contact information of the site owner.
 - j.) The project narrative shall include, other pertinent sections of the SWPPP as well as the design calculations need to demonstrate how Chapter 6 – Green Infrastructure and Chapter 9 – Redevelopment of the New York State Stormwater Management Design Manual are being satisfied.
 - k.) Labeled separation tabs shall be added to the SWPPP.

2. Soil borings, perc tests and determination of groundwater elevations shall be performed at the proposed infiltration basin location. These tests shall be performed **PRIOR** to this proposal receiving **Final Approval** to ensure the adequacy of the proposed design. This information shall be added to the drainage calculations. The tests shall be performed in the spring when the ground water table is typically at its highest.
3. A “blow up” of the proposed stormwater infiltration basin shall be added to the plans. Cross-sections depicting the elevations at all the year storms designed for, plus their related storage volumes, shall be included in said profiles.
4. It appears that the existing 24inch RCP drainage line, running under the proposed infiltration basin is to remain. This is not acceptable. This existing drainage line shall be rerouted around the proposed basin.
5. The plans shall clearly indicate the total area of disturbance and the total amount of existing and proposed impervious surfaces (in table form) as well as providing this table in the SWPPP.
6. Some of the required design element for an infiltration pond, as shown on the NYSDEC Stormwater Management Design Manual (NYSDEC SMDM), are missing. For example: stilling basin, level spreader, grass channel, backup underdrain with clean outs and valve, 25 feet from any structure, etc. All of this design detail shall be added to the basin / drawings.
7. The current NYSDEC SPDES Permit for construction, NYSDEC SMDM, NYS Standards and Specifications for Erosion and Sediment Control shall be listed and referenced in the SWPPP.
8. A detail for the proposed infiltration basin outlet structure shall be added to the drawings.
9. The Soil erosion and sediment control symbols shall conform to NYSDEC standards.
10. The SWPPP plans (soil erosion and sediment control plans) shall clearly identify SESC features around all existing and proposed drainage structures in and around the work area.
11. Profiles for all proposed and relocated stormwater piping shall be added to the drawings.
12. A post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for the proposed stormwater systems 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, inspection check list, contact person with telephone number, yearly report to be submitted to this Department, etc.

13. All existing utilities, easements (with metes and bounds, ownership and page and liber/ instrument number) and dedications (with metes and bounds, ownership and page and liber/ instrument number) shall be shown on the plans(if applicable.)

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

15. The datum for the contours shall be given.

16. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum (including the BM elevation.)

Very truly yours,

A handwritten signature in black ink, appearing to be 'J. J. [unclear]', written over a horizontal line.

cc: Highway file
Sewer file



NY OFFICE
74 Lafayette Avenue
Suite 501
Suffern, NY 10901
845.357.4411 Tel.
845.357.1896 Fax

NJ OFFICE
22 Paris Avenue
Suite 105
Rockleigh, NJ 07647
201.750.3527 Tel.

May 26, 2020

Town of Orangetown Planning Board
20 Greenbush Road
Orangeburg, New York 10962

Attn: Cheryl Coopersmith, Chief Clerk



Re: Onyx Management/Amazon Delivery Site Plan, 200 & 400 Oritani Drive (tax lots 65.18-1-1&22, 70.06-1-1.12)
Planning Board Drainage Review (for May 27, 2020 Planning Board meeting)
BBE #OTN0149

Dear Ms. Coopersmith:

As the drainage consultant for the Town of Orangetown Planning Board, we have prepared the following report in support of the Onyx Management/Amazon Delivery Site Plan application to the Town of Orangetown Planning Board:

Information Reviewed

1. "Private Site Improvement Plans for DXY4 – Delivery Station", prepared by Cesco Co., signed and sealed by Jeffrey A. Tibbits, PE, Drawings C1.0 – C8.4, last revised March 12, 2020.
2. "Drainage Analysis Report DXY4", prepared by Jeffrey A. Tibbits, PE, dated March 12, 2020
3. Project Application and narrative, dated March 25, 2020.

Project Description

This is our first drainage review report for this application. The site is located in Bradley Industrial Park, along the west side of Oritani Drive. Two existing buildings at 200 and 400 Oritani Drive are to remain and be used as warehouses. A reconfiguration of the parking area between the two buildings is proposed for this application. A new stormwater management infiltration basin is proposed at the downhill of the limit of disturbance.

Project Comments

1. Full size site plans should be provided at a standard engineering scale.
2. The drainage subarea maps should be delineated based on topography and not necessarily the limits of disturbance. The complete watershed that is directed to the infiltration basin should be modeled in the hydrologic model.
3. A Utility Plan should be provided that shows the catch basin rim and invert elevations.
4. The outlet structure detail should be provided. Sections through the infiltration basin should be provided.
5. The drainage subareas in the hydrologic model should be broken down to subareas with large connected impervious surfaces that utilize a full impervious curve number.
6. Provide calculations for stage versus storage of the proposed infiltration basin.
7. Provide supporting data for time of concentration and curve numbers.
8. Show the flow path for the overflows from the emergency overflow weir.
9. The basin will store 1.9 inches of rainfall runoff from the impervious surfaces; the 100-year stage in the basin is elevation 87.52 and the emergency spillway elevation is 87.75. The freeboard from the emergency spillway and 100-year stage should be increased.
10. Provide soil test results to support the use of an infiltration basin.

LAND DEVELOPMENT • MUNICIPAL • STRUCTURAL • WATER RESOURCES • LAND SURVEYING

Brian Brooker, P.E. Eve Mancuso, P.E., C.M.E. Ken DeGennaro, P.E., C.F.M. Stuart Strow, P.E., C.F.M.
Anthony Riggi, P.E. Dennis Rocks, P.E., C.F.M. John Bezuyen, P.L.S.
Hillary Chadwick, P.E. Vincent Kane, P.E. Nestor Celiz, P.E. Benjamin Levitz, P.E.

May 26, 2020
DXY4 Site Plan
BE# OTN00149

Drainage Review Recommendation

The proposed action has provided sufficient drainage information that demonstrates that potential significant adverse impacts with respect to drainage can be mitigated. We therefore recommend that the DXY4 – Delivery Station Site Plan be approved for drainage subject to the above project comments.

Very truly yours,



BROOKER ENGINEERING, P.L.L.C.
Kenneth DeGennaro, P.E.



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene Miller
Deputy Commissioner



May 22, 2020

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 65.18-1-22

65.18-1-1

70.06-1-1.12

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date: 3/12/2020

Date Review Received: 4/27/2020

Item: ONYX MANAGEMENT/AMAZON DELIVERY CENTER (O-1168TTTT)

Site plan for the construction of an approximately 23,744 SF canopy over the space between two existing warehouses located on 37.8 acres in the LO zoning district. Other site improvements include restriping and regrading portions of the existing parking lot, new pedestrian paths, and a new vegetated buffer along the western boundary of the site.

West side of the railroad tracks parallel to Bradley Hill Road, approximately 555 feet south of the Clarkstown town line boundary, and straddles Oritani Drive, just southeast of Avis Court.

Reason for Referral:

Western Highway (CR 15), Leber Road (CR 36)

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 A review must be completed by the County of Rockland Department of Highways, any concerns addressed, and any required permits obtained.
- 2 A review must be completed by the County of Rockland Department of Health, any comment or concerns addressed, and any required permits obtained.
- 3 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.
- 4 There shall be no net increase in the peak rate of discharge from the site at all design points.

ONYX MANAGEMENT/AMAZON DELIVERY CENTER (O-1168TTTT)

- 5 Areas designated for snow removal must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. This will help to protect the proposed landscaping from damage due to the weight of the snow and salt intrusion. In addition, providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by staff and customers.
- 6 All proposed site identification signage must be shown on the site plan, and conform to all Town requirements.
- 7 The project narrative provided by Cuddy & Feder LLP incorrectly states tax parcel 65.18-1-18 as part of this proposal. This shall be corrected to 65.18-1-22.
- 8 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.


Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
Rockland County Department of Health
Rockland County Department of Highways
United States Army Corps of Engineers
CESO, Inc.
American Graphix Solutions
Cuddy & Feder LLP (c/o Daniel Patrick)

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings. The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

Rockland County
Ed Day, Rockland County Executive

DRAINAGE AGENCY
DIVISION OF THE HIGHWAY DEPARTMENT

23 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5081; Fax: (845) 708-7116

Charles H. "Skip" Vezzetti
Superintendent of Highways
Chairman, Drainage Agency

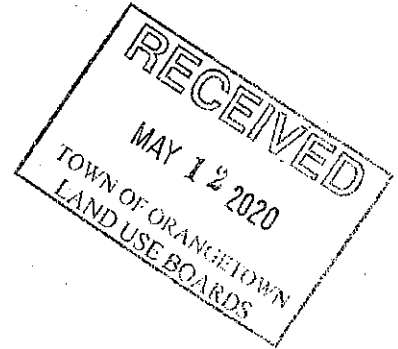
Vincent Altieri, Esq.
Executive Director

Via e-mail: ccoopersmith@orangetown.com

May 7, 2020

Planning Board
Town of Orangetown
20 Greenbush Road
Orangeburg, NY 10962
Attn.: Cheryl Coopersmith

Re: **Onyx Management/ Amazon Delivery Center**
200 & 400 Oritani Dr. and 877 Western Hwy., Blauvelt
Section 65.18, Block 1, Lots 1 & 22, Section 70.06, Block 1, Lot 1.12
Tax Map: Town of Orangetown



Dear Mrs. Coopersmith,

The Rockland County Drainage Agency ("RCDA") has reviewed the above-referenced proposal included with your referral as prepared by: Ceso Co., dated/last revised March 12, 2020.

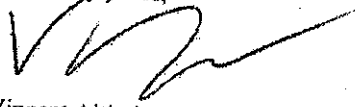
Based upon the RCDA's evaluation of available mapping and the information submitted, it has been determined that the proposed project is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is not required. The review and approval of proposals for this site, including stormwater management and erosion controls design, are appear to be within the jurisdiction of the appropriate local municipal land use board(s) and departments. However, the RCDA has concerns about the potential impact of the project as currently proposed.

By copy of this letter, the RCDA is hereby notifying the municipal land use boards and departments that a permit from the RCDA, pursuant to Rockland County Stream Control Act, Chapter 846, is not required for developments at the above-referenced site. However, the RCDA recommends that the municipal land use boards and/or departments review all development proposals and ensure that the developments with increase in impervious area and/or land disturbance will not result any increase in stormwater runoff from the site and has adequate measures to prevent sediment from leaving the site.

The Rockland County Drainage Agency ("RCDA") does not object to the Planning Board assuming responsibilities of lead agency for SEQRA purposes in the above-referenced matter.

Please contact Shajan S. Thottakara, P.E., CFM, at (845) 638-5081 or by email: thottaks@co.rockland.ny.us, if you have any questions regarding this matter.

Very truly yours,


Vincent Altieri
Rockland County Drainage Agency

c: Building Department
Zoning Board of Appeals
Rockland County Planning Department
Shajan S. Thottakara, P.E., CFM

Town of Orangetown
Town of Orangetown

OBZPAE@orangetown.com
darbolino@orangetown.com

Rocklandgov.com

(File: 20 OGR 13)

 **Rockland County**
Ed Day, Rockland County Executive

ROCKLAND COUNTY SEWER DISTRICT NO. 1
4 Route 340
Orangeburg, New York 10962
Phone: (845) 365-6111 Fax: (845) 365-6686
RCSD@co.rockland.ny.us

George Hoehmann
Chairman

Michael R. Saber, P.E.
Assistant Director/Acting Executive Director

May 26, 2020

Ms. Cheryl Coopersmith
Town of Orangetown Planning Board
20 South Greenbush Road
Orangeburg, NY 10962



Re: Onyx Management/Amazon Delivery Center Site Plan
400 Oritani Drive, 200 Oritani Drive & 877 Western Highway, Blauvelt
Tax Lots 89/70.06-1-1.12, 65.18-1-22 & 65.18-1-1 (formerly 45-99-841.16, 45-101-840.14
& 45-101-840.1/2)

Dear Ms. Coopersmith:

Our office has received and reviewed an overall site plan that was last revised on March 12, 2020, which Jeffrey A. Tibbitts, PE prepared for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

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 the District's sanitary sewers.

Please inform us if any developments in this project change to affect the District. If you have any questions, please contact this office at 845-365-6111.

Very truly yours,


Joseph LaFiandra
Engineer II

cc: M. Saber
Helen Kenny-Burrows – Rockland County Department of Planning
Elizabeth Mello, P.E. – Rockland County Department of Health

File: TOO 70.06-1-1 – Bradley Corporate Park
TOO 65.18-1-22 – Prestige Automotive
Reader

Rocklandgov.com

Memo



To: Planning Board, Jane Slavin Director OBZPAE

From: Michael B.Bettmann Chief Fire Inspector

Date: May 22, 2020

Re: 400 Oritani Dr. 70.06-1-1.12

In regard to the proposed canopy on the north side of bldg. 400. That side of the building is an emergency access for the Fire Department in the event of a train being stopped or stuck across the east entrance. This would require an amendment to the site plan and a new plan for emergency access. Also the canopy attached to the building and covering 24 vehicles would require fire protection. In addition the canopy is too close to the side yard.



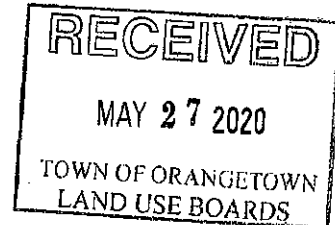
**Parks, Recreation,
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

May 12, 2020

Sara Krampe
800 Bursca Drive
Suite 803
Bridgeville, PA 15017



Re: DEC
Delivery Station Site Improvements
200 Oritani Dr, Blauvelt, NY 10913
20PR02972

Dear Sara Krampe:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation
Division for Historic Preservation

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • parks.ny.gov

Cheryl Coopersmith

From: Pacella, Christina (DEC) <Christina.Pacella@dec.ny.gov>
Sent: Thursday, May 14, 2020 1:08 PM
To: Cheryl Coopersmith
Cc: dec.sm.DEP.R3
Subject: 3-3924-00500_00001 (WQC) SEQR REVIEW

[External Email]

Cheryl Coopersmith
Town of Orangetown Planning Board
20 South Greenbush Road
Orangeburg, New York 10962

RE: Onyx Management/Amazon Delivery Center - 200 & 400 Oritani Drive; 877 Western Highway
Town of Orangetown, Rockland County
DEC Facility ID# 3-3924-00500/00001
SEQR Lead Agency Designation

Dear Ms. Coopersmith:

The New York State Department of Environmental Conservation (DEC or Department) has reviewed the State Environmental Quality Review (SEQR) Notice of Intent to Serve as Lead Agency submitted by the Town of Orangetown Planning Board for the above-referenced project. According to the submitted information, the applicant proposes to construct an approximate 23,744-square-foot (sf) canopy between two existing buildings. Specifically, the proposed canopy will extend from the northwest side of 400 Oritani Drive and will provide 14 feet (ft) of clearance above an existing paved parking lot area. In addition, the proposal includes grading and re-striping of various portions of existing paved areas around existing buildings. Interior renovation of two existing one-story warehouse structures are included in the proposal.

