

**Meeting of April 11, 2018
Town of Orangetown Planning Board**

MEMBERS PRESENT: Thomas Warren, Chairman, William Young, Vice Chairman; Kevin Garvey, Blythe Yost, Michael Mandel, Stephen Sweeney, and Robert Dell

MEMBERS ABSENT: None

ALSO PRESENT: Jane Slavin, Director, Department of Building, Zoning, Planning Administration and Enforcement; Rick Pakola, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Christian Catania, Clerk.

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

17 Highview Avenue Parking Plan **PB #17-43**
Prepreliminary/ Preliminary/
Final Parking Site Plan and SEQRA Review **POSTPONED**
17 Highview Avenue, Orangeburg; **requested by**
74.11/1/25; LI zoning district **applicant**

155 Corporate Drive Building Expansion **PB #18-14**
and Parking Lot Addition Site Plan
Amendment to Filed Site Plan **Final Site Plan**
155 Corporate Drive, Orangeburg **Amendment Approval**
73.15/1/18 & 73.19/1/1; LIO zoning district **Subject to Conditions**

Griffin Site Plan – Lot #2 **PB #18-15**
Krieger Subdivision
Prepreliminary/ Preliminary Site Plan **POSTPONED**
and SEQRA Review **requested by**
27 Sunrise Lane, Pearl River **applicant**
69.18/3/43.2; R-15 zoning district

The decisions of the March 28, 2018 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Kevin Garvey and seconded by Michael Mandel and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Michael Mandel, aye, Blythe Yost, aye; Robert Dell, aye; Stephen Sweeney, aye and Kevin Garvey, aye.

The Decisions of the above hearings, as attached hereto, although made by the Board before the conclusion of the meeting are not deemed accepted and adopted by the Board until adopted by a formal motion for adoption of such minutes by the Board. Following such approval and adoption by the Board, the Decisions are mailed to the applicant. The verbatim transactions are not transcribed, but are available.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Michael Mandel and seconded by William Young and agreed to by all in attendance. The meeting was adjourned at 8:30 p.m. The next Planning Board meeting is scheduled for April 25, 2018.

DATED: April 11, 2018

Cheryl Coopersmith, Chief Clerk Boards and Commissions

Cheryl Coopersmith
TOWN CLERK'S OFFICE

APR 30 2 48 PM 2018
TOWN OF ORANGETOWN

**PB#18-14: 155 Corporate Drive Site Plan
Amendment to Filed Site Plan
Final Site Plan Approval Subject to Conditions
Reaffirmation of the Negative Declaration**

**Permit #44852
Permit #44853**

**Town of Orangetown Planning Board Decision
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**TO: Douglas Bartels, P.E., c/o Russo Development, 570 Commerce
Blvd, Carlstadt, New Jersey 07072**
FROM: Orangetown Planning Board

**RE: 155 Corporate Drive Amendment to Building Expansion and
Parking Lot Addition Site Plan:** The application of 155 Corporate Drive, LLC,
owner, for Prepreliminary/ Preliminary/ Final **Site Plan Review to amend the
Approved Site Plan to Eliminate Phase II improvements**, at a site known as
“**155 Corporate Drive Site Plan - Amendment to Filed 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 155 Corporate Drive,
Orangeburg, Town of Orangetown, Rockland County, New York, and as shown
on the Orangetown Tax Map as Section 73.15, Block 1, Lot 18 and Section
73.19, Block 1, Lot 1 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held
Wednesday, April 11, 2018, the Board made the following determinations:

Douglas Bartels and Daniel Steinhagen appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated April 4, 2018.
2. An Interdepartmental memorandum from the Office of Building, Zoning,
Planning Administration and Enforcement, Town of Orangetown, signed by
Jane Slavin, RA, AIA, Director, dated April 6, 2018.
3. An Interdepartmental memorandum from the Department of Environmental
Management and Engineering (DEME), Town of Orangetown, signed by
Bruce Peters, P.E., dated April 6, 2018.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated
April 9, 2018.
5. A letter from the Rockland County Department of Planning, signed by
Douglas Schuetz, Acting Commissioner of Planning, dated April 4, 2018.
6. A letter from the Rockland County Department of Highway, signed by
Dyan Rajasingham, Engineer III, dated March 9, 2018.
7. A letter from the Rockland County Department of Health, signed by
Elizabeth Mello, P.E., Senior Public Health Engineer, dated March 21, 2018

