

**Town of Orangetown Planning Board
Meeting of Monday, June 15, 2020**

Members Present: Thomas Warren, Chairman

William Young, Vice-Chairman
Stephen Sweeney
Michael McCrory
Michael Mandel
Andrew Andrews
Robert Dell
Bruce Bond

Members Absent: None

Also Present: Jane Slavin, Director, Department of Building, Zoning, Planning Administration and Enforcement; Rick Pakola, Deputy Town Attorney and Cheryl Coopersmith, Chief Clerk Boards and Commissions

Thomas Warren, Chairman called the meeting to order at 7:00 p.m.
Mr. Warren read the agenda. Hearings as listed on this meeting's agenda, which are made a part of these minutes, were held as noted below:

New Items:

Bethany Mar Thoma Church Plan PB #20-28
Final Site Plan Review Final Site Plan Approval
90 Old Orangeburg Road, Orangeburg Subject to Conditions
74.09/1/64; R-80 zoning district

Karalay Site Plan PB #20-29
Critical Environmental Area Final Site Plan Approval
Final Site Plan Review Subject to Conditions
1071 Route 9W, Nyack
71.09/1/10; R-22 zoning district

Continued Item from January 15, 2020 PB #20-03

Chefman Site Plan Preliminary Site Plan
Prepreliminary/Preliminary Site Plan Approval Subject to
and SEQRA Review Conditions/ Neg. Dec.
29 Corporate Drive, Orangeburg
73.19/1/8; LIO zoning district

Continued Items from June 1, 2020 PB#20-22

SQ Properties Site Plan Preliminary Site Plan
Prepreliminary/Preliminary Site Plan Approval Subject to
and SEQRA Review Conditions/ Neg. Dec.
8 Olympic Drive, Orangeburg
73.15/1/16; LIO zoning district

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Meeting of Monday, June 15, 2020

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| 119 Tweed Boulevard Site Plan | PB#20-21 |
| Critical Environmental Area | Postponed to |
| Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review | July 8 th Board Meeting |
| 119 Tweed Boulevard, Upper Grandview 71.177/1/19; R-22 zoning district | |

Continued Item from May 27, 2020 Planning Board Meeting

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| Onyx Management/ Amazon Delivery Center Plans | PB#20-19 |
| Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review | Continued to |
| 200 & 400 Oritani Drive & 877 Western Highway, Blauvelt 65.18/1/1 & 22 and 70.06/1/1.12; LO zoning district | July 8 th Board Meeting |

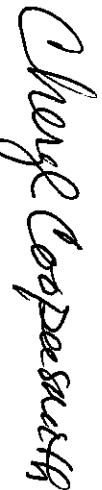
The decisions of the May 27, 2020 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by William Young and seconded by Michael Mandel and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Andrew Andrews, aye; Michael Mandel, aye; Robert Dell, aye; Michael McCrory, aye; Stephen Sweeney, aye, and Bruce Bond, abstain.

The decisions of the June 1, 2020 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by William Young and seconded by Michael Mandel and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Andrew Andrews, aye; Michael Mandel, aye; Robert Dell, aye; Michael McCrory, aye; Stephen Sweeney, abstain, and Bruce Bond, aye.

The decisions of the June 10, 2020 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Michael Mandel and seconded by William Young and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Andrew Andrews, aye; Michael Mandel, aye; Robert Dell, aye; Michael McCrory, aye; Stephen Sweeney, abstain, and Bruce Bond, aye.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Stephen Sweeney and seconded by Michael Mandel and agreed to by all in attendance. The meeting was adjourned at 10:30 p.m. The next Planning Board meeting is scheduled for June 24, 2020.

DATED: JUNE 15, 2020



Cheryl Coopersmith
Chief Clerk Boards and Commissions
Town of Orangetown Planning Board

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M0130NVR0 JO M01

Town of Orangetown Planning Board Decision
June 15, 2020
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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. Sajju John for Bethany Mar Thoma Church, owner, for Final 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 Virtual Meeting held **Monday, June 15, 2020** the Board made the following determinations:

John Atzl and Frank Phillips appeared and testified.
The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, RA, AIA, Director, dated June 12, 2020.
2. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P. E., dated April 28, 2020.
3. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P. E., dated June 12, 2020.
4. A letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated April 22, 2020.
5. A notice from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer II dated, May 7, 2020.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated September 7, 2018.
7. A copy of a letter to John Atzl, Atzl, Nasher & Zigler, PC, from the New York State Division of Historic Preservation, signed by Michael Lynch, PE, AIA, dated September 18, 2018.
8. A notice from Suez signed by Bill Prehoda, dated April 20, 2020.
9. A notice from the New York State Division of Military and Naval Affairs, signed by Gary Yapple, dated May 19, 2020.

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PB #20-28: Bethany Mar Thoma Church Plan Site Plan Permit #47839
Final Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision
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10. A letter from Atzl, Nasher & Zigler, PC, dated January 14, 2020.
11. A letter from David Howe, PC, dated February 8, 2020, with an attachment of a Mutual Easement and Joint Sewer Line Maintenance Agreement involving Joseph's Home, Inc. and Bethany Mar Thoma Church.
12. Project narrative prepared by Atzl, Nasher & Zigler, PC, dated March 12, 2020.
13. A copy of the Building Permit Referral provided by Building Inspector Rick Oliver, dated June 27, 2017.
14. Plans entitled Bethany Mar Thoma Church Site Plans, prepared by Atzl, Nasher & Zigler P.C., dated June 16, 2018, last revised January 14, 2020:
 - 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
 - Drawing No. 5: Landscape & Lighting Plan
15. Copies of the following Board Decisions: ACABOR #19-10, Approved Subject to Conditions, dated March 7, 2019; ZBA#18-79, Floor Area Ratio, Lot Area, Front Yard, Side Yard, Total Side Yard and Building height Variances Approved, dated November 7, 2018 and PB#18-31, Preliminary Site Plan Approval subject to Condition, dated September 12, 2018.