The DEC has no objection to the Town of Orangetown Planning Board serving as lead agency for this project. Based upon our review of your inquiry received by this office on April 28, 2020, the Department offers the following comments:

PROTECTION OF WATERS

There are no waterbodies that appear on our regulatory maps at the project site you identified. Therefore, if there is a stream or pond outlet present at the site with year-round flow, it assumes the classification of the watercourse into which it feeds, and a Protection of Waters permit may be required. If there is a stream or pond outlet present at the site that runs intermittently (seasonally), it is not protected, and a Protection of Waters permit is not required.

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

FRESHWATER WETLANDS

The project site is not within a New York State protected Freshwater Wetland.

WATER QUALITY CERTIFICATION

If the United States Army Corps of Engineers (ACOE) requires a permit for work completed in or impacting a federal wetland or waters of the U.S., you will need a Section 401 Water Quality Certification from the Department. Please contact the ACOE at (917) 790-8411 for a determination.

STATE-LISTED SPECIES

The DEC has reviewed the State's Natural Heritage records. No records of sensitive resources were identified by this review.

The absence of data does not necessarily mean that rare or state-listed species, natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

STATE POLLUTION DISCHARGE ELIMINATION SYSTEM (SPDES) CONSTRUCTION

Since project activities will disturb over one acre of land, the project sponsor must obtain coverage under the current SPDES General Permit for Stormwater Discharge from Construction Activity (GP-0-20-001) and develop a Stormwater Pollution Prevention Plan (SWPPP) that conforms to requirements of the General Permit.

As this site is within a Municipal Separate Storm Sewer System (MS4) community, the municipality is responsible for review and acceptance of the SWPPP, and the MS-4 Acceptance Form must be submitted to the Department. For information on stormwater and the general permits, see the DEC website at <http://www.dec.ny.gov/chemical/8468.html>.

SPDES SANITARY PERMIT

According to the Short Environmental Assessment Form (EAF), the project site will connect to the existing municipal sewer district. Please be aware that our Department's Division of Water is required to review and approve plans for any proposed sewer extensions or facility expansions.

WATER WITHDRAWAL

According to the EAF, the proposed project site will be served by an existing municipal water district. Please note that additional Department approval may be required to ensure that the site is covered under an existing Water Withdrawal permit and does not exceed the authorized maximum taking of water into the existing water district or service area. For more information, please contact DEC Division of Water at (914) 428-2505.

CULTURAL RESOURCES

We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. The project sponsor should submit project materials to the New York State Historic Preservation Office's online Cultural Resource Information System (CRIS) to initiate the review process. Information on submitting to the system and access to it are available at <http://www.nysparks.com/shpo/>.

AIR RESOURCES

If the project activities include the installation of a stationary or portable combustion system that exceeds one of the following thresholds, then an air facility registration may be required:

- A maximum rated heat input capacity less than 10 million British Thermal Units (Btu) per hour burning fuels other than coal or wood; or
- A maximum rated heat input capacity of less than 1 million Btu/hr burning coal or wood.

For more information, please contact the DEC Division of Air Resources at (845) 256-3185.

OTHER

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and the project sponsor should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year. More information about DEC permits may be found on our website, www.dec.ny.gov, under "Regulatory" then "Permits and Licenses." Application forms may be downloaded at <http://www.dec.ny.gov/permits/6081.html>.

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,
Christina Pacella
Division of Environmental Permits
Region 3, Telephone No. (845) 256-2250

Christina Pacella

Environmental Engineering Technician, Division of Environmental Permits
New York State Department of Environmental Conservation
21 South Putt Corners Road, New Paltz, NY 12561
P: (845) 256-2250 | F: (845) 255-4659 | christina.pacella@dec.ny.gov
www.dec.ny.gov



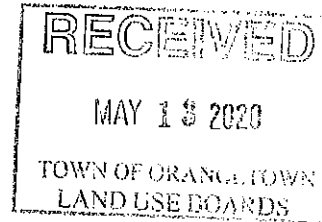
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T: 914 761 1300
F: 914 761 5372
cuddyfeder.com

Anthony B. Gioffre III
agioffre@cuddyfeder.com

5/13/20

BY EMAIL AND OVERNIGHT DELIVERY

Chairman Thomas Warren
and Members of the Planning Board
20 Greenbush Road
Orangeburg, New York 10962



Re: Amazon.com Service Inc.
Site Plan Application
Premises: 200-400 Oritani Drive & 877 Western Highway, Blauvelt NY
Tax IDs: 65.18-1-1 & 65.18-1-22 & 70.06-1-1.12

Dear Chairman Warren and Members of the Planning Board:

On behalf of Amazon.com Services Inc. ("Amazon" or the "Applicant"), the lessee of the above referenced Premises, we respectfully submit this letter in furtherance of the Town of Orangetown ("Town") Planning Board Application for Site Plan approval in connection with the site improvements related to Amazon's adaptive reuse of the existing warehouse structures and improvements at 200-400 Oritani Road and 877 Western Highway, Blauvelt, New York (the "Premises") dated March 25, 2020 (the "Site Plan Application"). The adaptive reuse of the Premises for its delivery station was approved by the Town Zoning Board of Appeals ("ZBA") in its Performance Standard Review approval on January 22, 2020 as further described in the Site Plan Application materials. Amazon now proposes to construct an approximately 23,744 s/f canopy over the existing paved parking area between the two existing buildings as well as other site improvements such as grading and re-striping various portions of the existing paved areas (the "Proposed Improvements").

The Applicant respectfully submits this letter at the suggestion of Jane Slavin, R.A., Town of Orangetown Director of Building, Zoning, Planning, Administration and Enforcement, and requests that the Planning Board review and grant the Applicant's pre-preliminary, preliminary, and final site plan approval upon the condition that the Application be approved by the Town Architecture and Community Appearance Board of Review ("ACABOR"). As detailed in the Site Plan Application materials, the Proposed Improvements consist of approximately 7,000 s/f of disturbance of currently unpaved or impervious surfaces. The remainder of improvements consist of repaving or grading existing paved areas or constructing a new canopy structure over the paved area adjacent to the existing structure at 400 Oritani Drive. All improvements are consistent with the existing commercial/light industrial character of the surrounding area and do not pose any impacts to any surrounding properties. The ZBA's Performance Standard Review evaluated and approved, among other things, the traffic, noise, refuse, waste, and other potential conditions related to Amazon's use and occupancy. The Proposed Improvements do not change the use or operations as approved by the ZBA.




5/13/20
Page 2

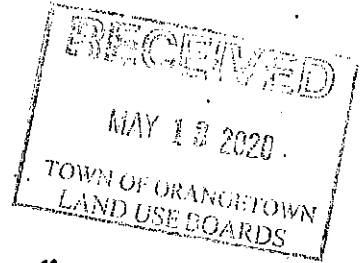
The Applicant therefore respectfully submits that the Proposed Improvements are not expected to have any significant adverse environmental impacts and requests conditional approval at the Planning Board's May 27, 2020 meeting.

The Applicant looks forward to appearing before the Planning Board at its May 27, 2020 meeting. Should the Planning Board or Town Staff have any questions or concerns in the interim, please do not hesitate to contact me. Thank you for your time and consideration in this matter.

