

**Town of Orangetown Planning Board
Planning Board Meeting: Wednesday,**

May 13, 2020

Location: 26 Orangeburg Road, Town Hall, Court Room I,
26 West Orangeburg 26 , New York

Time: 7:30 p.m.

Project Name:

- Bethany Mar Thoma Church Site Plan

Location of Parcel:

Located at 90 Old Orangeburg Road, Orangeburg, Town of Orangetown,
Rockland County, New York. Orangetown Tax Map as Section 74.09, Block 1,
Lot 64 in the R-80 district.

Distribution:

Rockland County;

Planning Department

Highway Department

Park Commission

Environmental Resources

Drainage Agency

Health Department

Sewer District No. 1

Town of Orangetown:

Drainage Consultant

OBZPA

DEME

Highway

DTA

Fire Prevention

Traffic Advisory Board

Other:

New York State Department of Environmental

New York State Dormitory Authority

New York State Hospital

Orange and Rockland Utilities

United Water

Project Description: Final Site Plan Review

Please forward your completed review to this office the meeting date. **If your comments are not received by this date, the Board assumes your agency does not have any comments.** Contact: Cheryl Coopersmith, Chief Clerk Boards and Commissions; ccoopersmith@orangetown.com

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

Date: March 26, 2020

Planning Board Meeting of May 13,, 2020, Town of Orangetown

Project Name:

- Bethany Mar Thoma Church Site Plan

Location of Parcel:

Located at 90 Old Orangeburg Road, Orangeburg, Town of Orangetown, Rockland County, New York. Orangetown Tax Map as Section 74.09, Block 1, Lot 64 in the R-80 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: _____

Agency Name

By: _____

Please Print Name

PERMIT EXPIRES TWO (2) YEARS FROM DATE OF ISSUANCE. TWO SIX (6) MONTH EXTENSIONS MAY BE GRANTED PRIOR TO EXPIRATION DATE.

APPLICATION FOR BUILDING/DEMOLITION PERMIT

Phone: (845) 359-8410 Office Hours: 8 to 4
Fax: (845) 359-8526

Name of Municipality: _____

Town of Orangetown

Date Application Received: 6/27/18

Inspector: <u>G</u>	OFFICIAL USE ONLY		<u>U2</u>
Zoning District: <u>R-80</u>	<u>GML</u>	Acreage: <u>11</u>	
Permit Information: <u>47839</u>			
Permit No.: _____	Date: _____		
C.O. No.: _____	Date: _____		
Check Amount: <u>\$12732</u>	Check Date: <u>6/24/18</u>	Receipt #: _____	
Check #: <u>1085</u>	From: <u>Bethany marthoma</u>		
S.M.F. Ck. No.: <u>1087 \$30</u>	Receipt #: _____		
1st 6Mo Extension/Date: _____	Ck. # _____	Amt. _____	Receipt #: _____
2nd 6Mo Extension/Date: _____	Ck. # _____	Amt. _____	Receipt #: _____
GIS Fee: From <u>Bethany marthoma</u>	# <u>1086</u>	Amt. <u>\$190</u>	Receipt #: _____ Date: _____

Rockland County Home Improvement - please submit a copy of license
Workmen's Compensation and Disability Carrier - please submit a copy of the policy
Note: See inside for instructions for completing this application

Property Location: 90 OLD ORANKEBURG RD, ORANKEBURG
Section: 74.09 Block 1 Lot 64

Property Owner: BETHANY MARTHOMA CHURCH Phone # Home: _____
Address: 90 OLD ORANKEBURG RD, ORANKEBURG Work: _____

Lessee _____ Phone # _____
Address _____

Contact Person: JOHN ATZEL (info@anzny.com) Phone # 624-4684
Architect/Engineer: EVAN NASHER NYS Lic # 8900000 Phone # 624-4684
Address: 234 N. MAIN ST, NEW CITY, NY 10950