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 Andrew Andres and second by William Young, Vice-Chairman and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Andrew Andrews, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye; Michael McCrory, aye; and Bruce Bond, abstain.

Reaffirmation of SEQRA:

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

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PB #20-28: Bethany Mar Thoma Church Plan Site Plan Permit #47839
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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 by Atzl, Nasher & Zigler, PC and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering, and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Highways, Rockland County Department of Highways, Rockland County Sewer District #1, and New York State Department of Environmental Conservation, and having reviewed a Plan 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 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.

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Town of Orangetown Planning Board Decision
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On motion by William Young and seconded by Michael Mandel and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Andrew Andrews, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye, Bruce Bond, abstain and Michael McCrory, aye, the Board Reaffirmed the Negative Declaration pursuant to SEQRA.

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

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. The applicant shall comply with all pertinent and applicable conditions of all previous Board Decisions: ACABOR #19-10, Approved Subject to Conditions, dated March 7, 2019; ZBA#18-79, Floor Area Ratio, Lot Area, Front Yard, Side Yard, Total Side Yard and Building height Variances Approved, dated November 7, 2018 and PB#18-31, Preliminary Site Plan Approval subject to Condition, dated September 12, 2018.
5. Application is to be made to the Town of Orangetown Zoning Board of Appeal (ZBA) for the renewal of the expired approval, ZBA#18-79, dated November 7, 2018.
6. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained and the Final Site Plan is stamped by the Chief Clerk to the Board.

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7. The proposed drainage exhaust shall be realigned to enter the existing watercourse more in-line with the flow direction.
 8. While the current drawings show the portion of driveway access from this site into the neighboring property to the West (Joseph's Home, Inc., 74.09/1/65.2) removed where said access driveway is not in the easement, there is a portion of that driveway the comes from "Joseph's Home" into the easement and straight into the proposed new fence. This is unacceptable. The applicant must consult with the neighboring property owner to come up with a safe solution.
 9. A profile for the P-F1 to CB #3 shall be added to the drawings.
 10. The SESC plans shall include the proposed SESC measures in the Legend.
 11. A Note shall be added to the plan stating that the Town of Orangetown Sewer Inspector shall be notified at least 48 hours prior to any and all sewer work being performed in connection with this site plan.
 12. **Drainage Review Recommendation- Brooker Engineering**
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.
- Project Description**
This is the second drainage review report for this project the last review was dated September 11, 2018. 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. As per the September 11, 2018 drainage review report, show grading along the gutterline of Old Orangeburg Road that eliminates the puddling along the gutterline.

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Continuation of Condition #12...

2. As per the September 11, 2018 drainage review report, evaluate if stormwater runoff from Old Orangeburg Road will enter the new driveway.
3. As per the September 11, 2018 drainage review report, indicate if the building is a slab on grade or has a basement or crawlspace.
4. As per the September 11, 2018 drainage review report, quantify the on-site existing and proposed impervious area and verify that there is a reduction in impervious area on site.
5. As per the September 11, 2018 drainage review report, 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. At a minimum, the plans shall show the proposed ridge in the parking lot for ease of construction and inspection.
6. As per the September 11, 2018 drainage review report, 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. As per the September 11, 2018 drainage review report, show grading improvements along the west side of the building to demonstrate stormwater runoff will be directed away from the building.
8. Show a foundation drain for the new building.

13. 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.
- A review must be completed by the New York State Division of Military and Naval Affairs, 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.
- The Board must determine if the provided snow storage areas are sufficient for the 43 proposed parking spaces, or if more areas are necessary.
- A lighting plan must be demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.

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14. 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.

15. 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.

16. 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.

17. 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 #17...

- **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.

18. Based upon the review of the submitted information, the New York State Office of Parks, Recreation and Historic Preservation's opinion that the 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.

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

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

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

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

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

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

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24. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.
25. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
26. If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's (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).
27. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
28. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications
29. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.
- The foregoing Resolution was made and moved by Andrew Andrews and seconded by William Young and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Andrew Andrews, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye; Michael McCroy, aye, and Bruce Bond, abstain.

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PB #20-28: Bethany Mar Thoma Church Plan Site Plan Permit #47839
Final Site Plan Approval Subject to Conditions

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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: June 15, 2020 
Cheryl Coopersmith
Chief Clerk Boards and Commissions
Town of Orangetown Planning Board

301440 S. MERTON ROAD
93 6 V 41 TWP 0202
110139NVR0 JO MMD1

PB #20-29: Karayal Site Plan

Permit #48567

Critical Environmental Area

Final Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision

June 15, 2020

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TO: Necip Onur Karayal, 1071 Route 9W, Nyack, New York 10960
FROM: Orangetown Planning Board

RE: Karayal Site Plan – Critical Environmental Area: The application of Necip Onur Karayal, owner, for a Final Site Plan Review a site known as “**Karayal Site Plan – Critical Environmental Area Site Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 1071 Route 9W, Nyack, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.09, Block 1, Lot 10; in the R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a Virtual Meeting held **Monday, June 15, 2020** at which time, the Board made the following determinations:

Necip Onur Karayal and Aydan Kalkan appeared and testified.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated June 12, 2020.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 28, 2020.
3. A letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated April 22, 2020.
4. A letter from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated May 4, 2020.
5. Plans prepared by SAGEarch Design Consultant, signed and sealed by Satyen Rawal, R.A., last revised December 12, 2019:
 - T-100: List of Drawings, Scope of Work & Building Data, Key Plan and Zoning Analysis, Site Plans
6. Land Survey prepared by Robert Sorace PLS dated December 21, 2017.
7. Building Permit Referral to the Planning Board dated February 14, 2019 prepared by Rick Oliver, Building Inspector.
8. A Project Narrative with photographs dated December 23, 2019 prepared by SAGEarch, signed by Satyen Rawal, RA.
9. Copies of prior Board Decisions: ACABOR #20-09, Approved as Presented, dated March 5, 2020 and PB#19-24, Preliminary Site Plan Approval Subject to Conditions, dated October 7, 2019.