Very truly yours,


Anthony B. Gioffre III

cc: Amazon.com Service Inc.
CESO, Inc.
Onyx Management Group, LLC (Landlord)
Seth Mandelbaum, Esq. (Attorney for Landlord)
Rona Korman, Esq. (Attorney for Landlord)
Jane Slavin, R.A., Town of Orangetown Director of Building, Zoning, Planning,
Administration and Enforcement



**Town of Orangetown Planning Board
Planning Board Meeting: Wednesday, May 27, 2020
Meeting Time: 7:30 p.m.**

**Location: Town of Orangetown, Greenbush Auditorium, 20 South
Greenbush Road, Orangeburg, New York**

**Response to request that the Town of Orangetown Planning Board
BE DESIGNATED TO SERVE AS LEAD AGENCY FOR THE:**

Project Name: Onyx Management/ Amazon Delivery Center Site Plan

Location of Parcel: The site is located at 200 and 400 Oritani Drive and 877 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.18, Block 1, Lots 1 & 22 and Section 70.06, Block 1, Lot 1.12 in the LO zoning district.

On behalf of Rockland County Hwy Dept. (involved agency), I acknowledge receipt of the Lead Agency Notice in this matter.

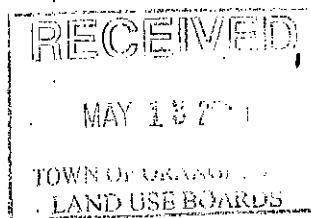
The above named involved agency hereby (please check one):

- (4) CONSENTS that the Town of Orangetown Planning Board serve as Lead Agency for coordinated environmental review of the proposed action, and requests that the undersigned continue to be notified of SEQR determinations, Proceedings and hearings in this matter.
- () DOES NOT CONSENT to the Town of Orangetown Planning Board's serving as Lead Agency for coordinated environmental review of the Lead Agency. To contest the requested Lead Agency, the undersigned proposed action and wishes that _____ serve as _____ intends to follow the procedures outlined in Title 8 Part 617.6(b) (5) NYCC.
- () TAKES NO POSITION on Lead Agency designation in this matter.

Dated: 05.13.2020

Rockland County Hwy Dept.
Agency Name
By: [Signature]
Signature
Dyan Rajasingham
Printed Name of Signer

Please return within 30 days by Fax: (845) 359-8526 E-mail: ccoppersmith@aol.com



**Town of Orangetown
20 South Greenbush Road
Orangeburg, New York 10962**

Planning Board Meeting of May 27, 2020

Project Name: Onyx Management/ Amazon Delivery Center Site Plan

Location of Parcel: The site is located at 200 and 400 Oritani Drive and 877 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.18, Block 1, Lots 1 & 22 and Section 70.08, Block 1, Lot 1.12 in the LO zoning district.

Please review the information enclosed and provide comments. These comments may be mailed, e-mailed or faxed to the Planning Board Office.

If your agency does not have any comments at this time, please respond to this office by sending back this sheet.

- U.S. Postal: 20 South Greenbush Road, Orangeburg, New York 10962
- Email to Planning Board at ccoopersmith@orangetown.com, or
- Fax to the Town of Orangetown Planning Board @845 359-8526

- () Comments Attached (or to be provided prior to Meeting date noted above)
- () No Comments at this time. Please send future correspondence for review.
- () No future correspondence for this site should be sent to this agency. Plans reviewed and this agency does not have any further comments.
- () This project is out of the jurisdiction of this agency and has no further comments.

Dated: 05.13.2020

Rockland County Hwy Dept.
Agency Name
By: Dyan Rajasivagham
Please Print Name

Cheryl Coopersmith

From: Carolyn Hill <carolynhill@optonline.net>
Sent: Wednesday, May 27, 2020 6:54 PM
To: Cheryl Coopersmith
Subject: Town Planning Meeting agenda

Importance: High

[External Email]

PLEASE no more traffic on Western Highway!

As has been explained, Currently there is no Orangetown police traffic unit to manage the traffic we currently have on Western Highway. WH is a protected county rural road not intended for commercial use. Our fear is that a lot of smaller delivery vans will add tremendous traffic volume to an already super busy residential road.

The county says no trucks on WH, but we know enforcement of the rules is the main challenge right now.

PLEASE no more traffic on Western Highway!

Carolyn Hill
849 Western Highway
Blauvelt, NY

Cheryl Coopersmith

From: Cheryl McNeil <selkiesisters@yahoo.com>
Sent: Wednesday, May 27, 2020 6:55 PM
To: Cheryl Coopersmith
Subject: Amazon plans

[External Email]

Hello. I own my home at 56 Old Western Hwy. I am concerned about the Amazon plans near the end of Western Hwy. I am a volunteer with the Turtles of Western Hwy, a division of the Humane Society. The area directly in front of the proposed Amazon site on Western Hwy is EXTREMELY sensitive environmentally. The traffic is already too heavy in the area. In May and June we have to flag drivers down to get them to slow down or the nesting turtles will be killed in the road. These turtles are essential for maintaining a clean water supply in the reservoirs. Do you know that? I'm not opposed to the site. But I want to ensure that neither trucks nor vans will traverse western Hwy. The paperwork says they can use it in an emergency. What constitutes an emergency? I hope the standard is strict. I will appreciate a reply. And given how much Amazon is making, they should contribute to the turtle preservation. Thank you. Cheryl McNeil

Sent from my iPhone

5/27/2020

Cheryl Coopersmith

From: Tim Takala <tim.takala@gmail.com>
Sent: Wednesday, May 27, 2020 9:40 PM
To: Cheryl Coopersmith
Subject: Re: Amazon distribution center expansion at 200 -400 Oritani Drive Blauvelt (concerns)

[External Email]

To add to the comment just then, the impact study was done post covid, last year. We are now in a very changed circumstance and I'm certain it will be more than 2% increase in traffic. They need to revisit this.

TT

On Wed, May 27, 2020 at 9:28 PM Tim Takala <tim.takala@gmail.com> wrote:
Hi Ms. Coopersmith,

My apologies, I meant Drone, not Drown. Sorry for the confusion.

Cheers,

Tim

On Wed, May 27, 2020 at 7:27 PM Tim Takala <tim.takala@gmail.com> wrote:
Hi Ms. Cooper Smith,

I'm am a new resident of Blauvelt at 5 Piper Ct. It was only brought to my attention today that Amazon intend to expand their distribution activities and facilities in a project on 200-400 Oritani Drive.

As this facility is very close to my residence I expected that something might be sent to me directly related to this major project. I now have the development package from my neighbour.

I have 2 major concerns.

1. On the short environmental assessment form page 2 question 8 a. Asks "Will the proposed action result in a substantial increase in traffic above present levels."

I don't agree with their answer of NO. How could the expansion of a distribution hub not increase traffic substantially above current levels? Isn't that the reason for the increase in the facilities capacity, to send more out and more often? I completely disagree with this answer.

2. Amazon has made it very public that they are trialing drown delivery systems. How can I as a homeowner have reassurances that in the coming years this facility will now use this method and cover the sky's above my quiet home with drown traffics?

Please represent my concerns at today's meeting. As I can't find the link to join virtually.

Cheers,

Timothy Takala

5 Piper Ct
Blauvelt NY 10913

+18455580156

CONFORMANCE TO TOWN PERFORMANCE STANDARDS ACCEPTED WITH SPECIFIC CONDITIONS

To: Matt Flath (Onyx Amazon)
900 Route 9N Suite 400
Woodbridge, New Jersey 07095

ZBA #20-08
Date: January 22, 2020
Permit # 49589

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#20-08: Applications of Onyx Management Group LLC: Amazon at Hudson Crossing requesting the Zoning Board of Appeals' review, and determination, of conformance with the Town of Orangetown Zoning Code (Orangetown Code Chapter 43) Section 4.12 Performance Standards review of last-mile distribution facilities, wherein lessee will unload shipments of goods for delivery to local destinations by delivery vans from buildings 200 Oritani Drive, Blauvelt, New York and are identified on the Orangetown Tax Map Section 65.18, Block 1, Lot 22 in the LO zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, January 22, 2020 at which time the Board made the determination hereinafter set forth.

