

**Meeting of December 12, 2018
Town of Orangetown Planning Board**

MEMBERS PRESENT: Thomas Warren, Chairman; William Young, Vice-Chairman; Blythe Yost, Michael Mandel; Stephen Sweeney, Robert Dell; Bruce Bond

MEMBERS ABSENT: Kevin Garvey

ALSO PRESENT: Jane Slavin, Director, Department of Building, Zoning, Planning Administration and Enforcement; Rick Pakola, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Cheryl Coopersmith, Chief Clerk Boards and Commissions

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:

Brightview Senior Living Site Plan Recommendation to the Town Board to Release the Performance Bond 31 Hunt Road, Pearl River 73.15/1/10; R-80 zoning district	Recommended to Town Board for Release the Performance Bond	PB #18-50
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Greater Hudson Bank Site Plan Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review 170 Erie Street, Blauvelt 70.14/4/10; CC zoning district	Continued: Revisit Site Design	PB #18-47
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622 Route 303 Subdivision Amendment Plan (Golden Crust Rockland) Prepreliminary/ Preliminary/ Final Subdivision Plan and SEQRA Review 622 Route 303, Blauvelt 65.14/1/11.3; LI/LIO zoning district	Final Subdivision Amendment Plan Approval Subject to Conditions Neg. Dec.	PB #18-48
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New York City Football Club Site Plan Amendment Plan Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review 280 Old Orangeburg Road, Orangeburg 73.12/1/2.2; RPC-R zoning district	Final Site Amendment Plan Approval Subject to Conditions/ Neg. Dec.	PB #18-49
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Griffin Site Plan Lot #2 Krieger Subdivision Final Site Plan Review 27 Sunrise Lane, Pearl River 69.18/3/43.2; R-15 zoning district	Final Site Amendment Plan Approval Subject to Conditions/ Reaffirmation of Neg. Dec.	PB #18-51
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TOWN CLERK'S OFFICE
2019 JAN 10 P 2:49
TOWN OF ORANGETOWN

**Meeting of December 12, 2018
Town of Orangetown Planning Board**

Sambrotto Subdivision

Reapproval of the Final Subdivision Plan and Recommendation to the Town Board to Establish the Value and Term of the Performance Bond 34 Clausland Mountain Road, Blauvelt 70.15/2/11; R-40 zoning district

Reapproval of Final Subdivision Plan & Recommendation to the Town Board to Establish the Performance Bond

PB #18-39

**Lee Construction LLC Site Plan
Kopunek Subdivision - Lot #2**

Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review 23 Sterling Avenue, Tappan 77.06/2/69.2; R-15 zoning district

**POSTPONED
BY APPLICANT**

PB #18-12

**526 Route 303 Site Plan
Instrumentation Laboratories**

Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review 526 Route 303, Orangeburg 70.19/1/45; LO zoning district

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

PB #18-06

Pearlcrest Estates Subdivision Plan

Prepreliminary/ Preliminary Subdivision Plan and SEQRA Review 149 and 165 South Main Street, Pearl River 72.08/1/7 and 68.20/5/70; RG zoning district

**POSTPONED
BY APPLICANT**

PB #17-17

Other Business:

- **Little Bucs Youth Sport Training Field:** 215 & 245 and 247& 257 Oak Tree Road, Tappan. Section 77.15, Block 1, Lot 31 and Section 77.20, Block 1, Lot1; LIO zoning district. The Board reviewed and approved the request to stockpile fill on-site. The fill will be used for regrading the site for use as soccer fields (Grading Plan Application will appear in front of the Planning Board on January 9, 2019).
- **Henry Kaufmann Campgrounds** - Request to separate 3 permit applications from the Master Plan approval; Camp Sunrise Gazebo, playground and amphitheater. **Withdrawn by Applicant**

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Bruce Bond and seconded by Stephen Sweeney and agreed to by all in attendance. The meeting was adjourned at 9:00 P.M. The next Planning Board meeting is scheduled for January 9, 2019.

DATED: December 12, 2018

Cheryl Coopersmith, Chief Clerk Boards and Commissions



TOWN CLERK'S OFFICE
2018 JAN 10 P 2:49
TOWN OF ORANGETOWN

**PB#18-50: Brightview Senior Living Site Plan
Recommendation to the Town Board to
Release the Performance Bond**

**Town of Orangetown Planning Board Recommendation
December 12, 2018
Page 1 of 2**

**TO: Diego Villareale, JMC Site Development Consultants, LLC, 120
Bedford Road, Armonk, New York 10504**
FROM: Town of Orangetown Planning Board

RE: Brightview Senior Living Performance Bond: The application of Diego Villareale, JMC, applicant for Brightview Senior Living Tappan, owner, for a Recommendation to the Town Board to Release the Performance Bond at a site known as "**Brightview Senior Living Performance Bond**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown. The site is located at 31 Hunt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 10 in the R-80 zoning district.