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**Critical Environmental Area
Final Site Plan Approval Subject to Conditions**

Town of Orangetown Planning Board Decision
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The Board reviewed the plans. The hearing was then opened to the Public.

Public Comment:

Nicholas Buckworth, 1059 Route 9W, Upper Grandview, held that the old stone shed was in perfectly fine condition and placing another shed upon the existing stone shed decreases the value of his property. He noted that the shed on his was for recreational use and the proposed shed on his neighbor's was not.

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

Reaffirmation of SEQRA:

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

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

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**Critical Environmental Area
Final Site Plan Approval Subject to Conditions**

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

On motion by William Young and seconded by Michael Mandel and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Andrew Andrews, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye, Bruce Bond, abstain and Michael McCrory, aye, the Board Reaffirmed the Negative Declaration pursuant to SEQRA.

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

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."

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**PB #20-29: Karayal Site Plan
Critical Environmental Area
Final Site Plan Approval Subject to Conditions**

Permit #48567

**Town of Orangetown Planning Board Decision
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2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The applicant shall comply with all pertinent and applicable conditions of previous Board Decisions: ACABOR #20-09, Approved as Presented, dated March 5, 2020 and PB#19-24, Preliminary Site Plan Approval Subject to Conditions, dated October 7, 2019.
5. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained and the Final Site Plan is stamped by the Chief Clerk to the Board.
6. The Town of Orangetown Department of Environmental Management and Engineering held that all previous comments/ recommendations have been addressed/satisfied.
7. The Village of Grand View-on-Hudson is one of the reasons this proposal was referred to the Rockland County Department of Planning for review. The municipal boundary is along the eastern property line of the site. As required under Section 239nn of the New York State General Municipal Law, the Village of Grand View-on-Hudson must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the village of Grand View-on-Hudson.
8. The Short Environmental Assessment Form has been left blank and must be completed.
9. Rockland County Highway Department (RCHD) reviewed the information submitted and offered the following comments:
 - RCHD believes that the proposed improvement would have no significant impact on the County Roads and have no comments and pose no objection to a local resolution

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10. Rockland County Department of Health (RCDOH) reviewed the information submitted and offered the following comments:

- Should the Board require a stormwater management system to remediate the increase in impervious coverage, application is to be made to the RCDOH for review of the system for compliance with the County Mosquito Code.

11. 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.

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

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

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

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**Critical Environmental Area
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- 14.** 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.
- 15.** 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.
- 16.** 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.
- 17.** The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
- 18.** 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).
- 19.** Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.

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**Critical Environmental Area
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20. 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

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

The foregoing Resolution was made and moved by William Young and second by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Michael Mandel, aye; Bruce Bond, abstain; Robert Dell, nay; Stephen Sweeney, aye, Andrew Andrews, aye and Mike McCrory, aye.

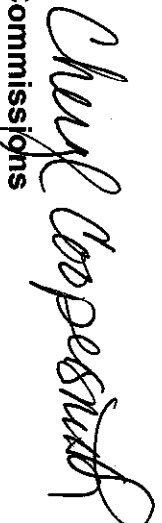
The Clerk to the Board is hereby authorized, directed and empowered to sign this **DECISION** and file a certified copy in the Office of the Town Clerk and the Office of the Planning Board.

Dated: June 15, 2020

Cheryl Coopersmith

Chief Clerk Boards and Commissions

Town of Orangetown Planning Board



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PB#20-03: Chefman Site Plan

Permit #49378

**Preliminary Site Plan Approval Subject
to Conditions/ Neg. Dec.**

Town of Orangetown Planning Board Decision

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TO: David Higgins, Lanc & Tully, P.O. Box 687, Goshen, New York
FROM: Orangetown Planning Board

RE: Chefman Site Plan: The application of Ralph Newhouse, applicant, for 29 Corporate Drive, LLC, owner, for a Preliminary/ Preliminary Site Plan Review. The site is known as “**Chefman Site Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The Planning Board is 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 29 Corporate Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.19, Block 1, Lot 8; in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, January 15, 2020 and at a Virtual Meeting held June 15, 2020**, the Board made the following determinations:

January 15, 2020

David Higgins and Ralph Newhouse appeared and testified.

The Board received the following communications:

1. A Project Review Committee Review dated January 8, 2020.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R. A., A.I.A., Director, dated January 13, 2020.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated January 13, 2020.
4. A letter from Brooker Engineering signed by Kenneth DeGennaro, P.E., dated January 14, 2020.
5. A letter from the Rockland County Department of Planning, signed by Arlene Miller, Principal Planner, dated November 18, 2019.
6. A letter and a notice from the Rockland County Department of Highways, signed by Dyan Rajasingham, Engineer II, dated November 19, 2019.
7. Letters from the Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer, dated January 14, 2020.
8. A letter from the Rockland County Sewer District No.1, signed by Joseph LaFindra, Engineer I, dated January 7, 2020.

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**Preliminary Site Plan Approval Subject
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Town of Orangetown Planning Board Decision

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9. A notice from Rockland County Division of Environmental Resources, signed by Allen Beers, dated November 18, 2019.
10. A notice from Suez, signed by Bill Prehoda, dated December 31, 2019.
11. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated January 8, 2020.
12. A letter and notice from the Town of Orangetown Zoning Board of Appeals, signed by Patricia Castelli, Acting Chair, dated November 20, 2019.
13. A Short Environmental Assessment Form, signed by Ralph Newhouse, dated August 15, 2019.
14. A Project Narrative prepared by Lanc & Tully, Engineering and Surveying, signed by David Higgins, dated November 1, 2019.
15. A Building Permit Referral dated September 27, 2019, prepared by Rick Oliver, Deputy Building Inspector.
16. Site Plan prepared by Lanc & Tully, Engineering and Surveying, dated August 12, 2019.

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

The Applicant requested a **CONTINUATION**.