Seth Mandelbaum, Attorney, Onyx Equities, LLC, Jamie Flynn, Real Estate Manager for Amazon, John Collins, Maser Consulting, Nicole Vasquez, Asset Manager, Matt Flath, Amazon, Leonard Cohen, Esq. Cuddy & Feder, Morgan H. Stanley, Onyx/ Amazon, appeared and testified.

The following documents were presented:

1. Plans labeled "Onyx Acquisition, LLC 200 Oritani Drive" dated 03/02/2019 with a revision date of 04/26/2019 signed and sealed by James D. Sens L.S. 2 pages with plans attached labeled "MEP Existing Site Conditions Plan 200 Oritani Drive dated 08/xx/2019 by David J. Mantone, P.E., not signed or sealed 2 pages.
2. Plans labeled "Onyx Acquisition, LLC 100 400 Oritani Drive" dated 03/02/2019 with a revision date of 04/03/2019 and signed and sealed by James D. Sens L.S. on 04/26/2019- 3 pages with plans attached labeled "MEP Existing Site Conditions Plan 400 Oritani Drive dated 08/xx/2019 by David J. Mantone, P.E., not signed or sealed 2 pages.
3. Traffic Impact Study dated December 5, 2019 by Maser Consulting P.A. signed by John F. Collins, Ph.D., P.E.
4. Short Environmental assessment Form Part 1.
5. A cover letter dated December 12, 2019 from Seth M. Mandelbaum, Attorney for Onyx Equities, LLC. (3 pages)
6. Resume of Operations (15 pages).
7. Memorandum dated January 9, 2020 from Eamon Reilly, P.E., Commissioner, Department of Environmental Management and Engineering, Town of Orangetown.

TOWN OF ORANGETOWN
2020 FEB 11 A 10:08
TOWN CLERK'S OFFICE

8. Memorandum dated January 3, 2020 from Michael Weber, Industrial Treatment Coordinator, Department of Environmental Management and Engineering, Town of Orangetown with one page attachment.
9. Memorandum dated December 17, 2019 from Dylan Hofstiss, Junior Public Health Engineer and Zoning Enforcement Officer, Department of Environmental Management and Engineering, Town of Orangetown.
10. A memorandum dated January 7, 2020 from Bruce Peters, Engineer III, Department of Environmental Management and Engineering, Town of Orangetown with a letter dated July 10, 2019 addressed to the Planning board attached.
11. A memorandum dated January 3, 2020 from Michael Bettmann, Chief Fire Safety Inspector, Town of Orangetown.
12. A letter dated January 7, 2020 from the Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
13. A letter dated January 10, 2020 from Seth M. Mandelbaum, Attorney for Onyx Management Group LLC.
14. A letter dated January 9, 2020 from the Rockland County Sewer District No.1 signed by Joseph LaFiandra, Engineer II.
15. A no comment letter dated January 15, 2020 from Rockland County Department of Health signed by Elizabeth Mello, P.E., Senior Public Health Engineer.
16. A no comment letter dated January 3, 2020 from Dyan Rajasingham, Rockland County Highway Department.
17. A letter dated January 17, 2020 from the New York State Department of Transportation signed by Mohammed S. Islam, Assistant Engineer.
18. A letter dated January 22, 2020 from John T. Collins, Ph. D., P.E., Maser Consulting, Executive Principal.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination, based upon the testimony heard by this Board and the facts as presented in the application submissions and in the record, that since the application seeks a Performance Standards Review for a proposed last mile distribution facility for Amazon.com Bulk parcel shipments will be shipped to the facility by truck, sorted, and loaded onto sprinter vans for delivery to their ultimate destination. The application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (25); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Mr. Quinn, aye; Mr. Sullivan, aye; and Ms. Castelli, aye. Mr. Bosco was absent.

TOWN OF ORANGETOWN
2020 FEB 11 A 10:08
TOWN CLERK'S OFFICE

Seth Mandelbaum, Attorney, testified that the use of 200 Oritani and 400 Oritani is not changing; but that the tenancy is changing. The applicant will only be using the parking field at 877 Western Highway. This operation will create 215 new jobs; that there will be five shifts a day and operations will be 7 days a week, 24 hours a day. The traffic study prepared by Maser Consulting was done with the full use of the buildings being taken into consideration; that there will not be fuel storage on site; that the loading docks are inward on the site; that there is a berm with evergreen plantings that will mitigate any impacts of the surrounding properties; that this is an adaptive use of the two buildings, 200 & 400 Oritani; that 877 Western Highway has parking that is associated with 200 Oritani; that there is enough room to park 160 Sprinter Vans on Site; that they will separate the Resume of Operations and Equipment into two applications, one for 200 Oritani and one for 400 Oritani; that they would appreciate approval for the full buildout because that is what the traffic study was done on; that they plan on using all 98, 536 sq. ft. of the 400 Oritani building by mid 2021; that presently they would not be using all of the loading docks at 400 Oritani and they will return for the full build out if the Board deems that to be necessary; that they will provide the Board with a planting plan for the southwest corner of 400 Oritani going two hundred (200') feet to the south and two hundred (200') feet to the west; and they appreciate the Board's consideration.

Jamie Flynn, Real Estate Manager for Amazon, testified that this site will be used for local deliveries; that the operation will use this space as a delivery station for local delivery by Sprinter vans; that this is an evolving operations and Amazon is trying to deliver faster and more efficiently; that the semi-trucks will be delivering to the site overnight hours, usually between 11:00 p.m. to 8:00 a.m.; that they are expecting about five to ten tractor trailers a night, at first; that they are planning on five shifts of delivery from the Sprinter vans and that would start from 7:00 or 7:30 a.m. and returning ten hours later; however that the revised delivery times may start at 10 a.m. and return no later than 8:00 p.m.; that the delivery area is within 45 miles of this delivery station; that Amazon is opening these stations all over the country; that there is enough parking for the Sprinter vans and the employees; that they will be using 7 loading docks and the drive-in door in phase 1 at 400 Oritani and the three drive-in doors will be used at 200 Oritani; that they will use the docks farthest away from the residences first; and that they will return for performance standards review if they must when they are at full operation of 400 Oritani.

John Collins, Principal Maser Consulting, author of the traffic study, testified that the traffic study was done for the warehouse operation at full use of the buildings (200 Oritani and 400 Oritani), and that would be 173,000 sq. ft. for both buildings. The traffic study was estimated for trucks, van and employees and heavy commuter traffic between 7:30 a.m. and 8:30 a.m. and 4:30 to 5:30 P.M.; and the report was for both 200 & 400 Oritani at their maximum use of both facilities; and that the traffic generated should not have a significant impact in the area.

Public Comment:

Dennis Noonan, 5 Sgt, DeMeola Road, Blauvelt, testified that he is not opposed to Amazon using this space; that he thinks it is a good use but he is concerned about the hours of operation and the larger trucks backing into the docks at night; that the reverse alarms on these trucks are loud; that he would ask for the semi-trucks to use the bays further away from the residents first and that he and his neighbors house at the corner of 400 Oritani are not heavily screened and more landscaping in that area may help to alleviate the noise.

TOWN OF GRANGETOWN
2020 FEB 11 A 10:08
TOWN CLERK'S OFFICE

Dan Sullivan, Chairman, stated that the applicant shall not use bays 11 through 15 at 400 Oritani until they return for the second phase of Performance Standards when the entire building will be utilized.