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8. A letter from Russo Development, signed by Douglas Bartels, P.E., Senior Vice President – Development, dated February 28, 2018.
9. A Short Environmental Assessment Form, signed by Michael Pembroke, Manager, dated March 8, 2018.
10. Project Narrative, prepared by Russo Development, LLC.
11. Copies of the following Board Decisions: PB #15-56, Final Site Plan Approval Subject to Conditions, dated September 28, 2016, ZBA #16-58, Variance for Loading Berth Approved, dated July 6, 2018 and ACABOR #16-48, Approved as Presented, dated July 7, 2016.
12. Site Plan prepared by Russo Development, LLC, dated March 14, 2016, last revision date of February 22, 2018:
 - C1: Title Sheet
 - C2: Existing Conditions Plan
 - C3: Phase 1 Site Plan
 - C3.1: Removed from Set
 - C4: Grading, Drainage & Utility Plan
 - C4.1: Detention Basin Details
 - C5: Construction Details
 - C6: Landscaping Plan
 - C7: Lighting Plan
 - C8: Soil Erosion & Sediment Control Plan
 - C9: Soil Erosion & Sediment Control Details
 - C9.1: Soil Erosion & Sediment Control Details
13. An email from Rick Oliver, Building Inspector, dated March 22, 2018.

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

Public Comment:

Ms Qi Fan, 34 Corrigan Way, Old Tappan, New Jersey; an abutting property owner, raised concerns regarding noise coming from the site on Wednesday evenings at midnight and Saturday mornings. She believed the noise is generated from the ventilation system.

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

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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, the applicant's professional representatives, namely Douglas G. Bartels, P.E. and the Town of Orangetown's engineering consultant, 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 agency, Town of Orangetown Zoning Board of Appeals, and having reviewed the proposed Site Plans by prepared by Douglas G. Bartels, P.E., 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;

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- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Kevin Garvey and seconded by Michael Mandel and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Michael Mandel, aye; Blythe Yost, aye; Robert Dell, aye; Kevin Garvey aye and Stephen Sweeney, 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 an **Amendment to Filed Site Plan - Final Site Plan Approval Subject to the Following Conditions:**

1. The Planning Board grants the Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE) the ability to issue a Temporary Certificate of Occupancy for a time period of 30 days. Within that 30 day period, the applicant must present to OBZPAE findings on the alleged noise occurring on Wednesday evenings at 12 midnight and on Saturday mornings. If within 30 days the applicant does not resolve the alleged noise issue, OBZPAE shall revoke the Temporary Certificate of Occupancy and the applicant shall reappear at the Planning Board.
2. OBZPAE shall determine if the alleged noise is in violation of the Town Code.
3. If any future site improvements are proposed, the applicant must apply for a Building Permit with the Office of Building, Zoning, Planning Administration and Enforcement.
4. The Rockland County Highway Department reviewed the information provided and found that the proposed action would have a de-minimis impact upon the County Highway System.
5. The Rockland County Health Department (RCDOH) reviewed the information provided and found that there are no RCDOH approvals needed for this application.

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6. 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.

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

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

9. 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.

The foregoing Resolution was made and moved by Kevin Garvey and seconded by Blythe Yost and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Michael Mandel, aye; Blythe Yost, aye; Robert Dell, aye; Kevin Garvey 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: April 11, 2018
Cheryl Coopersmith
Chief Clerk Boards and Commissions
attachment**



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TOWN CLERK'S OFFICE

REAFFIRMATION OF NEGATIVE DECLARATION

Notice of Determination of Non-Significance

PB#18-14: 155 Corporate Drive Site Plan

Amendment to Filed Site Plan

Final Site Plan Approval Subject to Conditions

Reaffirmation of the Negative Declaration

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Permit #44853

Town of Orangetown Planning Board Decision

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

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

NAME OF ACTION: 155 Corporate Drive Amendment to Filed Site Plan - Final Site Plan Approval Subject to Conditions Reaffirmation of the Negative Declaration

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Amendment to Filed Site Plan

LOCATION: The site is located at 155 Corporate Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 18 and Section 73.19, Block 1, Lot 1 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's Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.

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

For Further Information contact:

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

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