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

Diego Villareale appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated December 5, 2018.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated December 10, 2018.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown signed by Eamon Reilly, P.E., Commissioner, dated December 4, 2018, and from the Highway Department, signed by James Dean, Superintendent of Highways, dated December 5, 2018.
4. An interdepartmental memorandum from the Town of Orangetown Highway Department signed by James Dean Superintendent of Highways, dated November 29, 2018.
5. A letter from Diego Villareale, P.E., JMC Site Development Consultants, dated November 15, 2018.
6. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown signed by Bruce Peters, P.E., dated November 30, 2016.
7. A copy of Performance Bond #837069129, in the amount of \$359,040.00.
8. A copy of PB #16-76, Recommendation to the Town Board to Establish the Value and Term of the Performance Bond; Brightview Senior Living Site Plan, dated December 14, 2016.

TOWN CLERK'S OFFICE
2018 JAN 10 P 2:46
TOWN OF ORANGETOWN

PB#18-50: Brightview Senior Living Site Plan – Recommendation to the Town Board to Release the Performance Bond

Town of Orangetown Planning Board Recommendation

December 12, 2018

Page 2 of 2

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

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

RECOMMENDATION: In view of the foregoing, the Planning Board **Recommended to the Town of Orangetown Town Board to Release the Performance Bond.**

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

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

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



TOWN OF ORANGETOWN
2018 JAN 10 P 2:46
TOWN CLERK'S OFFICE

**PB #18-48: 622 Route 303 Subdivision Amendment:
Final Subdivision Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 1 of 6**

**TO: Steven Grogg, P.E., McLaren Engineering, 530 Chestnut Ridge
Road, Woodcliff, New Jersey 07677**
FROM: Orangetown Planning Board

RE: 622 Route 303 Subdivision Amendment Plan: The application of Golden Crust Rockland, LLC, owner, for Prepreliminary/ Preliminary/ Final Subdivision Amendment Plan Review at a site known as “**622 Route 303 Subdivision Amendment 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 21 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 622 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.14, Block 1, Lot 11.3 in the LI/LIO zoning districts.

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

John Speers appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated December 5, 2018.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A. AIA, Director, dated December 10, 2018.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., December 6, 2018.
4. A letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner, dated December 7, 2018.
5. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated December 4, 2018.
6. A letter from the Town of Clarkstown Planning Board, signed by Rudolph Yacyshyn, Vice Chairman, dated November 29, 2018.
7. A letter from the New York State Department of Transportation, signed by Akhter Shareef, dated December 10, 2018.
8. A letter from McLaren Engineering Group, signed by Steven Grogg, P.E., Sr. Vice President, dated October 26, 2018.
9. A Short Environmental Assessment Form signed by Steven Grogg, P.E.

TOWN CLERK'S OFFICE
2018 JAN 10 P 2:17
TOWN OF ORANGETOWN

**PB #18-48: 622 Route 303 Subdivision Amendment:
Final Subdivision Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 2 of 6**

10. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chair, dated November 7, 2018.
11. A letter from the Rockland County Department of Health, dated December 11, 2018, signed by Elizabeth Mello, P.E.
12. Subdivision Plans prepared by Santo Associates, dated November 30, 2010, last revised September 19, 2018.

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

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA.

On motion by Michael Mandel and seconded by Stephen Sweeney and carried as follows: Thomas Warren - Chairman; aye, William Young, Vice-Chairman, aye; Kevin Garvey; absent, Michael Mandel; aye, and Stephen Sweeney; aye, Bruce Bond; aye, Robert Dell; aye and Blythe Yost; aye, the Board declared itself Lead Agency.

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely McLaren Engineering 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

TOWN OF ORANGETOWN
JAN 10 2 17
TOWN CLERK'S OFFICE

**PB #18-48: 622 Route 303 Subdivision Amendment:
Final Subdivision Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 3 of 6**

following involved and interested agencies: Rockland County Sewer District No.1, New York State Department of Transportation, Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, and having reviewed a proposed Subdivision plan by prepared by Santo Associates a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

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

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

TOWN CLERK'S OFFICE
2018 JAN 10 P 2:47
TOWN OF ORANGETOWN

**PB #18-48: 622 Route 303 Subdivision Amendment:
Final Subdivision Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 4 of 6**

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

1. The following note shall be placed on the subdivision plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."

2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.