June 15, 2020

David Higgins, Jay Greenwell and Donald Brenner appeared and testified. The Board received the following communications:

1. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R. A., A.I.A., Director, dated June 15, 2020.
2. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated May 28, 2020.
3. A letter from Brooker Engineering signed by Kenneth DeGennaro, P.E., dated June 12, 2020.
4. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated January 8, 2020.
5. Site Plan prepared by Lanc & Tully, Engineering and Surveying, dated August 12, 2019, last revised March 25, 2020.
6. A Stormwater Pollution Prevention Plan summary, prepared by Lanc & Tully Engineering and Surveying, dated March 20, 2020.

The Board reviewed the submitted information. The hearing was then open to the Public.

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**Town of Orangetown Planning Board Decision
June 15, 2020
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There being no one from the Public, a motion was made to close the Public Hearing portion of the meeting by Michael Mandel seconded by William Young and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Michael McCrory, aye; Andrew Andrews, aye; Michael Mandel, aye; Robert Dell, aye; Bruce Bond, abstain and Stephen Sweeney, aye.

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

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Lanc & Tully, Engineering and Surveying, 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: Town of Orangetown Zoning Board of Appeals, Rockland County Sewer District No.1, Rockland County Drainage Agency No.1, Rockland County Department of Health, and having reviewed proposed Site Plan by prepared by Lanc & Tully, Engineering and Surveying, a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

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**Preliminary Site Plan Approval Subject
to Conditions/ Neg. Dec.**

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

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

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

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

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Town of Orangetown Planning Board Decision
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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. Prior to appearing at the Town of Orangetown Architecture and Community Appearance Board of Review, the applicant shall come back to the Planning Board present the revised site plan and landscaping plan. Clearly delineate the fire lanes.
5. Clearly delineate the drainage easements on the Site Plan.
6. The existing 15-foot drainage easement along the south property line shall be shown on the Site Plan.
7. The Applicant must confirm compliance with the Town of Orangetown Zoning Board of Appeals decision #92-20, shipping and receiving and truck traffic of any kind only permitted from 5:00 a.m. until 11:00 p.m.
8. The proposed Site Plan requires the following variances from the Town of Orangetown Zoning Board of Appeals, per Chapter 43, Table 3.12, Bulk Regulations:

| | Existing | Proposed |
|--|----------|---------------------------------|
| Minimum Street Frontage Required is 100' | 129.0' | 57' |
| Minimum Side Yard Required is 100' | 100.4' | 57' |
| Minimum Rear Yard Required is 100' | 66' | 1' (to required 100' buffer) |
| Building Height Permitted 14.25' | | 27.8' |
9. Floor plans and building elevations must be provided.

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Town of Orangetown Planning Board Decision
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10. Is there any additional lighting proposed?
11. Existing and proposed mechanical equipment must be shown.
12. Indicate the extent of tree clearing required for the proposed addition. Mark trees to be removed with "X".
13. The site, landscaping, architectural plans and pylon sign shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.
14. The Environmental Assessment Form has been reviewed and the following items need to be corrected:
 - Part I, number 2 shall be marked "Yes" as approval from the Town of Orangetown Zoning Board of Appeals is required.
 - Part 1, numbers 10 and 11 shall be marked "Yes" and confirmation of system capacity provided.
 - Part 1, number 17 shall be marked "Yes"
15. Permit number 31919, dated July 31, 1991 for a new rooftop HVAC unit is expired. The applicant must contact the Town of Orangetown Building department to obtain required inspections and close out.
16. The total area of disturbance (a.o.d.) shall be clearly defined on the plans and stated in the required SWPPP.
17. The applicant's engineer is advised that the SWPPP shall be prepared, submitted AND approved PRIOR to this site plan receiving Final Approval. This letter supplied by the applicant's engineer, contains no backup or calculations so its conclusions cannot be verified. The SWPPP shall be prepared and sealed by a NYS Licensed Professional Engineer, in compliance with the New York State Stormwater Management Design Manual (NYSDEC SMDM), the NYS SPDES General Permit for Stormwater Discharges from Construction Activities (SPDES GP -0-20-001), the NYS Standards and Specifications for Erosion and Sediment Control (Blue Book) and Town of Orangetown Town Code (Chapter 30C & 30D), shall be prepared for the proposed site plan. The SWPPP shall include water quality and Water quantity measures, pre and post stormwater runoff calculations utilizing the current rainfall intensity values for this area (example: 100 yr. – 9.07 inches/hour.) It shall also include pollution control measures, calculations/ breakdown of all proposed land disturbances, showing how the total a.o.d was determined, etc. The SWPPP/ calculations shall design onsite storage to achieve zero net increase in runoff as well as describe by explanation and calculations, how Chapter 6 (Green Infrastructure) and Chapter 9, NMO1 (Redevelopment) of the NYS SMDM are satisfied by the stormwater management design.

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18. The SWPPP shall also include the following:
 - a. The SWPPP shall be bound by a 3-ring binder.
 - b. The introduction 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 & water quality (WQ) practices.
 - d. The drainage calculations shall contain year storm vs volume vs elevation tables for all of the proposed stormwater systems and WQ features.
 - e. The drainage calculations shall also include storage-elevation tables and curves for the stormwater infiltration system and WQ practices. Pre and post hydrographs shall also be provided in the calculations. It is recommended that the pre and post calculations and hydrographs be separated into separate appendices.
19. Soil borings, perc tests and determination of groundwater elevation shall be administered at the proposed drywell 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. The applicant's engineer shall provide a copy of the field perc test results to DEME and the Building Department for review and approval.
20. Safety benches, aquatic benches, sediment depth markers, 25 foot buffer designation from high water mark, low flow channels, pond drains, plantings and plaques/ signs indicating SPDES number for the proposed stormwater forebay/ bio-retention basin and stormwater storage pond shall be added to the basin plans.
21. A 12-foot wide maintenance path shall be clearly depicted around the proposed forebay/ bioretention area and stormwater storage pond. The path shall be placed in order to reach all critical components: spillways, inlet & outlet structures, emergency spillway, etc.
22. "Blow-ups" of the proposed forebay/ bioretention area and stormwater storage pond 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.