The Board reviewed the Performance Standards and Fire Supplement forms.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

FINDINGS OF FACT AND CONCLUSIONS:

After personal observation of the property, hearing all the testimony and reviewing all of the documents submitted, the Board found and concluded that:

Based upon the information contained in the applicant's Resume of Operations and Equipment, and the Fire Prevention Supplement; the reports dated January 3, 2020 from Michael Weber, Chief Operator and Bruce Peters, Engineer III, memo dated January 7, 2020 Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); memo dated December 17, 2019, from Dylan Hofstiss, Junior Public Health Engineer and Zoning Enforcement Officer, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); the Memorandum dated January 9, 2020 from Eamon Reilly, PE, Commissioner, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); the report dated January 3, 2020 from Michael B. Bettmann, Chief Fire Inspector, Town of Orangetown Bureau of Fire Prevention (B.F.P.); Rockland County Department of Planning dated January 7, 2020 signed by Douglas J. Schuetz, Acting Commissioner of Planning; the report dated January 9, 2020 from the Rockland County Sewer District No.1 signed by Joseph LaFiandra, Engineer II; the report from the New York State Department of Transportation dated January 17, 2020 signed by Mohammed S. Islam, Assistant Engineer; the other documents submitted to the Board, and the testimony of Applicant's representatives, the Board finds and concludes that the application conforms with the Performance Standards set forth in Zoning Code Section 4.1, subject to compliance with the orders, rules and regulations of the Orangetown Office of Building, Zoning & Planning Administration & Enforcement, D.E.M.E., B.F.P., and all other departments having jurisdiction of the premises.

TOWN OF ORANGETOWN
2020 FEB 11 A 10:08
TOWN CLERK'S OFFICE

DECISION: In view of the foregoing and the testimony and documents submitted, the Board: RESOLVED that the Application for Performance Standards Conformance, pursuant to Zoning Code § 4.1, is APPROVED with the following SPECIFIC CONDITIONS that the Applicant: (1) **Submit two revised Resume of Operations (200 Oritani and 400 Oritani) that complies with the comments contained in:** (1) report dated January 3, 2020 from Michael Weber, Chief Operator (2) Bruce Peters, Engineer III, memo dated January 7, 2020 Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.);(3) memo dated December 17, 2019, from Dylan Hofstiss, Junior Public Health Engineer and Zoning Enforcement Officer, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); (4) the Memorandum dated January 9, 2020 from Eamon Reilly, PE, Commissioner, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); (5) the report dated January 3, 2020 from Michael B. Beltmann, Chief Fire Inspector, Town of Orangetown Bureau of Fire Prevention (B.F.P.);(6) Rockland County Department of Planning dated January 7, 2020 signed by Douglas J. Schuetz, Acting Commissioner of Planning; (6) the report dated January 9, 2020 from the Rockland County Sewer District No.1 signed by Joseph LaFiandra, Engineer II;(7) the report from the New York State Department of Transportation dated January 17, 2020 signed by Mohammed S. Islam, Assistant Engineer;(8) the applicant shall submit a planting plan for the southwest corner of 400 Oritani that includes evergreen planting 200' to the south and 200' to the west with a maintenance plan to ensure that the neighbors properties remain shielded from the activity at 400 Oritani as much as possible; **AND FURTHER RESOLVED**, that the applicants shall return for additional PERFORMANCE STANDARDS REVIEW OF OPERATIONS AT 400 ORITANI PRIOR TO EXPANDING TO FULL USE OF THE 400 ORITANI BUILDING; **AND STILL FURTHER RESOLVED** that the applicant shall FIRST UTILIZE THE TEN LOADING DOCKS AT 400 Oritani farthest away from the adjacent residential neighborhood (the southwest corner of 400 Oritani) for incoming deliveries prior to using any other loading docks; that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

- (i) The approval of any variance, Performance Standards Conformance, or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.
- (ii) Any approval of a variance, Performance Standards Conformance, or Special Permit by the Board is limited to the specific variance, Performance Standards Conformance, or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.
- (iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any Performance Standards Conformance, variances, or Special Permit being requested.

TOWN OF ORANGETOWN
2020 FEB 11 A 10:08
TOWN CLERK'S OFFICE

(iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance, Performance Standards Conformance, or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.


(v) Any approved variance, Performance Standards Conformance, or Special Permit will lapse if any contemplated construction of the project or any use for which the variance, Performance Standards Conformance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision, or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

TOWN OF ORANGETOWN
2020 FEB 11 A 10: 08
TOWN CLERK'S OFFICE

The foregoing Resolution, to approve the application for the requested conformance to Performance Standards with the following conditions that the applicant: (1) **Submit two revised Resume of Operations (200 Oritani and 400 Oritani) that complies with the comments contained in:** (1) report dated January 3, 2020 from Michael Weber, Chief Operator (2) Bruce Peters, Engineer III, memo dated January 7, 2020 Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.);(3) memo dated December 17, 2019, from Dylan Hofsis, Junior Public Health Engineer and Zoning Enforcement Officer, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); (4) the Memorandum dated January 9, 2020 from Eamon Reilly, PE, Commissioner, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); (5) the report dated January 3, 2020 from Michael B. Bettmann, Chief Fire Inspector, Town of Orangetown Bureau of Fire Prevention (B.F.P.);(6) Rockland County Department of Planning dated January 7, 2020 signed by Douglas J. Schuetz, Acting Commissioner of Planning; (6) the report dated January 9, 2020 from the Rockland County Sewer District No.1 signed by Joseph LaFiandra, Engineer II;(7) the report from the New York State Department of Transportation dated January 17, 2020 signed by Mohammed S. Islam, Assistant Engineer;(8) the applicant shall submit a planting plan for the southwest corner of 400 Oritani that includes evergreen planting 200' to the south and 200' to the west with a maintenance plan to ensure that the neighbors properties remain shielded from the activity at 400 Oritani as much as possible; **AND FURTHER RESOLVED**, that the applicants shall return for additional PERFORMANCE STANDARDS REVIEW OF OPERATIONS AT 400 ORITANI PRIOR TO EXPANDING TO FULL USE OF THE 400 ORITANI BUILDING; **AND STILL FURTHER RESOLVED** that at the 400 Oritani location, the applicant shall first utilize the ten docks farthest away from the adjacent residential neighborhood (the southwest corner of 400 Oritani) for incoming deliveries prior to using any other loading docks; was presented and moved by Mr. Sullivan, seconded by Mr. Quinn and carried as follows: Mr. Quinn, aye; Mr. Sullivan, aye, and Ms. Castelli, aye. Mr. Bosco was absent.

The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.
DATED: January 22, 2020

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By 
Deborah Arbolino
Administrative Aide

DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OZBPAE
BUILDING INSPECTOR - G.M.

TOWN CLERK
HIGHWAY DEPARTMENT
ASSESSOR
DEPT. of ENVIRONMENTAL
MGMT. and ENGINEERING
FILE ZBA, PB
CHAIRMAN, ZBA, PB, ACABOR

TOWN CLERK'S OFFICE
2020 FEB 11 A 10 08
TOWN OF ORANGETOWN

CONFORMANCE TO TOWN PERFORMANCE STANDARDS ACCEPTED WITH SPECIFIC CONDITIONS

To: Matt Flath (Onyx Amazon)
900 Route 9N Suite 400
Woodbridge, New Jersey 07095

ZBA # 20-09
Date: January 22, 2020
Permit # 49591

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#20-09: Applications of Onyx Management Group LLC: Amazon at Hudson Crossing requesting the Zoning Board of Appeals' review, and determination, of conformance with the Town of Orangetown Zoning Code (Orangetown Code Chapter 43) Section 4.12 Performance Standards review of last-mile distribution facilities, wherein lessee will unload shipments of goods for delivery to local destinations by delivery vans from building 400 Oritani Drive, Blauvelt, New York and are identified on the Orangetown Tax Map as Section 70.06, Block 1, Lot 1.12 in the LO zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, January 22, 2020 at which time the Board made the determination hereinafter set forth.