3. The applicant is advised that any future development must comply with the Route 303 Overlay District and submission to all applicable boards is required for review and approval.

4. The Department of Environmental Management and Engineering has no objection to the request to reduce the Right of Way offer of dedication to the New York State Department of Transportation from 160 feet to 60 feet.

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

- Since this subdivision directly impacts future plans that the New York State Department of Transportation (NYSDOT) may have for the Route 303 corridor, a review must be completed by them. Only if the NYSDOT approves the proposed right of way dedication change, can this subdivision be approved. Any other comments or concerns raised by NYSDOT must be addressed, and all required permits obtained.

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

TOWN CLERK'S OFFICE
JAN 10 2 47
TOWN OF ORANGETOWN

**PB #18-48: 622 Route 303 Subdivision Amendment:
Final Subdivision Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 5 of 6**

7. The Town of Clarkstown Planning Board reviewed the submitted information and found that there will be no impact to Clarkstown and deemed the matter for local determination.

8. New York State Department of Transportation reviewed the submitted information and found that a NYSDOT Highway work permit is needed for any proposed work within Route 303 right of way. NYSDOT is still reviewing the proposed amendment to reduce the width of the irrevocable offer of dedication to NYSDOT from 160 feet to 60 feet.

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

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

10. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats prior to signing the final plans.

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

12. 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 §21. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Plan Approval pursuant to Town Code §21 and §6A.

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

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

TOWN CLERK'S OFFICE
JAN 10 P 2:47
TOWN OF ORANGETOWN

**PB #18-48: 622 Route 303 Subdivision Amendment:
Final Subdivision Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 6 of 6**

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

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

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

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

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

The foregoing Resolution was made and moved by Bruce Bond and seconded by William Young and carried as follows: Thomas Warren – Chairman, aye; William Young, Vice-Chairman, aye; Kevin Garvey, absent; Michael Mandel, aye; Stephen Sweeney, aye; Bruce Bond, aye; Robert Dell, aye and Blythe Yost, 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: December 12, 2018
Cheryl Coopersmith, Chief Clerk Boards and Commissions
Town of Orangetown Planning Board
attachment

TOWN CLERK'S OFFICE
2018 JAN 10 3 17
TOWN OF ORANGETOWN

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

**PB #18-48: 622 Route 303 Subdivision Amendment:
Final Subdivision Plan Approval Subject to Conditions/ Neg. Dec.
December 12, 2018**

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: 622 Route 303 Subdivision Amendment: Final Subdivision Plan Approval Subject to Conditions/ Neg. Dec.

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

DESCRIPTION OF ACTION: Subdivision Amendment Plan Review

LOCATION: The site is located at 622 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.14, Block 1, Lot 11.3 in the LI/LIO zoning districts.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

TOWN CLERK'S OFFICE
DEC 12 2018
TOWN OF ORANGETOWN

**PB#18-49: New York City Football Club
Site Plan Amendment
Final Site Plan Approval Subject to Conditions**

Permit #45958

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 1 of 8**

**TO: Tony Lynn, Director, Infrastructure Services, Manchester City
Football Club, 600 3rd Avenue, New York, New York 10016**
FROM: Orangetown Planning Board

RE: New York City Football Club Site Plan: The application of Tony Lynn; Manchester City Football Club, applicant, for Orangeburg Acquisition Co. LLC, owner, for Final Site Plan Review at a site to be known as “**New York City Football Club Site Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 200 Old Orangeburg Road/Covent Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.12, Block 1, Lot 3.2 in the RPC-R zoning district.

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

Brian Quinn and Justin Seeney appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated December 5, 2018.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated December 10, 2018.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated December 6, 2018.
4. A letter from Maser Consulting, signed by Jesse B. Cokeley, P.E., dated December 3, 2018.
5. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated December 11, 2018.
6. A letter from the Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer, dated December 11, 2018.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer I, dated December 4, 2018.
8. Stormwater Pollution Prevention Plan prepared by AKRF Engineering, dated October 19, 2016.
9. An Email and letter of an Amended Permit Referral from Glenn Maier, Building Inspector, Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, to Tony Lynn, New York City Football Club, dated October 5, 2018.
10. A Project Summary dated November 6, 2018, New York City Football Club Final Site Plan Amendment.
11. An Interdepartmental memorandum to Glenn Maier, Building Inspector, Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 30, 2018.