Builder/General Contractor: _____ RC Lic # _____
Address _____ Phone # _____

Plumber: _____ RC Lic # _____
Address _____ Phone # _____

Heat/Cooling: _____ RC Lic # _____
Address _____ Phone # _____

Electrician: _____ RC Lic # _____
Address _____ Phone # _____

Existing use of structure or land: HOUSE OF WORSHIP & PASTOR'S RESIDENCE

Proposed Project Description: EXPANSION OF THE CHURCH BUILDING FROM 3950 SF TO 6785 SF WITH PARKING

Proposed Square Footage: 2835 SF Estimated Construction Value (\$): 709,000

Board Decisions: NONE

PLANS REVIEWED: OK 6/16/18

PERMIT REFERRED/DENIED FOR: _____

-> Chapter 24(1)(v) requires Planning Board approval.
-> Chapter 43, built Table 3.12, Col 1, R-80 District, Col 2, Group B, Col 4 Max FAR 10% w/ 25% prep, Col 5 Minimum lot area 5 acres w/ 1.0360 perm, Col 8 Required front yard 50' w/ 10' prep, Col 9 Required Side Yard 30' w/ 4' prep; Col 10 Min Total Setback 100' w/ 7.5' prep. 5' Variance required.

OK Deputy 7.13.18

FOR OFFICE USE ONLY SECTION: _____ BLOCK: _____ LOT: _____ NAME: _____



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

September 17, 2018

Mr. JOHN ATZL
ATZL, NASHER & ZIGLER, PC
234 NORTH MAIN ST.
NEW CITY, NY 10956

Re: DEC
BETHANY MAR THOMA CHURCH: EXPANSION OF AN EXISTING CHURCH
FACILITY AND RECONFIGURATION OF PARKING FACILITIES
90 OLD ORANGEBURG ROAD, ORANGEBURG, NY 10962
18PR05798
DA94L4H991S9

Dear Mr. ATZL:

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 New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

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

Sincerely,

Michael F. Lynch, P.E., AIA
Director, Division for Historic Preservation

**Town of Orangetown – Architecture and Community Appearance Board of
Review Decision**

March 7, 2019
Page 2 of 3

D. A copy of the Building Permit Referral dated June 27, 2018, prepared by Building Inspector Rick Oliver.

E. Copies of PB #18-31 dated September 12, 2018, Preliminary Site Plan Approval Subject to Conditions and ZBA #18-79, Variances approved for Floor Area Ratio, Lot Area, Front Yard, Side Yard, Total Side Yard and Building Height, dated November 7, 2018.

F. Project Narrative and Material Specification Sheet, prepared by Atzl, Nasher & Zigler.

FINDINGS OF FACT:

1. The Board found that the applicant wanted to renovate and expand the existing structure. The structure would have four sides of stucco in sand color; the roof would be GAF Timberline Ultra HD in Hickory color, or equal. The trim and windows would be white and the walkway and steps would be flagstone. Stone material, manufactured by El Dorado, or equal, would be placed around the foundation and front façade, as noted in the submitted color renderings.
2. The Board found that the proposed lighting would be in accordance with Town Code, and consisted of wall sconce with LED bulbs on the structure, and on light poles in the parking area.
3. The Board found that the air conditioning units would be placed on the west side of the building on the grass area. The Board requested that the units be screened with deer resistant evergreen plantings.
4. The Board found that the proposed monument sign would be lit with spot lights from the ground, as noted on the submitted plan. The sign would match the stucco and stone colors of the building.
5. The Board found that landscaping would be planted near the sign, but not immediately in front of the sign. The Board recommended using low growing shrubs in the sign area, suggesting the planting of junipers.
6. The Board found that the sign may be more visible if it was reoriented toward the roadway.

The hearing was then opened to the Public.

There being no one to be heard from the public, the Public Hearing portion of the meeting was closed.