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23. The proposed limit of disturbance shall be clearly defined on the drawings. A suggestion would be to have only two drawings showing the "google" view of the property (one existing conditions and one proposed.) All other drawings shall be "standard", as per Site Plan previously submitted.
24. Rip rap, or other approved energy dissipating device shall be depicted at all drainage exhaust piping including the stormwater basin exhaust. Details for same shall be added to the drawings.
25. The location of the 100 year flood zone and any flood zones shall be clearly shown, if applicable.
26. This revised Site Plan contains less information than the site plan submitted for the January 15, 2020 Planning Board Meeting. For example, the existing drainage easement along the front and east side of the property is not depicted on the current drawing. All existing and proposed easements (with the associated utilities/ improvements) and dedications, shall be shown on the drawings.
27. The existing 5.56 x 3.6 RCP oval stormwater drainage line, along the North east side of the property, appears to be outside of the existing Town drainage easement (as depicted on the previous site plan submission.) The applicant shall prepare and show a widening of the existing easement to encompass this stormwater drainage line. The easement shall extend at least 10 feet beyond the "southern side" of the stormwater drainage line. The proposed easement shall be submitted to the Town of Orangetown Town Attorney's Office and DEME for review and approval.
28. The monument sign is located directly over the 5.56 x 3.6 RCP oval stormwater drain line, this is unacceptable. The sign must be relocated away from the drainage line and outside of the easement requested in condition #27.
29. The existing storm drain line located in the northern parking area, appears to be cut off due to the installation of the new addition. More detail shall be provided as to what is to happen with that drainage line.
30. Separate drainage plans shall be added to the drawings showing all modifications to the existing system, as well as how/ where runoff from the new impervious areas shall be handled/ mitigated. See condition #17.

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**PB#20-03: Chefman Site Plan
Preliminary Site Plan Approval Subject
to Conditions/ Neg. Dec.**

Permit #49378

**Town of Orangetown Planning Board Decision
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31. With the new 18 inch HDPE drainage line being constructed along the southern property line, will the existing drain facilities (catch basins, piping, headwall, be removed? If so, they shall be labeled as such.
32. Profiles shall be added to the drawing set for all existing and proposed storm drain lines.
33. The proposed contours are shown "tying into" the existing contours at right angles. This is unacceptable. The proposed contours shall tie into the existing contours in line/ gradually.
34. A proposed grading plan shall be added to the drawing set.
35. Copies of all correspondence, including any and all approvals, with the NYS Department of Environmental Conservation, U.S. Army Corps of Engineers, the Rockland County Drainage Agency, etc., in connection with this proposed site plan, shall be supplied to the Planning Board and DEME, prior to signing the map.
36. A post construction stormwater maintenance agreement, in accordance with NYSDEC Phase II regulations, for the proposed stormwater systems, shall be submitted to DEME and the Orangetown Town Attorney's Office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contact person with a telephone number, yearly report to be submitted to DEME, etc.
37. Soil erosion and sediment control plans and details shall be added to the application drawing and submitted to DEME for review and approval.
38. Because the project description states that approximately 15-20 new employees will occupy the building, sanitary calculations for the proposed site, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval. The applicant/ applicant's engineer is advised that the added number of employees may require addition facilities and sewer unit charges.
39. Details and a profile shall be added for the proposed sewer (sanitary) line replacement called for on the drawing.
40. The existing Town owned sanitary forcemain shall be shown in its' entirety and labeled on the site plan.

3011110 S.KRERTC NM01

LE 6 V 71 707 0202

MM0139NV90 JO NM01

**Town of Orangetown Planning Board Decision
June 15, 2020
Page 10 of 14**

- 41.** The page and liber, or instrument number, ownership for **ALL** easements and dedications shall be given on the plan, not just the filed map number.
- 42.** Legends shall be added to the plans. They shall clearly identify and distinguish between all existing and proposed features on the site plan.
- 43.** The source bench with elevations for the referenced datum shall be added to the Site Plan.
- 44.** Typical details, curbing, pavement, catch basin, outlet structure, inlet structure, etc. shall be added to the drawings.
- 45. Drainage Review Recommendation - Brooker Engineering
Drainage Review Recommendation**
The proposed action has provided information that demonstrates that potential significant adverse impacts with respect to drainage can be mitigated. The Drainage Consultant, Brooker Engineering, therefore recommends that the Chefman Site Plan be approved for drainage subject to the following comments.

Project Description

This is the second drainage review report for this application, the last review was dated January 14, 2020. The property is located at southwest side of Corporate Drive about 1500 feet east of the intersection with Blasdell Road. There is an existing warehouse building located in the middle of the property. The size of the building addition has been increased to 47,335 square feet for this submission; it is proposed along the north, south, and west sides of the building. A small portion of the parking lot will be removed to accommodate the building expansion; expansion of the parking lot is proposed along the northern portion on the property.

The property has an east/west ridge and stormwater runoff flows from the ridge north towards Corporate Drive and south from the ridge towards the corporate limits with New Jersey. Stormwater runoff from the new building will be directed to the new stormwater management basin near Corporate Drive.

Post construction stormwater detention facilities have been added for this submission. The stormwater management facility can provide storage of approximately seven inches of rainfall runoff over the new building and 4.8 inches of rainfall runoff from the new impervious areas summaries have been provided that demonstrate a reduction in peak runoff rates for the 1-year, 10-year, and 100 year design storms.

301440 S.XR373 NM01

LE % V 41 10P 0707

NM013GNVRO JO NM01

Continuation of Condition #45...

Project Comments

1. Show door locations at the building addition.
2. Show the locations of the existing and proposed roof drains.
3. Show proposed grades at all corners of the building addition.
4. Show positive drainage away from the building on the north side
5. Show the existing contours in the parking lot.
6. Provide full drainage calculations for the stormwater management basin. Include stage versus storage and stage versus discharge calculations.
7. Provide construction details for the outlet structure and drainage structures.
8. Verify the stormwater management pond has horizontal separation to the new building per NYSDEC requirements.
9. The drainage calculations shall account for any off-site subareas from the west that are directed to the new stormwater management basin.
10. Test pits to verify soil percolation rate and separation to groundwater are required.