TOWN CLERK'S OFFICE

DEC 13 2018

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**PB#18-49: New York City Football Club
Site Plan Amendment
Final Site Plan Approval Subject to Conditions
December 12, 2018
Page 2 of 8**

Permit #45958

12. A Short Environmental Assessment Form signed by Fred Bunker, dated November 7, 2018.

13. Site Plans prepared by AKRF Engineering, P.E., last revised November 6, 2018:

- T-001: Title Sheet
- C-001: Notes
- C-100: Existing Conditions Plan
- C-200: Removal Plan
- C-300: Site Geometry and Paving Plan
- C-400: Grading and Drainage Plan
- C-500: Composite Utility Plan
- C-600: Erosion and Sediment Control Plan
- C-700: Utility Profiles
- C-800: Details 1
- C-801: Details 2
- C-802: Details 3
- L-100: Landscape Plan
- L-200: Landscape Details
- A-102: New Construction Plan Training Building
- A-152: New Construction Maintenance Yard & Parking Plan
- A-201: Exterior Elevations – Training Building
- A-202: Exterior Elevations – Training Building
- A-251: Exterior Elevations – Maintenance Building
- A-500: Exterior Material Schedule
- A-043: Exterior Signage Details
- LT-002: Site Lighting Calculations Plan

14. Board Decisions: PB#16-38, Final Site Plan Approval Subject to Conditions, dated July 13, 2016, PB #16-22, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated May 11, 2016 and ACABOR #16-44, Approved Subject to Conditions, dated June 2, 2016.

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

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

TOWN CLERK'S OFFICE
JAN 10 2 47
TOWN OF ORANGEBURG

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

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely AKRF Engineering and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Rockland County Sewer District No.1, Rockland County Department of Health, Rockland County Department of Planning, and having reviewed proposed Site Plan by prepared by AKRF Engineering 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;

TOWN CLERK'S OFFICE
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TOWN OF ORANGETOWN

- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

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

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

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

TOWN OF ORANGETOWN
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TOWN CLERK'S OFFICE

3. The applicant shall comply with all pertinent and applicable conditions of all previous Board Decisions: PB#16-38, Final Site Plan Approval Subject to Conditions, dated July 13, 2016, PB #16-22, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated May 11, 2016 and ACABOR #16-44, Approved Subject to Conditions, dated June 2, 2016.

4. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.

5. Overall, DEME has no objection to the proposed amended site plan – addition of gravel parking area along Old Orangeburg Road.

6. DEME has already requested, reviewed and approved the revised NOI and SWPPP (including drainage calculations) and determined that the proposed and constructed water quality and water quantity features, designed and approved for the site, have adequate capacity to handle the minor additional flow created by the gravel parking area.

7. The applicant is reminded that because of the floor drains in the Field Heating Boiler Building, an Industrial/ Pretreatment wastewater permit may be required by the Town of Orangetown's Pre-Treatment Coordinator. The applicant/ applicant's engineer shall contact the Town's Pre-Treatment coordinator to determine if a permit is required Any and all improvements required as part of that permit shall be installed by the applicant.

8. DEME and the applicant's engineer are coordinating the required As-Builts for the project. This Site Plan amendment approval is part of the As-Built process.

9. The Drainage Consultant to the Planning Board, Maser Consulting, reviewed the submission and stormwater review and held that the proposed stormwater management plan meets the intent of the regulations and therefore recommends the NYCFC Site Plan Amendment to the Filed Plan be approved for drainage subject to the following project comments.

1. It appears the curb in front of the gravel parking area will need to be flush. Please call it out as such and provide proper elevation information.
2. Please provide a pavement section detail for the gravel parking area.
3. The gravel parking area drains to a series of catch basins connected by 12" diameter pipe. Please provide pipe sizing calculations demonstrating adequate capacity of these pipes.

TOWN OF ORANGETOWN
JAN 10 2019
TOWN ENGINEER

Continuation of Condition #9...

4. DEME may cover this in their comments with respect to the SWPPP but new signatures may be required on the NOI and various certifications. Please confirm.
5. The 100-year elevation for the Detention basin in the HydroCAD output is 69.60 but 69.55 on the plans. It is believed the plans need to be updated and subsequently, the emergency spillway and Outlet Control Structure (OCS) overflow grade need to be revised. Please review and revise as necessary. Also check that the minimum 1' of freeboard is provided between the 100-year elevation in the basin and the top of the berm.
6. The Bioretention Area is not modeled in the HydroCAD output included in the appendix. The design of the Bioretention Area shall be double checked to make sure the OCS will still function properly and the elevations of the spillway and berm are adequate.