TOWN CLERK'S OFFICE
MAR 14 11:34
TOWN OF ORANGETOWN

ACABOR #19-10: Bethany Mar Thoma Church Plans Permit #47839
Approved Subject to Conditions
Site and Structure plans

Town of Orangetown – Architecture and Community Appearance Board of Review Decision

March 7, 2019
Page 3 of 3

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

1. The proposed structure will have four sides of stucco in sand color; the roof would be GAF Timberline Ultra HD in Hickory color, or equal. The trim and windows will be white and the walkway and steps will be flagstone. Stone material, manufactured by El Dorado, or equal, will be placed around the foundation and front façade, as noted in the submitted color renderings.
2. The air conditioning units will be placed on the west side of the building on the grass area. The units will be screened with deer resistant evergreen plantings.
3. The proposed monument sign will be lit with spot lights from the ground, as noted on the submitted plan. The sign will match the stucco and stone colors of the building.
4. Landscaping will be planted near the sign, but not immediately in front of the sign. The applicant shall plant low growing shrubs in the sign area, suggesting the planting of junipers.
5. The Board Recommended reorienting the sign toward the roadway, making it more visible.
6. Trees to be saved shall be protected with snow fencing to the drip line during construction.
7. No grading is to take place within five feet of any property line, except as specified on the approved site plan.

The foregoing resolution was presented and moved by Andrew Andrews and seconded by John McCullough and carried as follows: Andrew Andrews, Chairman, aye; Shirley Goebel Christie, absent; Deborah Stuhlweissenburg, aye; Christopher Dunnigan, aye; John McCullough; aye; Katie Beckmann, aye and Brian Aitcheson, aye.

The Clerk to the Board is hereby authorized, directed and empowered to sign this **Decision** and file a certified copy in the Office of the Town Clerk and the Office of the Architecture and Community Appearance Board of Review.

Dated: March 7, 2019
Cheryl Coopersmith
Chief Clerk Boards and Commissions



TOWN CLERK'S OFFICE
2019 MAR 14 P 1:34
TOWN OF ORANGETOWN

DECISION

FLOOR AREA RATIO, LOT AREA, FRONT YARD, SIDE YARD, TOTAL SIDE YARD AND BUILDING HEIGHT VARIANCES APPROVED

To: John Atzl (Bethany Mar Thoma Church)
Atzl, Nasher & Zigler PC
234 North Main Street
New City, New York 10956

ZBA #18-79
Date: November 7, 2018
Permit # 47839

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

ZBA#18-79: Application of Bethany Mar Thoma Church for variances from Zoning Code (Chapter 43) of the Town of Orangetown Code, Chapter 43, Section 3.12, R-80 District, Group B, Columns 4 (Floor Area Ratio: 10 permitted, .22 proposed), 5 (Lot Area: None required, 1.036 acres provided), 8 (Front Yard: 50' required, 12' proposed) 9 (Side Yard: 30' required, 4' proposed for church and 3.8' for pastors residence), 10 (Total Side Yard: 100' required, 7.8' proposed) and 12 (Building Height: 12' permitted, 23' proposed) for an addition to an existing church. The Church is located at 90 Old Orangeburg Road, Orangeburg, New York and is identified on the Orangetown Tax Map as Section 74.09, Block 1, Lot 64; in the R-80 zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at a meeting held on Wednesday, November 7, 2018 at which time the Board made the determination hereinafter set forth.

John Atzl, Land Surveyor, and Frank Phillips, Attorney, appeared and testified.

The following documents were presented:

1. Site Development Plan for "Bethany Mar Thoma Church dated June 16, 2018 with the latest revision date of 9/14/2018 signed and sealed by John R. Atzl, PLS, and Ryan A. Nasher, P.E. (4 pages).
2. Architectural plans dated July 18, 2017 with the latest revision dated of August 10, 2017 labeled "Proposed Addition/ Alteration for Bethany Mar Thoma Church" Issue for Review Only- Not for Construction by John Perkins, Architect, not signed or sealed.
3. A cover letter dated June 25, 2018 from Atzl, Nasher & Zigler, P.C.
4. A letter dated August 21, 2018 from the New York State Department of Environmental Conservation signed by Victoria Lawrence, Division of Environmental Permits Region 3.
5. A letter dated September 17, 2018 from New York State Parks, Recreation and Historic Preservation signed by Michael F. Lynch, P.E., AIA, Director, Division for Historic Preservation.