46. The Town of Orangetown Bureau of Fire Prevention (Bureau) had the following comments, herein as conditions of approval:

- The Bureau requests that the driveway/ parking area on the north side of the building by the office area be extended to the full length of the proposed addition for fire apparatus access. The minimum clear width must be 26 feet and all areas other than designated new and existing parking spots be striped and signed as Fire Lane.
- On the southeast corner of the building, an area shall be a designed fire lane with a clear width of 26 feet and have clear access from Corporate Drive to this area.
- What is the reason for re-locating the fire department sprinkler connection as shown on the plan. This connection must also be changed to a 4-inch storz connection.

47. The Rockland County Health Department reviewed the submitted information and found that should the Board require a Stormwater management system to remediate the increase in impervious surface, application is to be made to the Health Department for review of the stormwater system for compliance with the County Mosquito Code

48. 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.

301110 S. KR373 MA01

LE 6 V 41 10P 0202

MA013GNV00 JO MA01

**Town of Orangetown Planning Board Decision
June 15, 2020
Page 12 of 14**

49. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act, Chapter 846, is not required based upon its review of the information provided.
50. 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.
51. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.
52. 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.
53. TREE PROTECTION: The following note shall be placed on the Site Plan: The Tree Protection and Preservation Guidelines adopted pursuant to Section 21-24 of the Land Development Regulations of the Town of Orangetown will be implemented in order to protect and preserve both individual specimen trees and buffer area with many trees. Steps that will be taken to reserve and protect existing trees to remain are as follows:
- a. No construction equipment shall be parked under the tree canopy.
 - b. There will be no excavation or stockpiling of earth underneath the trees.
 - c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
 - d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from trunk per inch DBH
 - Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.

OFFICE
S.M. SHERK
LC & V 41 707 0202
ORANGETOWN

**PB#20-03: Chefman Site Plan
Preliminary Site Plan Approval Subject
to Conditions/ Neg. Dec.**

Permit #49378

**Town of Orangetown Planning Board Decision
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Continuation of Condition #53...

- Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.
The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

54. 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.

55. 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.

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

57. 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).

CE11FFJ0 S,MK3730 MM01

LE 36 V 41 707 0707

MM0130NGVANG0 JO MM01

**PB#20-03: Chefman Site Plan
Preliminary Site Plan Approval Subject
to Conditions/ Neg. Dec.**

Town of Orangetown Planning Board Decision

June 15, 2020

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

59. 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

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

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

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

Dated: June 15, 2020

Cheryl Coopersmith, Chief Clerk Boards and Commissions

Town of Orangetown Planning Board

attachment



3011FFJ0 S,3K3730 MM01

LE 6 V 41 700 0202

MM01E0N03 00 MM01

**NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

PB#20-03: Chefman Site Plan

Permit #49378

**Preliminary Site Plan Approval Subject
to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
June 15, 2020**

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: Chefman Site Plan: Preliminary Site Plan Approval

Subject to Conditions/ Neg. Dec.

SEQR STATUS: Type I Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 29 Corporate Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.19, Block 1, Lot 8; in the LIO zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

301110 S.KR373 NM01

LE 5 V 41 707 0702

NM0130NVR00 JO NM01

PB #20-18: SQ Properties Site Plan

Permit #49655

**Preliminary Site Plan Approval Subject to
Conditions
Neg. Dec.**

Town of Orangetown Planning Board Decision

June 15, 2020

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TO: Jay Greenwell, 85 Lafayette Avenue, Suffern, NY
FROM: Orangetown Planning Board

RE: SQ Properties Site Plan: The application of SQ Properties, owner, for Prepreliminary/ Preliminary Site Plan Review, at a site to be known as "**SQ Properties 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 8 Olympic Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 16 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at virtual meetings held **Monday, June 1 and Wednesday, June 15, 2020** at which time the Board made the following determinations:

June 1, 2020

Jay Greenwell, Sean Quinn and Pat Benn, appeared and testified before the Board.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., A.I.A., Director, dated May 29, 2020.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated April 3, 2020.
3. Letters from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated February 25, 2020 and Michael Kezner, dated February 13, 2020.
4. Letters from Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer, dated March 16, 2020.
5. Letters from Rockland County Highway Department, signed by Dyan Rajasingham, dated February 11, 2020.
6. A letter from the Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated March 19, 2020.
7. Letters from the Town of Orangetown Zoning Board of Appeals, signed by Trish Castelli, Aching Chair, dated February 19, 2020.
8. A Drainage Analysis prepared by Civil Design Works, LLC dated December 2019.
9. A notice from Suez, dated March 9, 2020, signed by Bill Prehoda.

3011130 S.MR370 NMO1

LE 5 V 41 707 0202

NMO1EGNVR0 JO NMO1

**Preliminary Site Plan Approval Subject to
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Neg. Dec.**

Town of Orangetown Planning Board Decision

June 15, 2020

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10. A Narrative Summary, prepared by Jay Greenwell, PLS, dated December 18, 2019.
11. A Drainage Analysis prepared by Civil Design Works, LLC, signed/sealed by Glenn McCreedy, PE, dated December, 2019.
12. A Short Environmental Assessment Form signed by John Quinn, SQ Properties, LLC, dated December 18, 2019.
13. A copy of the Building Permit Referral dated December 23, 2019, prepared by Rick Oliver, Building Inspector.
14. Site Plans prepared by Jay Greenwell, PLS, dated October 14, 2019:
 - Sheet 1: Site Plan, last revised December 11, 2019
 - Sheet 2: Grading, Drainage, Utility Plan with Erosion Control, last revised December 11, 2019
 - Sheet 3: Details
15. Landscape Plans prepared by Yost Design, dated December 11, 2019:
 - Sheet 1 of 3: Planting Plan
 - Sheet 3 of 3: Details Sheet
16. Lighting Layout Plan, prepared by Darmin Sales, dated January 10, 2020:
Version 4: Sheets 1 through 4.