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

- The comments in the June 16, 2016 letter from the must be met.
- An updated review must be completed by the Rockland County Department of Health and all required permits obtained.
- Prior to any grading or construction on the site, a soil and erosion control plan shall be developed that meets the New York State Guidelines for Urban Erosion and Sediment Control.
- There shall be no net increase in the peak rate of discharge from the site at all design points.

11. The Rockland County Health Department (RCDOH) reviewed the information provided and offered the following comments:

- This office has not yet received the Completion Report for decommissioning of the on-site well.

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

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TOWN CLERK'S OFFICE

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

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

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

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

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

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

APPROVED SUBJECT TO CONDITIONS
TOWN CLERK'S OFFICE
34 E. OCEAN BLVD.
ORANGETOWN, FL 32973

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

20. 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.

21. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats prior to signing the final plans.

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

The foregoing Resolution was made and moved by Stephen Sweeney and seconded by Bruce Bond and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey absent; Bruce Bond, aye; Michael Mandel, aye; Robert Dell, 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: December 12, 2018
Cheryl Coopersmith
Chief Clerk Boards and Commissions
attachment



TOWN OF ORANGE TOWN
2018 JAN 10 P 2 49
TOWN CLERK'S OFFICE

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

**PB#18-49: New York City Football Club Site Plan Amendment
Final Site Plan Approval Subject to Conditions
December 12, 2018**

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: New York City Football Club Site Plan Amendment
Final Site Plan Approval Subject to Conditions

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

DESCRIPTION OF ACTION: Site Plan Amendment Plan Review

LOCATION: The site is located at 200 Old Orangeburg Road/Covent Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.12, Block 1, Lot 3.2 in the RPC-R zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

TO: SUPERVISOR
TOWN OF ORANGETOWN
DEC 12 2018

**PB #18-51: Griffin Site Plan
(Kreiger Subdivision – Lot #2)
Final Site Plan Approval Subject to Conditions**

Permit #47361

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 1 of 5**

**TO: Steven Griffin, 27 Sunrise Lane, Pearl River, New York
FROM: Orangetown Planning Board**

RE: Griffin Site Plan – Lot #2: The application of Steven Griffin, owner, for Final Site Plan Review, at a site known as “**Griffin Site Plan – Lot #2**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 27 Sunrise Lane, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.18, Block 3, Lot 43.2 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, December 12, 2018**, the Board made the following determinations:

Lino Seiarretta and Steven Griffin appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated December 5, 2018.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., A.I.A., Director, dated December 10, 2018.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated December 6, 2018.
4. A letter from Brooker Engineering, signed by Kenneth DeGennero, P.E., dated December 12, 2018.
5. A letter from the Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated November 28, 2018.
6. A copy of the Building Department Referral dated February 20, 2018, signed by Dave Majewski, Building Inspector.
7. Site Plan prepared by Paul Gdanski, P.E., dated January 6, 2018, last revision date of October 26, 2018:
 - Sheet 1 of 2: Site Plan and Details
 - Sheet 2 of 2: Details.
8. Drainage Area Map prepared by Paul Gdanski, P.E., dated January 6, 2018.
9. Pipe Calculations for 27 Sunrise, prepared by Paul Gdanski, dated August 11, 2018, last revised September 29, 2018.
10. Percolation Test Results prepared by Fairway Testing, for 27 Sunrise Lane, Pearl River, New York dated November 9, 2018.
11. Copies of the following Board Decisions: ACABOR #18-50, Approved as Presented, dated November 1, 2018 and PB #18-15, Preliminary Site Plan Approval Subject to Conditions, dated September 26, 2018.

TOWN OF ORANGETOWN
PLANNING BOARD
12/12/2018

**PB #18-51: Griffin Site Plan
(Kreiger Subdivision – Lot #2)
Final Site Plan Approval Subject to Conditions**

Permit #47361

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 2 of 5**

12. A Certified Copy of Town Board Resolutions No(s). 615-617 Watercourse Diversion Permit/ 27 Sunrise Lane, Pearl River, 69.18-3-43.2, adopted by the Town Board on October 23, 2018.

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

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall comply with all pertinent and applicable conditions of the previous Board Decisions: ACABOR #18-50, Approved as Presented, dated November 1, 2018 and PB #18-15, Preliminary Site Plan Approval Subject to Conditions, dated September 26, 2018.
4. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
5. The written drainage easement with metes and bounds shall be submitted to DEME and the Town of Orangetown Town Attorney's Office for review and approval.