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

On advice of Dennis Michaels, Deputy Town Attorney, counsel to the Zoning Board of Appeals, Mr. Sullivan moved for a Board determination that since the Planning Board noticed its intent to declare itself Lead Agency and distributed that notice of intention to all Involved Agencies, including the ZBA who consented or did not object to the Planning Board acting as Lead Agency for these applications, pursuant to coordinated review under the State Environmental Quality Review Act Regulations § 617.6 (b)(3); and since the Planning conducted

TOWN OF ORANGETOWN
NOV 15 A 0:13
TOWN CLERK'S OFFICE

SEQRA reviews and, on September 12, 2018 rendered environmental determinations of no significant adverse environmental impacts to result from the proposed land use actions (i.e. a "Negative Declarations" of "Neg Dec."), the ZBA is bound by the Planning Board's Neg Dec and the ZBA cannot require further SEQRA review pursuant to SEQRA Regulations § 617.6 (b)(3). The motion was seconded by Ms. Castelli and carried as follows: Ms. Salomon, aye; Mr. Sullivan, aye; Mr. Quinn, aye; Mr. Feroldi, aye; and Ms. Castelli, aye. Mr. Bosco was absent.

Frank Phillips, Attorney, testified that the project received preliminary approval and a neg dec on September 12, 2018; that they are proposing to renovate and expand the church, which used to be a Mexican restaurant; that they are not changing the existing Pastor's residence; that the property is surrounded by the State Armory on the east, Rockland State Hospital property on the north, and St. Joseph's home on the west; that the proposed addition to the church will not cause an undesirable change in the character of the neighborhood; that it will not have adverse physical or environmental effect; that the benefit cannot be achieved any other way because of the location of the building.

John Atzl testified that most of the requested variances are for pre-existing conditions; that the existing side yard on the west side of the building is 4.8' and the addition will improve the condition to 4'; that the 3.8' on the east side of the pastor's residence will remain; that no work is being done on the residence; that the total side yard will be 7.8' for both structures and the church height will increase because the congregation would like the building to look like a church; that they are decreasing the amount of impervious surface from 32,400 sq. ft. to 25,400 sq. ft. because they are removing some of the parking lot and adding planted areas; and that the site will be improved aesthetically when the work is complete.

Public Comment:

No public comment

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. Salomon and carried unanimously.

FINDINGS OF FACT AND CONCLUSIONS:

After personal observation of the property, hearing all the testimony and reviewing all the documents submitted, the Board found and concluded that the benefits to the applicant if the variance(s) are granted outweigh the detriment (if any) to the health, safety and welfare of the neighborhood or community by such grant, for the following reasons:

TOWN CLERK'S OFFICE
18 NOV 15 A 10 13
TOWN OF GRANGETON

1. The requested floor area ratio, lot area, front yard, side yard, total side yard and building height variances will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The majority of the requested variances are for existing conditions; the floor area ratio request is not substantial for a church and the requested height of 23' for a church is reasonable for the religious use. The property is surrounded by the State Armory, Rockland State Hospital and St. Josephs.
2. The requested floor area ratio, lot area, front yard, side yard, total side yard and building height variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The majority of the requested variances are for existing conditions; the floor area ratio request is not substantial for a church and the requested height of 23' for a church is reasonable for the religious use. The property is surrounded by the State Armory, Rockland State Hospital and St. Josephs.
3. The benefits sought by the applicant cannot be achieved by other means feasible for the applicant to pursue other than by obtaining variances.
4. The requested floor area ratio, lot area, front yard, side yard, total side yard and building height variances, although somewhat substantial, afford benefits to the applicant that are not outweighed by the detriment, if any, to the health, safety and welfare of the surrounding neighborhood or nearby community. The majority of the requested variances are for existing conditions; the floor area ratio request is not substantial for a church and the requested height of 23' for a church is reasonable for the religious use. The property is surrounded by the State Armory, Rockland State Hospital and St. Josephs.
5. The applicant purchased the property subject to Orangetown's Zoning Code (Chapter 43) and is proposing a new addition and/or improvements, so the alleged difficulty was self-created, which consideration was relevant to the decision of the Board of Appeals, but did not, by itself, preclude the granting of the area variances.

DECISION: In view of the foregoing and the testimony and documents presented, the Board RESOLVED that the application for the requested floor area ratio, lot area, front yard, side yard, total side yard and building height variances are APPROVED; and FURTHER RESOLVED, 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 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 or Special Permit by the Board is limited to the specific variance 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.