The Board reviewed the plan. The hearing was then open to the public.

The applicant requested a **CONTINUATION**.

June 15, 2020

Jay Greenwell, Sean Quinn and Pat Benn, appeared and testified before the Board.

The Board received the following communications:

1. Line of Sight Photographs submitted by Jay Greenwell, PLS.
2. A letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated June 8, 2020.

The Board reviewed the submitted information. The hearing was then open to the Public.

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

EO11110 S.MR373 NM01

LC 6 V 41 707 0202

NM0139NVR0 JO NM01

PB #20-18: SQ Properties Site Plan

Permit #49655

Preliminary Site Plan Approval Subject to

Conditions

Neg. Dec.

Town of Orangetown Planning Board Decision

June 15, 2020

Page 3 of 12

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 Andrew Andrews and second by William Young and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, aye, Bruce Bond, abstain and Michael McCrory, aye, the Board declared itself Lead Agency.

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

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

301110 S.MR373 NMO1

LC 6 V 41 707 0202

110130NVR0 JO NMO1

**Preliminary Site Plan Approval Subject to
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Town of Orangetown Planning Board Decision

June 15, 2020

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

On motion by William Young and second by Michael McCrory and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, aye; Bruce Bond, abstain and Michael McCrory, aye, the Board declared itself Lead Agency.

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."

3C11J0 S.MR370 NM01

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NM0130NGVANG0R JO NM01

**PB #20-18: SQ Properties Site Plan
Preliminary Site Plan Approval Subject to
Conditions
Neg. Dec.**

Permit #49655

**Town of Orangetown Planning Board Decision
June 15, 2020
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2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant is proposing an addition to an existing building.
 - 1) Per Chapter 43, table 3.11, Column 7, Additional use regulations, number 2, *“accessory storage shall be within completely enclosed buildings.”* The applicant is proposing outdoor storage areas. A Variance is required from the Town of Orangetown Zoning Board of Appeals.
 - 2) Per Chapter 43, table 3.11, Column 7, Additional use regulations, number 3,
“No parking is permitted in any required yard, unless permitted by any board or town agency having jurisdiction. This permission may be given at the time of site review, or at the time of the approval of a commercial subdivision or conditional use approval.”
 - 3) Review and approval is required from the Town of Orangetown Architecture and Community Appearance Board of Review.
 - 4) The Short Environmental Assessment Form seems to be in order.
4. The applicant must contact the Building Inspector to schedule a Final Inspection and request issuance of the Certificate of Occupancy.
5. A full SWPPP (in a 3-ring binder with labeled separation tabs), with accompanying drainage calculations, prepared by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval. The existing detention basin shall be upgraded/ modified to treat both stormwater quality and quantity. The basin shall be designed in accordance with the current NYS Stormwater Management Design Manual. As per the Design Manual, green infrastructure practices and redevelopment guidelines shall be included in the stormwater management design.

301150 S.MR370 MM01

LC 5 V 41 700 0202

MM0130NVR0 JO MM01

**PB #20-18: SQ Properties Site Plan
Preliminary Site Plan Approval Subject to
Conditions
Neg. Dec.**

Permit #A9655

Town of Orangetown Planning Board Decision

June 15, 2020

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6. Soil borings, perc tests and determination of groundwater elevations shall be performed at the stormwater basin location. These tests/ investigations shall be performed in the spring when the ground water table is typically at its highest. This shall be done prior to this proposal receiving final approval and the information/ test results/ elevations shall be added to the SWPPP. Copies of all correspondence related to this issue shall be submitted to DEME.
7. The drainage calculations and SWPPP shall include sizing calculations for the existing basin, the modifications required for the basin to handle the increased volume, modifications required for stormwater quality controls, etc. The drainage calculations shall also include dimensions, sizing calculations, material specifications, installation details, inflow and outflow hydrographs as well as maintenance requirements and procedures and inspection procedures for post construction maintenance of the private stormwater facilities.
8. The total area of disturbance (a.o.d.) shall be listed on the drawings as well as in the SWPPP narrative and stormwater design sections. Also, a table summarizing the pre and post construction impervious areas shall be added to the SESC drawing and the SWPPP narrative.
9. The forebays, as shown on the drawings, are not designed in accordance with the "NYSDEC Stormwater Management Design Manual." The forebays/ stormwater basin shall be redesigned in accordance with the stormwater manual.
10. A "blow-up" of the stormwater basin shall be provided on the drawings. Cross-sections, storage volume vs elevation vs design storm, outlet structure details (with elevations), 25 foot pond buffer, underdrain details, profiles with elevations, outlet pipe details, safety bench, aquatic bench, forebay, main pond, 12 foot wide maintenance path (that reaches the forebay/ main pool/ outlet structure/ emergency spillway), permanent sediment depth marker with detail, plantings (if utilized for water quality control), emergency overflow spillway with elevations, etc. Shall also be provide in the blow-up section and on the drawings.
11. Material specifications, design details, installation information and post construction maintenance requirements for the stormwater infiltration pond shall be added to the drawings as well as being discussed in other appropriate sections of the SWPPP.
12. Profiles for all existing and proposed drainage piping and the upgraded/ modified stormwater basin shall be provide on the drawings.