TOWN OF ORANGETOWN
PLANNING BOARD
DECEMBER 12, 2018

**PB #18-51: Griffin Site Plan
(Kreiger Subdivision – Lot #2)
Final Site Plan Approval Subject to Conditions**

Permit #47361

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 3 of 5**

6. The location of the test holes (perc tests) performed by Fairway Testing shall be shown on the plans.

7. The proposed drainage easement shall be labeled as “to the Town of Orangetown Highway Department” on the plans.

8. The leader/ note indicating the stone check dams shall be amended by adding “to be removed upon stabilization of site.”

9. A note shall be added to the plans listing the Town of Orangetown Town Board approval of the Watercourse Diversion (resolution number.)

10. Drainage Review Recommendation – Brooker Engineering

Sufficient detail and drainage calculations have been provided to demonstrate that potential significant impacts with respect to drainage can be mitigated and previous Project Comments have been addressed. Brooker Engineering therefore recommends that the Griffin Site Plan – Lot #2 Site Plan application be approved for drainage for drainage subject to no conditions.

11. The Rockland County Highway Department reviewed the submitted information and found that that the department had no further comments.

12. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act, Chapter 846, is not required based upon its review of the information provided.

13. 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.

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

15. 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.

TOWN OF ORANGETOWN
PLANNING BOARD
12/12/2018

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

- One (1) foot radius from trunk per inch DBH.
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

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

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

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

TOWN OF ORANGETOWN
PLANNING BOARD
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**PB #18-51: Griffin Site Plan
(Kreiger Subdivision – Lot #2)
Final Site Plan Approval Subject to Conditions**

Permit #47361

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 5 of 5**

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

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

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

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

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

The foregoing Resolution was made and moved by Bruce Bond and seconded by Stephen Sweeney and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, absent; Michael Mandel, nay; Robert Dell, nay; Blythe Yost, 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: December 12, 2018
Cheryl Coopersmith
Chief Clerk Boards and Commissions**

TOWN OF ORANGETOWN
2018 JAN 10 P 2:48
TOWN CLERK'S OFFICE

**PB#18-39: Sambrotto Minor Subdivision Plan:
Reapproval of Final Subdivision Plan Approval Subject to Conditions, and
Reapproval of the Recommendation to the Town Board to Establish the
Value and Term of the Performance Bond**

**Town of Orangetown Planning Board
December 12, 2018
Page 1 of 3**

**TO: Raymond Sambrotto, 34 Clausland Mountain Road, Blauvelt,
New York 10913**

FROM: Orangetown Planning Board

RE: Sambrotto Minor Subdivision Plan: The application Raymond Sambrotto, owner, for Reapproval of the Final Plan Review; PB #16-09, at a site to be known as “**Sambrotto Minor Subdivision Plan and Reapproval of the Performance Bond Value and Term**”, 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 21 of the Code of the Town of Orangetown. The site is located 34 Clausland Mountain Road, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.15, Block 2, Lot 11 in the R-40 zoning district.

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

Donald Brenner appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated December 5 and October 3, 2018.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., A.I.A., Director, dated December 10 and October 9, 2018.
3. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., December 6, October 31 and October 3, 2018.
4. A Project Narrative prepared by Raymond Sambrotto.
5. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated May 26, 2016.
6. Copies of the following Board Decisions: PB #16-34, Recommendation to the Town Board to Establish the Value and Term of the Performance Bond, dated July 13, 2016; ZBA #18-02, Extension of Time to Implement Variances of ZBA #15-11, dated January 3, 2018; PB #16-09, Final Subdivision Plan Review, dated February 10, 2016; ACABOR #16-09, Approved Subject to Conditions, dated February 4, 2016; ZBA #15-11, Approved, dated February 18, 2015, and PB #13-29, Preliminary Subdivision Approval Subject to Conditions, dated December 10, 2014.

TOWN OF ORANGETOWN
PLANNING BOARD
DEC 12 2018

**PB#18-39: Sambrotto Minor Subdivision Plan:
Reapproval of Final Subdivision Plan Approval Subject to Conditions, and
Reapproval of the Recommendation to the Town Board to Establish the
Value and Term of the Performance Bond**

**Town of Orangetown Planning Board
December 12, 2018
Page 2 of 3**

7. Site Plans prepared by Robert E. Sorace, PLS and Jay Greenwell, PLS, dated September 12, 2014;

- Sheet 1: Subdivision of Property last revised November 7, 2018
- Sheet 2: Grading, Drainage & Utility Plan, last revised May 10, 2016