TOWN OF ORANGETOWN
ZONING DEPARTMENT
218 N. V. ST.
ORANGETOWN, FL 32973

(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 variances being requested.

(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 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 foregoing variance or Special Permit will lapse if any contemplated construction of the project or any use for which the variance 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.

The foregoing resolution to approve the application for the requested floor area ratio, lot area, front yard, side yard, total side yard and building height variances are APPROVED; was presented and moved by Mr. Sullivan, seconded by Ms. Salomon and carried as follows: Mr. Feroldi, aye; Mr. Quinn, aye; Mr. Sullivan, aye; and Ms. Salomon, aye. Ms. Castelli and Mr. Bosco were absent for this hearing.

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: November 7, 2018

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
OBZFAE
BUILDING INSPECTOR-G.M.

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

TOWN OF ORANGETOWN
CLERK'S OFFICE
NOV 14 2018

PB #18-31: Bethany Mar Thoma Church Plan Site Plan Permit #47839
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.

Town of Orangetown Planning Board Decision
September 12, 2018
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TO: John Atzl, Atzl, Nasher & Zigler, PC, 234 North Main Street,
New City, New York 10956
FROM: Orangetown Planning Board

RE: Bethany Mar Thoma Church Site Plan: The application of Rev. Saju John for Bethany Mar Thoma Church, owner, for Prepreliminary/ Preliminary Site Plan Review at a site known as "**Bethany Mar Thoma Church Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 90 Old Orangeburg Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.09, Block 1, Lot 64 in the R-80 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 12, 2018**, the Board made the following determinations:

John Atzl and Frank Phillips appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 5, 2018.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, RA, AIA, Director, dated September 7, 2018.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 5, 2018.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated September 11, 2018.
5. A letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated August 20, 2018.
6. Letters from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer II dated, July 25, 2018 and Joseph Aréna, dated July 30, 2018.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated September 7, 2018.
8. Letters from Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer, dated August 24, 2018.
9. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated September 5, 2018.

TOWN CLERK'S OFFICE

SEP 27 2 40

TOWN OF ORANGETOWN

**PB #18-31: Bethany Mar Thoma Church Plan Site Plan Permit #47839
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

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10. A letter from the New York State Department of Environmental Conservation, Division of Environmental Permits, Region 3, signed by Victoria Lawrence, dated August 21, 2018.
11. An email from John Atzl forwarding an email from the New York State Parks CRIS Application, Subject SHPO Initial Consultation Submission Received, dated September 6, 2018.
12. A letter from the Town of Orangetown Zoning Board of Appeals signed by Dan Sullivan, Chair, dated September 5, 2018.
13. A Short Environmental Assessment Form signed by John Atzl, dated June 21, 2018.
14. A Project Narrative prepared by Atzl, Nasher & Zigler, dated June 25, 2018.
15. A copy of the Building Permit Referral provided by Building Inspector Rick Oliver, dated June 27, 2017.
16. Plans entitled Bethany Mar Thoma Church Site Plans, prepared by Atzl, Nasher & Zigler P.C., dated June 16, 2018, revised as noted:
 - Drawing No. 1: Site Development Plan, revised July 18, 2018
 - Drawing No. 2: Existing Site
 - Drawing No. 3: Grading Plan
 - Drawing No. 4: Erosion & Sediment Control (E & SC) Plan

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

There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Kevin Garvey and second by Thomas Warren, Chairman and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye; Blythe Yost, aye, and Bruce Bond, absent.

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

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

TOWN CLERK'S OFFICE
2:40 P SEP 27 2018
TOWN OF ORANGETOWN

**PB #18-31: Bethany Mar Thoma Church Plan Site Plan Permit #47839
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

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After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Atzl, Nasher and Zigler and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Rockland County Department of Health, Rockland County Department of Highways, Town of Orangetown Zoning Board of Appeals, and having reviewed proposed Site Plans by prepared by Atzl, Nasher & Zigler PC a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

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

TOWN OF ORANGETOWN
2018 SEP 27 P 2:40
TOWN CLERK'S OFFICE

**Town of Orangetown Planning Board Decision
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On motion by Kevin Garvey and seconded by Stephen Sweeney and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye and Blythe Yost, aye, and Bruce Bond, absent, the Board made a Negative Declaration pursuant to SEQRA.