Seth Mandelbaum, Attorney, Onyx Equities, LLC, Jamie Flynn, Real Estate Manager for Amazon, John Collins, Maser Consulting, Nicole Vasquez, Asset Manager, Matt Flath, Amazon, Leonard Cohen, Esq. Cuddy & Feder, Morgan H. Stanley, Onyx/ Amazon, appeared and testified.

The following documents were presented:

1. Plans labeled "Onyx Acquisition, LLC 200 Oritani Drive" dated 03/02/2019 with a revision date of 04/26/2019 signed and sealed by James D. Sens L.S. 2 pages with plans attached labeled "MEP Existing Site Conditions Plan 200 Oritani Drive dated 08/xx/2019 by David J. Mantone, P.E., not signed or sealed 2 pages.
2. Plans labeled "Onyx Acquisition, LLC 100 400 Oritani Drive" dated 03/02/2019 with a revision date of 04/03/2019 and signed and sealed by James D. Sens L.S. on 04/26/2019- 3 pages with plans attached labeled "MEP Existing Site Conditions Plan 400 Oritani Drive dated 08/xx/2019 by David J. Mantone, P.E., not signed or sealed 2 pages.
3. Traffic Impact Study dated December 5, 2019 by Maser Consulting P.A. signed by John T. Collins, Ph.D., P.E.
4. Short Environmental assessment Form Part 1.
5. A cover letter dated December 12, 2019 from Seth M. Mandelbaum, Attorney for Onyx Equities, LLC. (3 pages)
6. Resume of Operations (15 pages).
7. Memorandum dated January 9, 2020 from Eamon Reilly, P.E., Commissioner, Department of Environmental Management and Engineering, Town of Orangetown.

TOWN OF ORANGETOWN
2020 FEB 11 A 10:03
TOWN CLERKS OFFICE

8. Memorandum dated January 3, 2020 from Michael Weber, Industrial Treatment Coordinator, Department of Environmental Management and Engineering, Town of Orangetown with one page attachment.
9. Memorandum dated December 17, 2019 from Dylan Hofstiss, Junior Public Health Engineer and Zoning Enforcement Officer, Department of Environmental Management and Engineering, Town of Orangetown.
10. A memorandum dated January 7, 2020 from Bruce Peters, Engineer III, Department of Environmental Management and Engineering, Town of Orangetown with a letter dated July 10, 2019 addressed to the Planning board attached.
11. A memorandum dated January 3, 2020 from Michael Bettmann, Chief Fire Safety Inspector, Town of Orangetown.
12. A letter dated January 7, 2020 from the Rockland County Department of Planning signed by Douglas J. Schuetz, Acting Commissioner of Planning.
13. A letter dated January 10, 2020 from Seth M. Mandelbaum, Attorney for Onyx Management Group LLC.
14. A letter dated January 9, 2020 from the Rockland County Sewer District No.1 signed by Joseph LaFiandra, Engineer II.
15. A no comment letter dated January 15, 2020 from Rockland County Department of Health signed by Elizabeth Mello, P.E., Senior Public Health Engineer.
16. A no comment letter dated January 3, 2020 from Dyan Rajasingham, Rockland County Highway Department.
17. A letter dated January 17, 2020 from the New York State Department of Transportation signed by Mohammed S. Islam, Assistant Engineer.
18. A letter dated January 22, 2020 from John T. Collins, Ph. D., P.E., Maser Consulting, Executive Principal.

Mr. Sullivan, Chairman, made a motion to open the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

On advice of Denise Sullivan, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination, based upon the testimony heard by this Board and the facts as presented in the application submissions and in the record, that since the application seeks a Performance Standards Review for a proposed last mile distribution facility for Amazon.com Bulk parcel shipments will be shipped to the facility by truck, sorted, and loaded onto sprinter vans for delivery to their ultimate destination; in a zoned LO lot, the application is a Type II action exempt from the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulations §617.5 (c) (25); which does not require SEQRA environmental review. The motion was seconded by Ms. Castelli and carried as follows: Mr. Quinn, aye; Mr. Sullivan, aye; and Ms. Castelli, aye. Mr. Bosco was absent.

TOWN OF ORANGETOWN
2020 FEB 11 A 10:08
TOWN CLERK'S OFFICE

Seth Mandlebaum, Attorney, testified that the use of 200 Oritani and 400 Oritani is not changing; but that the tenancy is changing. The applicant will only be using the parking field at 877 Western Highway. This operation will create 215 new jobs; that there will be five shifts a day and operations will be 7 days a week, 24 hours a day. The traffic study prepared by Maser Consulting was done with the full use of the buildings being taken into consideration; that there will not be fuel storage on site; that the loading docks are inward on the site; that there is a berm with evergreen plantings that will mitigate any impacts of the surrounding properties; that this is an adaptive use of the two buildings, 200 & 400 Oritani; that 877 Western Highway has parking that is associated with 200 Oritani; that there is enough room to park 160 Sprinter Vans on Site; that they will separate the Resume of Operations and Equipment into two applications, one for 200 Oritani and one for 400 Oritani; that they would appreciate approval for the full buildout because that is what the traffic study was done on; that they plan on using all 98, 536 sq. ft. of the 400 Oritani building by mid 2021; that presently they would not be using all of the loading docks at 400 Oritani and they will return for the full build out if the Board deems that to be necessary; that they will provide the Board with a planting plan for the southwest corner of 400 Oritani going two hundred (200') feet to the south and two hundred (200') feet to the west; and they appreciate the Boards consideration.

Jamie Flynn, Real Estate Manager for Amazon, testified that this site will be used for local deliveries; that the operation will use this space as a delivery station for local delivery by Sprinter vans; that this is an evolving operations and Amazon is trying to deliver faster and more efficiently; that the semi-trucks will be delivering to the site overnight hours, usually between 11:00 p.m. to 8:00 a.m.; that they are expecting about five to ten tractor trailers a night, at first; that they are planning on five shifts of delivery from the Sprinter vans and that would start from 7:00 or 7:30 a.m. and returning ten hours later; however that the revised delivery times may start at 10 a.m. and return no later than 8:00 p.m.; that the delivery area is within 45 miles of this delivery station; that Amazon is opening these stations all over the country; that there is enough parking for the Sprinter vans and the employees; that they will be using 7 loading docks and the drive-in door in phase I at 400 Oritani and the three drive-in doors will be used at 200 Oritani; that they will use the docks farthest away from the residences first; and that they will return for performance standards review if they must when they are at full operation of 400 Oritani.

John Collins, Principal Maser Consulting, author of the traffic study, testified that the traffic study was done for the warehouse operation at full use of the buildings (200 Oritani and 400 Oritani), and that would be 173,000 sq. ft. for both buildings. The traffic study was estimated for trucks, van and employees and heavy commuter traffic between 7:30 a.m. and 8:30 a.m. and 4:30 to 5:30 P.M.; and the report was for both 200 & 400 Oritani at their maximum use of both facilities; and that the traffic generated should not have a significant impact in the area.

Public Comment:

Dennis Noonan, 5 Sgt, DeMeola Road, Blauvelt, testified that he is not opposed to Amazon using this space; that he thinks it is a good use but he is concerned about the hours of operation and the larger trucks backing into the docks at night; that the reverse alarms on these trucks are loud; that he would ask for the semi-trucks to use the bays further away from the residents first and that he and his neighbors house at the corner of 400 Oritani are not heavily screened and more landscaping in that area may help to alleviate the noise.

TOWN OF ORANGETOWN
2020 FEB 11 A 10:07
TOWN CLERK'S OFFICE

Dan Sullivan, Chairman, stated that the applicant shall not use bays 11 through 15 at 400 Oritani until they return for the second phase of Performance Standards when the entire building will be utilized.