CEJFFJO S.KR373 NAO1

LE 6 V 41 707 0702

MM013GNVAV0 JO NAO1

**PB #20-18: SQ Properties Site Plan
Preliminary Site Plan Approval Subject to
Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
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13. The rainfall intensity data provided in the drainage calculations, page 6 is out of date for the larger storms. The current rainfall intensities for the 25 yr. and 9.07 yr. storms are 6.39 inches and 9.07 inches, respectively.
14. The drawings indicate an 18 inch RCP drainage pipe to be abandoned in place and only a section removed. This is not acceptable. ALL drainage piping that is to be abandoned shall be removed and labeled as such on the plans. The drainage/ stormwater basin/ outlet structure calculation shall be revised accordingly.
15. An emergency overflow spillway shall be designed for the proposed stormwater basin.
16. Pre and post drainage area maps shall be provided with the required SWPPP/ updated drainage calculations.
17. NYSDEC compliant symbols shall be used on the SESC plan.
18. A post construction stormwater maintenance agreement, in accordance with NYSDEC Phase II regulations, for the proposed stormwater systems, shall be submitted to DEME and the Orangetown Town Attorney's Office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contact person with a telephone number, yearly report to be submitted to DEME, etc.
19. The datum for the contours shall be given.
20. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum, including the BM elevation.
21. All existing and proposed easements and dedications shall be shown on the plan, including page and liber or instrument number, intent/ purpose and ownership.
22. Copies of all correspondence, including any and all approvals, with the NYS Department of Environmental Conservation, U.S. Army Corps of Engineers, the Rockland County Drainage Agency, etc., in connection with this proposed site plan, shall be supplied to the Planning Board and DEME, as they are received.

SC11JF0 S,KK3712 NM01

LE 6 V 41 700 0202

NM0136NVR0 JO NM01

**23. Drainage Review Recommendation - Brooker Engineering
Drainage Review Recommendation**

The proposed application has provided sufficient drainage information that demonstrates that potential significant adverse impacts with respect to drainage can be mitigated. The Drainage Consultant, Brooker Engineering, therefore recommends that the SQ Properties, LLC Site Plan be approved for drainage at this time, subject to the following comments.

Project Description

This is the first drainage review report for this application. The site is located on the west side of Olympic Drive, about 450 feet north of Corporate Drive. There is an existing one-story building on the east side of the property, with parking along the north and south sides of the building. The project proposes a building addition of 280 feet by 124 feet attached to the rear of the existing building. The driveway access roads will be expanded to provide drive thru lanes within the building for the assembly use.

Stormwater runoff flows southeasterly through the property. There is an existing depression in the front yard that will be enlarged and used as an infiltration basin. Stormwater overflows from the infiltration basin flow southeast toward a piped drainage system in Olympic Drive. The basin will provide storage of 5.5 inches of stormwater runoff from the existing and proposed impervious areas directed to the basin at the 100-year peak stage. The development occurs on an existing meadow with a moderate slope.

Project Comments

1. Proposed DA-2 is the drainage subarea that is directed to the infiltration basin. The subarea limits shall be revised to reflect the proposed conditions topography.
2. Include an alternate in the proposed conditions hydrologic model to break down the Proposed DA-2 into a subarea of the large directly connected impervious area (with an unweighted CN) and a subarea of the remaining pervious area.
3. Existing conditions off-site runoff from the west shall be evaluated to determine if this area contributes to the subarea entering the infiltration basin.
4. The design is proposing an infiltration basin with about eight feet of cut from existing grade. Soil percolation tests shall be performed to verify the assumed percolation rate and deep hole test pits shall be performed to verify separation of the bottom of the proposed basin to the groundwater table.

301110 S.KR370 MM01

LC & V 41 107 0707

MM0130NVR00 JO MM01

Town of Orangetown Planning Board Decision

June 15, 2020

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Continuation of Condition #23...

5. Capacity of the outlet pipe to convey the 100-year discharge from the routed outflow hydrograph shall be verified.
6. Provide freeboard between the top of the 18-inch pipe in the open channel at the southeastern corner of the site and the top of the open channel.
7. Show the footing drain for the proposed building.
8. Revise the grading in the southwest corner of the new building to show positive drainage away from the building.
9. Revise the grading along the center asphalt area of south bay to provide the 1% slope.

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

- A review must be completed by the Rockland County Health Department to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- A review must be completed by the County of Rockland Drainage Agency, any comments or concerns addressed, and all required permits obtained.
- Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Guidelines for Urban Erosion and Sediment Control.
- There shall be no net increase in the peak rate of discharge from the site at all design points.
- Retaining walls that are over 4 feet in vertical height shall be designed by a licensed New York State Professional Engineer and be in compliance with the NYS Fire Prevention and Building Code. Design plans shall be signed and sealed by the licensed NYS Professional Engineer.
- The status of the Right of Way shall be determine. If it has not yet been eliminated, the Town must be ensured that the Right of Way is not needed for future use.
- Map note #6 refers to Section 239 L & N of the New York State General Municipal Law. This shall be corrected to Section 239 L & M.

25. The Rockland County Department of Health reviewed the information and offered the following Comment:

- Application is to be made to the Rockland County Health Department for review of the stormwater management system for compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.

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

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

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

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

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

30. 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.

31. TREE PROTECTION: The following note shall be placed on the Site Plan:

The Tree Protection and Preservation Guidelines adopted

pursuant to Section 21-24 of the Land Development Regulations of the Town of Orangetown will be implemented in order to protect and preserve both individual specimen trees and buffer area with many trees. Steps that will be taken to reserve and protect existing trees to remain are as follows:

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from truck per inch DBH
 - Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:

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- Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.
- The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

32. 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.

33. 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.

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

35. 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

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Continuation of Condition #35...

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).

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

37. 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

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

The foregoing Resolution was made and moved by William Young and seconded by Michael McCrory and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Andrew Andrews, aye; Michael Mandel, aye; Michael McCrory, aye; Stephen Sweeney, aye; Robert Dell, aye and Bruce Bond, abstain.

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: June 15, 2020

Cheryl Coopersmith

Chief Clerk Boards and Commissions

Town of Orangetown Planning Board



301150 S. W. 37th Ave

Orlando, FL 32837

Phone: 407.241.1111

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

Permit #49655

**PB #20-18: SQ Properties Site Plan
Preliminary Site Plan Approval subject to
Conditions
June 15, 2020**

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: SQ Properties Site Plan - Preliminary Site Plan Approval
subject to Conditions**

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

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 8 Olympic Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 16 in the LIO zoning district.

REASONS SUPPORTING THIS DETERMINATION:
The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. The reasons supporting this determination are as follows:
The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown 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, Town Supervisor, Applicant, Involved Agencies

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