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. Application shall be made to the Town of Orangetown Zoning Board of Appeals for the proposed Floor Area Ratio (FAR), Front Yard Setback, Side Yard Setback, Total Side Yard Setback and Maximum building height per the Bulk Table.
5. The proposed parking in the front yard shall be carefully considered in relationship to the close proximity to the designated street line and the existing and proposed curb cut.
6. The applicant's engineer shall provide calculations demonstrating the total area of disturbance for the site. Those calculations shall include existing and proposed pervious and impervious area break down.

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7. The applicant's engineer shall provide drainage calculations for the proposed drainage piping systems and outlet protection system (rip rap slope blanket.)
 8. A blowup of the slope blanket at the exhaust of the proposed piping system, into the existing stream bed shall be provided showing existing elevations of stream (bed and banks) outlet pipe elevation from exhaust piping entering from lands of New York State, dimensions of blanket, etc.
 9. The location of the existing sanitary building connections for the church and the pastor's residence shall be given on the plans.
 10. Soil erosion protection measures shall be added along the entire eastern property line as well as the area around the proposed flared end section/ slope blanket.
 11. The Soil erosion and sediment control symbols shall conform to NYSDEC standards. Also, the SESC plans shall include the proposed SESC measures in the Legend.
 12. The applicant shall contact the neighboring property to the West (Joseph's Home, Inc., 74.09/1/65.2) to inquire as to whether the existing macadam driveway, that services Joseph's Home at the south west corner of the property, can be removed. DEME feels it is concerned about having an active driveway that close to the proposed building structure. It shall be noted that the driveway as constructed does not lie within the filed easement.
 13. The New York State Department of Environmental Conservation's number for this stream, as well as its classification, shall be shown on the plans, if applicable.
 14. A profile for the proposed drainage system shall be added to the drawings.
 15. Note #6 references the contour datum as being a sewer manhole in grass area behind the firehouse, what firehouse; it appears this note is in error. This shall be corrected and the benchmark elevation shall be added to the note.
- 16. Drainage Review Recommendation**
The applicant is proposing to reduce impervious areas and is maintaining existing drainage patterns. Sufficient detail have been provided to demonstrate that potential significant impacts with respect to drainage can be mitigated and therefore the Planning Board Drainage Consultant, Brooker Engineering, recommends that the Bethany Mar Thoma Church Site Plan be approved for drainage subject to the following Project Comments.

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Continuation of Condition #16....

Project Description

This is the first drainage review report for this project. The site contains a one story frame church along Old Orangeburg Road and a pastor's residence in the rear of the property. There is a parking lot encompassing the majority of the site and additional parking that encroaches onto the neighboring property to the east by about 45 feet. There are no drainage features in the parking lot and stormwater sheet flows in an easterly direction to an existing off-site stream. The project involves the removal of asphalt and will have a net reduction in impervious areas. Existing drainage patterns are being maintained.

Project Comments

1. Show grading along the gutterline of Old Orangeburg Road that eliminates the puddling along the gutterline.
2. Evaluate if stormwater runoff from Old Orangeburg Road will enter the new driveway.
3. Indicate if the building is a slab on grade or has a basement or crawlspace.
4. Quantify the on-site existing and proposed impervious area and verify that there is a reduction in impervious area on site.
5. The entire revised parking lot is proposed to be served by three catch basins; the parking lot is also curbed which does not allow any sheet flow runoff from the area. Two of the proposed catch basins are in a valley in the middle of the parking lot. The Drainage Consultant recommends adding additional catch basins and creating a crown in the middle of the parking lot as opposed to the valley.
6. Perform a hydrologic and hydraulic analysis of the stream adjacent to the site to determine if the new building will be subject to the 100-year floodplain.
7. It appears the stream is flowing to the north. The flared end section shall be realigned to discharge consistent with the direction of flow. The proposed invert of the flared end section is below the base flow elevation of the stream and shall be elevated. Show proposed grading for the excavation required for the construction of the flared end section.
8. Show grading improvements along the west side of the building to demonstrate stormwater runoff will be directed away from the building.
9. DEME shall determine if a SWPPP is required based on land disturbance.