8. Detail Plans prepared by Edward Maikish, P.E. and Jay Greenwell, PLS;

- Sheet 3: Details, dated September 14, 2014, last revised May 25, 2016
- Sheet 4: Cultec 150XLHD Details, dated December 30, 2015
- Sheet 5: Cultec 280OHD Detail Sheet, dated December 30, 2015
- Sheet 6: Stormfitter T-80 Detail Sheet, dated December 22, 2015

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

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

DECISION:

In view of the foregoing and the testimony before the Board, the applicant was **Granted the following:**

(1) Reapproval of the Final Subdivision Plan (PB #16-09, dated February 10, 2016), and

(2) Reapproval of the Recommendation to the Town Board to Establish the Value and Term of the Performance Bond (PB #16-34, dated July 13, 2016)

Subject to the Following Conditions:

1. The following note shall be placed on the Subdivision Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."

PLS AND JAY GREENWELL
ROBERT E. SORACE
JAY GREENWELL

**PB#18-39: Sambrotto Minor Subdivision Plan:
Reapproval of Final Subdivision Plan Approval Subject to Conditions, and
Reapproval of the Recommendation to the Town Board to Establish the
Value and Term of the Performance Bond**

**Town of Orangetown Planning Board
December 12, 2018
Page 3 of 3**

2. The following note shall be placed on the Subdivision Plan: "Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations."

3. The applicant shall comply with all pertinent and applicable prior Board Decisions:

- PB #16-34, Recommendation to the Town Board to Establish the Value and Term of the Performance Bond, dated July 13, 2016,
- ZBA #18-02, Extension of Time to Implement Variances of ZBA #15-11, dated January 3, 2018;
- PB #16-09, Final Subdivision Plan Review, dated February 10, 2016,
- ACABOR #16-09, Approved Subject to Conditions, dated February 4, 2016,
- ZBA #15-11, Approved, dated February 18, 2015, and
- PB #13-29, Preliminary Subdivision Approval Subject to Conditions, dated December 10, 2014.

4. The Drainage review from Brooker Engineering remains outstanding at this time. The plans must obtain approval without conditions prior to stamping.

5. Where a reservation of land for recreation purposed has been deemed by the Planning Board to be inadequate, money in lieu of land for recreation purposes must be collected in accordance with Section 21-20 of the Land Development Regulations (\$9,000.00 for every vacant residential lot). In addition, for every vacant lot, the sum of \$80.00 shall be collected for the Stream Maintenance Fund.

The foregoing Resolution was made and moved by Thomas Warren and seconded by Michael Mandel and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, absent; Michael Mandel, aye; Robert Dell, aye; Blythe Yost, 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: December 12, 2018
Town of Orangetown Planning Board**



TOWN OF ORANGETOWN
2018 JAN 10 P 2:48
TOWN CLERK'S OFFICE

**PB#18-06: 526 Route 303 Site Plan
Preliminary Site Plan Approval Subject
to Conditions/ Neg. Dec.**

Permit #46508

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 1 of 8**

**TO: Randall Vlasak, Instrumentation Laboratory, 526 Route 303,
Orangeburg, New York 10962**
FROM: Orangetown Planning Board

RE: 526 Route 303 Site Plan: The application of Instrumentation Laboratory, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review for the review of existing accessory structures and existing parking expansion at a site known as “**526 Route 303 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 526 Route 303, in the Route 303 Overlay Zone, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.19, Block 1, Lot 45 in the LO zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, January 24 and December 12, 2018**, the Board made the following determinations:

January 24, 2018

Randall Vlasak appeared and testified.

The Board received the following communications:

1. A Project Review Committee Review dated January 17, 2018.
An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R. A., A.I.A., Director, dated January 23, 2018.
2. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated January 18, 2018.
3. A letter from Brooker Engineering signed by Kenneth DeGennaro, P.E., dated January 16, 2018.
4. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated January 12, 2018.
5. A letter from the Rockland County Department of Highways, signed by Dyan Rajasingham, Engineer II, dated December 19, 2017.
6. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated December 18 & 19, 2017.
7. An Email from the Rockland County Drainage Agency, Shajan Thottakara, dated December 20, 2017.
8. A letter from the Rockland County Sewer District No.1, signed by Joseph LaFindra, Engineer I, dated January 19, 2018.
9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated January 3, 2018.

TOUCH SCREEN DEVICE
JAN 24 2018
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 2 of 8**

10. A Short Environmental Assessment Form, signed by Randall Vlasak, dated August 8, 2017.

11. Plans prepared by Matthew Webb, PLS, dated May 17, 2017, revised June 1, 2017.

12. A Building Permit Referral dated May 25, 2017, signed by Michael Manzare, Building Inspector.

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

The applicant requested a **CONTINUATION**.