The Board reviewed the Performance Standards and Fire Supplement forms.

The Board members made personal inspections of the premises the week before the meeting and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

Mr. Sullivan made a motion to close the Public Hearing which motion was seconded by Ms. Castelli and carried unanimously.

FINDINGS OF FACT AND CONCLUSIONS:

After personal observation of the property, hearing all the testimony and reviewing all of the documents submitted, the Board found and concluded that:

Based upon the information contained in the applicant's Resume of Operations and Equipment, and the Fire Prevention Supplement; the reports dated January 3, 2020 from Michael Weber, Chief Operator and Bruce Peters, Engineer III, memo dated January 7, 2020 Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); memo dated December 17, 2019, from Dylan Hofstiss, Junior Public Health Engineer and Zoning Enforcement Officer, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); the Memorandum dated January 9, 2020 from Eamon Reilly, PE, Commissioner, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); the report dated January 3, 2020 from Michael B. Bettmann, Chief Fire Inspector, Town of Orangetown Bureau of Fire Prevention (B.F.P.); Rockland County Department of Planning dated January 7, 2020 signed by Douglas J. Schuetz, Acting Commissioner of Planning; the report dated January 9, 2020 from the Rockland County Sewer District No. 1 signed by Joseph LaFiandra, Engineer II; the report from the New York State Department of Transportation dated January 17, 2020 signed by Mohammed S. Islam, Assistant Engineer; the other documents submitted to the Board, and the testimony of Applicant's representatives, the Board finds and concludes that the application conforms with the Performance Standards set forth in Zoning Code Section 4.1, subject to compliance with the orders, rules and regulations of the Orangetown Office of Building, Zoning & Planning Administration & Enforcement, D.E.M.E., B.F.P., and all other departments having jurisdiction of the premises.

TOWN OF ORANGETOWN
2020 FEB 11 A 10:07
TOWN CLERK'S OFFICE

DECISION: In view of the foregoing and the testimony and documents submitted, the Board: **RESOLVED** that the Application for Performance Standards Conformance, pursuant to Zoning Code § 4.1, is **APPROVED** with the following **SPECIFIC CONDITIONS** that the Applicant: (1) **Submit two revised Resume of Operations (200 Oritani and 400 Oritani) that complies with the comments contained in:** (1) report dated January 3, 2020 from Michael Weber, Chief Operator (2) Bruce Peters, Engineer III, memo dated January 7, 2020 Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.);(3) memo dated December 17, 2019, from Dylan Hofstiss, Junior Public Health Engineer and Zoning Enforcement Officer, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); (4) the Memorandum dated January 9, 2020 from Eamon Reilly, PE, Commissioner, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); (5) the report dated January 3, 2020 from Michael B. Bettmann, Chief Fire Inspector, Town of Orangetown Bureau of Fire Prevention (B.F.P.);(6) Rockland County Department of Planning dated January 7, 2020 signed by Douglas J. Schuetz, Acting Commissioner of Planning; (6) the report dated January 9, 2020 from the Rockland County Sewer District No.1 signed by Joseph LaFiandra, Engineer II;(7) the report from the New York State Department of Transportation dated January 17, 2020 signed by Mohammed S, Islam, Assistant Engineer;(8) the applicant shall submit a planting plan for the southwest corner of 400 Oritani that includes evergreen planting 200' to the south and 200' to the west with a maintenance plan to ensure that the neighbors properties remain shielded from the activity at 400 Oritani as much as possible; **AND FURTHER RESOLVED**, that the applicants shall return for additional **PERFORMANCE STANDARDS REVIEW OF OPERATIONS AT 400 ORITANI PRIOR TO EXPANDING TO FULL USE OF THE 400 ORITANI BUILDING; AND STILL FURTHER RESOLVED** that at the 400 Oritani location, the applicant shall first utilize the ten loading docks at 400 Oritani farthest away from the adjacent residential neighborhood (the southwest corner of 400 Oritani) for incoming deliveries prior to using any other loading docks; that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

(i) The approval of any variance, Performance Standards Conformance, or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.

(ii) Any approval of a variance, Performance Standards Conformance, or Special Permit by the Board is limited to the specific variance, Performance Standards Conformance, or Special Permit requested but only to the extent such approval is granted herein and subject to those conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.

(iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any Performance Standards Conformance, variances, or Special Permit being requested.

TOWN OF ORANGETOWN
2020 FEB 11 A 10:07
TOWN CLERK'S OFFICE

(iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance, Performance Standards Conformance, or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.

(v) Any approved variance, Performance Standards Conformance, or Special Permit will lapse if any contemplated construction of the project or any use for which the variance, Performance Standards Conformance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision, or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit with respect to construction or a Certificate of Occupancy with respect to use does not constitute "substantial implementation" for the purposes hereof.

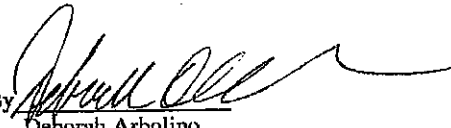
TOWN OF ORANGETOWN
2020 FEB 11 A 10:07
TOWN CLERK'S OFFICE

The foregoing Resolution, to approve the application for the requested conformance to Performance Standards with the following conditions that the applicants : (1) **Submit two revised Resume of Operations (200 Oritani and 400 Oritani) that complies with the comments contained in:** (1) report dated January 3, 2020 from Michael Weber, Chief Operator (2) Bruce Peters, Engineer III, memo dated January 7, 2020 Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.);(3) memo dated December 17, 2019, from Dylan Hofstiss, Junior Public Health Engineer and Zoning Enforcement Officer, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); (4) the Memorandum dated January 9, 2020 from Eamon Reilly, PE, Commissioner, Town of Orangetown Department of Environmental Management and Engineering (D.E.M.E.); (5) the report dated January 3, 2020 from Michael B. Bettmann, Chief Fire Inspector, Town of Orangetown Bureau of Fire Prevention (B.F.P.);(6) Rockland County Department of Planning dated January 7, 2020 signed by Douglas J. Schuetz, Acting Commissioner of Planning; (6) the report dated January 9, 2020 from the Rockland County Sewer District No.1 signed by Joseph LaFiandra, Engineer II;(7) the report from the New York State Department of Transportation dated January 17, 2020 signed by Mohammed S. Islam, Assistant Engineer;(8) the applicant shall submit a planting plan for the southwest corner of 400 Oritani that includes evergreen planting 200' to the south and 200' to the west with a maintenance plan to ensure that the neighbors properties remain shielded from the activity at 400 Oritani as much as possible; **AND FURTHER RESOLVED**, that the applicants shall return for additional PERFORMANCE STANDARDS REVIEW OF OPERATIONS AT 400 ORITANI BUILDING; PRIOR TO EXPANDING TO FULL USE OF THE 400 ORITANI BUILDING; **AND STILL FURTHER RESOLVED** that at the 400 Oritani location, the applicant shall first utilize the ten loading docks farthest away from the adjacent residential neighborhood (the southwest corner of 400 Oritani) for incoming deliveries prior to using any other loading docks; was presented and moved by Mr. Sullivan, seconded by Mr. Quinn and carried as follows: Mr. Quinn, aye; Mr. Sullivan, aye, and Ms. Castelli, aye. Mr. Bosco was absent.

The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.

DATED: January 22, 2020

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By 
Deborah Arbolino
Administrative Aide

DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR- G.M.

TOWN CLERK
HIGHWAY DEPARTMENT
ASSESSOR
DEPT. of ENVIRONMENTAL
MGMT. and ENGINEERING
PH, EZBA, PB
CHAIRMAN, ZBA, PB, ACABOR

TOWN CLERK'S OFFICE

2020 FEB 11 A 10:07

TOWN OF ORANGETOWN