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

- A review shall be done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- A review must be completed by the Rockland Psychiatric Center, and any comments or concerns addressed.
- Prior to any grading or construction on the site, a soil and erosion control plan shall be developed that meets the New York State Guidelines for Urban Erosion and Sediment Control.
- There shall be no net increase in stormwater runoff from the site.
- A landscaping plan that meets all Town requirements shall be provided.
- 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.
- 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 piles and salt intrusion. In addition, providing specific locations on the site for the snow piles will reduce the use of parking spaces meant for the congregants.
- The site plan map lists "Orangeburg Road County Highway Rte 22" as the road that this parcel fronts. This is incorrect, and must be renamed to "Old Orangeburg Road."
- Since this is not a County highway, the gratuitous dedication of the 4.375 feet strip of land shall instead be dedicated to the Town of Orangetown.
- The Rockland County Department of Planning requests the opportunity to review any variances that may be requested from the Town of Orangetown Zoning Board of Appeals in order to implement the revised Site Plan, as required by New York State General Municipal Law, Section 239-m, (a) (v).

18. The Rockland County Highway Department reviewed the plan and offered the following comments:

- The Rockland County Highway Department has reviewed the information provided and determined that the proposed action would have a de-minimis impact upon the Rockland County Highway system. Therefore, the department poses no objection to the local determination unless major changes are proposed to the development in the future.

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19. The Rockland County Department of Health (RCDOH) reviewed the plan and found that application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.

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

21. Town of Orangetown Bureau of Fire Prevention had the following comments which are incorporated herein as conditions of approval:

- Install an NFPA 13 compliant Fire Sprinkler, maintained according to NFPA 25. Using a 4" Storz connection on the FDC. Drawings shall be submitted to the Bureau of Fire Prevention prior to work beginning.
- Install an NFPA 72 compliant Fire Alarm, connected to Rockland County 44-control, with Red and Amber strobes, as per Town of Orangetown code. With Carbon Monoxide Detectors, as required. Drawings, cut sheets, electric calculations shall be submitted to the Bureau of Fire Prevention for approval prior to work beginning.
- Install Portable Fire Extinguishers as per NFPA 10.
- Install Emergency lighting as per NEC.

22. Based upon the circulated documents, the New York State Department of Environmental Conservation (NYSDEC) offered the following information:

- **Protection of Waters:** There are no waterbodies that appear on its regulatory maps at the location identified. If a permit is not required, please note, however the applicant is 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 is not within a New York State protected Freshwater Wetland.
- **State – Listed Species:** 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.

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Continuation of Condition #22...

- **SPDES Stormwater (Construction):** The submitted documents indicate that approximately 0.6 acre (of the 1.0 acre site) is to be disturbed in order to develop the parcel. Compliance with the current SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-15-002) is required for projects that disturb one or more acres of land. If the project is revised so that one or more acres of land are proposed to be disturbed, the applicant must prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the current SPDES General Permit noted above. As the Town of Orangetown is an MS4 area, the Town would have responsibility for review of the SWPPP. The MS4 Acceptance Form must be submitted to NYSDEC.
- **Cultural Resources:** DEC has reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. Visit NYS Office of Historic Preservation website at nysparks.com/shop/online-tools.
- Other permits from DEC 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 therefore, the applicant should verify the need for permits if the project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified.

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

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

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

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

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

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from trunk per inch DBH.
 - Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

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Continuation of Condition #27...

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

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

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

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

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

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

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

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

The foregoing Resolution was made and moved by Kevin Garvey and seconded by William Young and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, aye; Michael Mandel, nay; Robert Dell, abstain; Stephen Sweeney, aye; Blythe Yost, aye, and Bruce Bond, absent.

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

Dated: September 12, 2018
Cheryl Coopersmith
Chief Clerk Boards and Commissions
attachment



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

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

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

NAME OF ACTION: Bethany Mar Thoma Church Plan Site Plan
SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 90 Old Orangeburg Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.09, Block 1, Lot 64 in the R-80 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

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