

May 27, 2020 Board Items:

New Items:

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

Prepreliminary/Preliminary Site Plan and SEQRA Review
20 Mountainview Avenue, Orangeburg, 74.07/1/27; LI & CC zoning districts

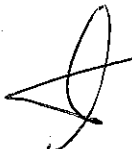
PB #20-17: Lane Resubdivision Plan

Prepreliminary/Preliminary/Final Subdivision Plan and SEQRA Review
125 Park Avenue, Palisades, 77.20/2/76, 77 & 78; R-15 zoning district

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

Prepreliminary/Preliminary/Final Site Plan and SEQRA Review
374 South Middletown Road, Nanuet, 64.17/1/78; CO zoning district

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



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

Dated: May 15, 2020



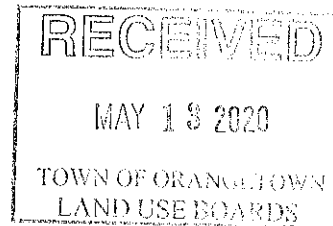
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyfeder.com

Anthony B. Gioffre III
agioffre@cuddyfeder.com

5/13/20

BY EMAIL AND OVERNIGHT DELIVERY

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

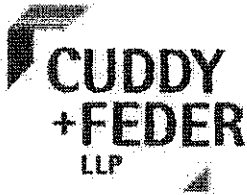


Re: Amazon.com Service Inc.
Site Plan Application
Premises: 200-400 Oritani Drive & 877 Western Highway, Blauvelt NY
Tax IDs: 65.18-1-1 & 65.18-1-22 & 70.06-1-1.12

Dear Chairman Warren and Members of the Planning Board:

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

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




5/13/20
Page 2

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

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

Very truly yours,


Anthony B. Gioffre III

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



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

Jane Slavin, RA
Director

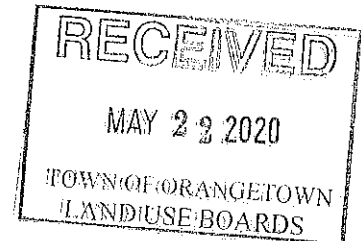
(845) 359-8410

Fax: (845) 359-8526

Date: May 22, 2020

To: Cheryl Coopersmith, Chief Clerk
Planning Board

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



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

Submission Reviewed:

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

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

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

6) ACABOR review and approval is required.

7) The SEAF appears to be in order.

JS
5/22/2020



Department of Environmental Management and Engineering Town of Orangetown

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



May 20, 2020

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

Re: Onyx Management/ Amazon Delivery Center Site Plan

PB# 20-19

Gentlemen:

This Department has the following comments/ recommendations:

1. The Drainage Report supplied is under review. However, a proper/full SWPPP, with drainage calculation shall be supplied. A cursory review of the Drainage Report has reveal a number of issues with it:

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

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

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

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

15. The datum for the contours shall be given.

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

Very truly yours,

A handwritten signature in black ink, appearing to be 'R. J. ...', is written over a horizontal line.

cc: Highway file
Sewer file



BROOKER ENGINEERING, PLLC

NY OFFICE
74 Lafayette Avenue
Suite 501
Suffern, NY 10901

845.357.4411 Tel.
845.357.1896 Fax

NJ OFFICE
22 Paris Avenue
Suite 105
Rockleigh, NJ 07647

201.750.3527 Tel.



May 26, 2020

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

Attn: Cheryl Coopersmith, Chief Clerk

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

Dear Ms. Coopersmith:

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

Information Reviewed

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

Project Description

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

Project Comments

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

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

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

Drainage Review Recommendation

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

Very truly yours,



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

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

DEPARTMENT OF PLANNING

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

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

Douglas J. Schuetz
Acting Commissioner

Arlene Miller
Deputy Commissioner

May 22, 2020

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 65.18-1-22

65.18-1-1

70.06-1-1.12



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

Map Date: 3/12/2020

Date Review Received: 4/27/2020

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

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

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

Reason for Referral:

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

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

****Recommend the following modifications***

- 1 A review must be completed by the County of Rockland Department of Highways, any concerns addressed, and any required permits obtained.
- 2 A review must be completed by the County of Rockland Department of Health, any comment or concerns addressed, and any required permits obtained.
- 3 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
- 4 There shall be no net increase in the peak rate of discharge from the site at all design points.

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

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



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
Rockland County Department of Health
Rockland County Department of Highways
United States Army Corps of Engineers

CESO, Inc.
American Graphix Solutions

Cuddy & Feder LLP (c/o Daniel Patrick)

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

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

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

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

DRAINAGE AGENCY
DIVISION OF THE HIGHWAY DEPARTMENT
23 New Hempstead Road
New City, New York 10956
Phone: (845) 638-5081; Fax: (845) 708-7116

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

Vincent Altieri, Esq.
Executive Director

Via e-mail: ccoopersmith@orangetown.com

May 7, 2020

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



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

Dear Mrs. Coopersmith,

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

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

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

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

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

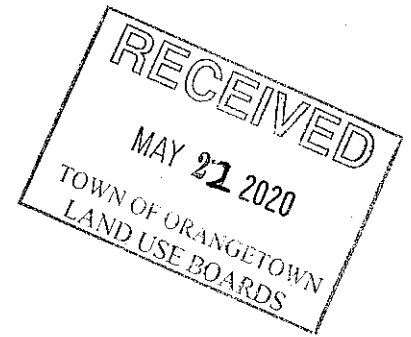
Very truly yours,

Vincent Altieri
Rockland County Drainage Agency

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

OBZPAE@orangetown.com
darbolino@orangetown.com

Memo



To: Planning Board, Jane Slavin Director OBZPAE

From: Michael B. Bettmann Chief Fire Inspector

Date: May 22, 2020

Re: 400 Oritani Dr. 70.06-1-1.12

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



Rockland County

Ed Day, Rockland County Executive

ROCKLAND COUNTY SEWER DISTRICT NO. 1

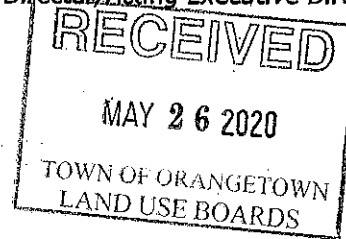
4 Route 340
Orangeburg, New York 10962
Phone: (845) 365-6111 Fax: (845) 365-6686
RCSD@co.rockland.ny.us

George Hoehmann
Chairman

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

May 26, 2020

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



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


Dear Ms. Coopersmith:

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

1. Rockland County Sewer District No. 1 does not object to the Planning Board serving as lead agency for this review.
2. Rockland County Sewer District No. 1 does not object to the plan as shown. This project does not affect the District's sanitary sewers.

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

Very truly yours,



Joseph LaFiandra
Engineer II

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

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

Rocklandgov.com



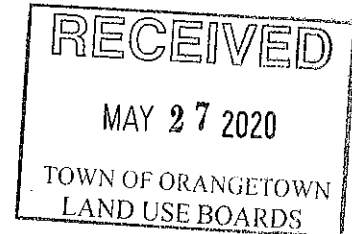
**Parks, Recreation,
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

May 12, 2020

Sara Krampe
800 Bursca Drive
Suite 803
Bridgeville, PA 15017



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

Dear Sara Krampe:

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

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

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

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation
Division for Historic Preservation

Division for Historic Preservation

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

Cheryl Coopersmith

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

[External Email]

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

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

Dear Ms. Coopersmith:

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

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

PROTECTION OF WATERS

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

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

FRESHWATER WETLANDS

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

WATER QUALITY CERTIFICATION

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

STATE-LISTED SPECIES

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

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

STATE POLLUTION DISCHARGE ELIMINATION SYSTEM (SPDES) CONSTRUCTION

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

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

SPDES SANITARY PERMIT

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

WATER WITHDRAWAL

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

CULTURAL RESOURCES

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

AIR RESOURCES

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

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

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

OTHER

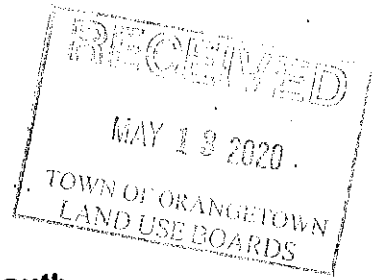
Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and the project sponsor should, therefore, verify the need for permits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

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

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

Christina Pacella

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



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

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

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

Project Name: Onyx Management/ Amazon Delivery Center Site Plan

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

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

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

CONSENTS that the Town of Orangetown Planning Board serve as Lead Agency for coordinated environmental review of the proposed action, and requests that the undersigned continue to be notified of SEQR determinations, Proceedings and hearings in this matter.

DOES NOT CONSENT to the Town of Orangetown Planning Board's serving as Lead Agency for coordinated environmental review of the Lead Agency. To contest the requested Lead Agency, the undersigned proposed action and wishes that _____ serve as _____ intends to follow the procedures outlined in Title 6 Part 617.6(b) (5) NYCC.

TAKES NO POSITION on Lead Agency designation in this matter

Dated: 05.13.2020

Rockland County Hwy Dept.

Agency Name

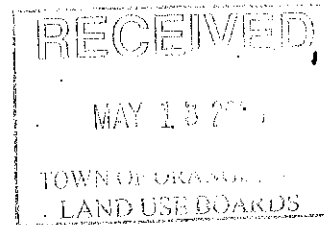
By: [Signature]

Signature

Dyan Rajasingham

Printed Name of Signer

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



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

Planning Board Meeting of May 27, 2020

Project Name: Onyx Management/ Amazon Delivery Center Site Plan

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

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

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

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

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

Dated: 05.13.2020

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

CONFORMANCE TO TOWN PERFORMANCE STANDARDS ACCEPTED WITH SPECIFIC CONDITIONS

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

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

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

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

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

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

The following documents were presented:

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

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

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

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

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

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

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

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

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

Public Comment:

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

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

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

The Board reviewed the Performance Standards and Fire Supplement forms.

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

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

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

FINDINGS OF FACT AND CONCLUSIONS:

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

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

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

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

General Conditions:

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

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

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

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

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


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

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

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

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

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By 
Deborah Arbolino
Administrative Aide

DISTRIBUTION:

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

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

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

CONFORMANCE TO TOWN PERFORMANCE STANDARDS ACCEPTED WITH SPECIFIC CONDITIONS

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

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

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

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

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

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

The following documents were presented:

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

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

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

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

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

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

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

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

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

Public Comment:

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

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

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

The Board reviewed the Performance Standards and Fire Supplement forms.

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

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

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

FINDINGS OF FACT AND CONCLUSIONS:

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

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

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

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

General Conditions:

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

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

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

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

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

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

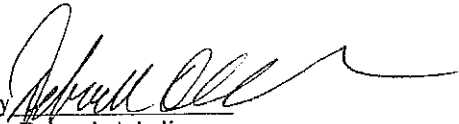
TOWN OF ORANGETOWN
2020 FEB 11 A 10:07
TOWN CLERK'S OFFICE

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

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

DATED: January 22, 2020

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By 
Deborah Arbolino
Administrative Aide

DISTRIBUTION:

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

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

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