December 12, 2018

Donald Brenner appeared and testified.

The Board received the following communications:

1. A Project Review Committee Review dated December 5, 2018.

An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R. A., A.I.A., Director, dated December 10, 2018.

2. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated December 6, 2018.

3. Plans prepared by EI Associates Architects & Engineers, dated May 4, 2018, last revised September 15, 2018:

C01: Site Analysis Plan

C02: Existing Conditions & Site Demolition Plan

C03: Site Plan and Details

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

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

COLLEEN SANNETT MADELL
CLERK OF BOARD
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 3 of 8**

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 EI Associates, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Sewer District No.1, Rockland County Drainage Agency No.1, Rockland County Department of Health, and having reviewed proposed Site Plan by prepared by EI Associates, a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

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

TOWN CLERK'S OFFICE
10000 WINDY HILL ROAD
ORANGETOWN, NY 10956

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 4 of 8**

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The applicant must obtain a Confirmation Letter from the New York State Department of Conservation regarding the finding on the tributary stream that flows through the property. This letter must be obtained prior to moving onto the Town of Orangetown Zoning Board of Appeals.
5. No parking is permitted in the 25' Drainage easement.
6. Sheet C.02 indicates a 248 Square Foot shed over a dumpster in the rear yard, 153 square foot container and a 210 square foot lean-to structure. No accessory structures are permitted in required yards and zoning variances need to be sought from the Town of Orangetown Zoning Board of Appeals.
7. The lean-to structure appears to be built within 2.3 feet of the Sparkill Creek Tributary. The applicant must contact the New York State Department of Environmental Conservation for review and approval.

TOWN OF ORANGETOWN
PLANNING BOARD
DECISION

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 5 of 8**

8. A pre-fab shed on concrete pad is indicated on the north side of the building. Note the size of the shed on the Site Plan.

9. All accessory structure shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.

10. Unless the applicant/ applicant's engineer can provide written documentation of approval from the Town of Orangetown and/ or the Rockland County Drainage Agency, the wooden lean-to structure along the unnamed tributary to the Sparkill Creek shall be removed.

11. The Town of Orangetown Highway Department offered the following comments:

- No parking is permitted in the Town of Orangetown right of way
- Glenshaw Road, (Town road), "Proposed parking lot"; there is no parking in the Town's right of way.

12. Drainage Review Recommendation - Brooker Engineering

Information has been provided to demonstrate that no significant potential impacts with respect to stormwater runoff that requires mitigation were made as a result of the changes since 1986. The Drainage Consultant, Brooker Engineering therefore recommends that the 526 Route 303 Site Plan be approved for drainage at this time subject to no conditions.

Project Description

This is the second drainage review report for this project; the last review was dated January 16, 2018. The application consists of a boundary and topographic survey for the existing development at 526 Route 303. The site contains a 99,335 square foot office and warehouse building and associated parking. The application is for approval of additional parking spaces and site modifications made since the approved 1986 Site Plan. No new exterior work is being proposed. The additional information submitted shows a reduction impervious surface of 1,664 square feet from the 1986 site plan. No significant changes in drainage patters were made as a result of this work.

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

- A review shall be completed by the New York State Department of Transportation, and any comments or concerns addressed.
- A Bulk Table shall be provided, showing the required standards, and the existing conditions. This table shall include parking requirements as well.
- A portion of the northern parking lot encroaches into the Glenshaw Street right-ow-way and the 25' drainage easement. The parking spaces must be relocated out of these two areas.

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TOWN OF ORANGETOWN
PLANNING BOARD

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 6 of 8**

14. Based upon the plans and information received, Rockland County Highway Department offered the following; the proposed plan shall have minimum impact on the County Highway System. The Rockland County Highway Department would pose no objections to the local determination unless changes are proposed to the development in the future.

15. The Rockland County Health Department reviewed the submitted information and found that it had no comments on this application and no Rockland County Health Department approvals are required.

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

17. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act, Chapter 846, is not required based upon its review of the information provided.

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

- Town of Orangetown Zoning Board of Appeals
- Rockland County Sewer District No. 1
- Rockland County Drainage Agency
- Rockland County Department of Health

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

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

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.

JOHN SANCHEZ
TOWN OF ORANGETOWN
PLANNING BOARD
DECEMBER 12, 2018

**Town of Orangetown Planning Board Decision
December 12, 2018
Page 7 of 8**

Continuation of Condition #21...

d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

- One (1) foot radius from trunk per inch DBH
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

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

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

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

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

APPROVED AND FORWARDED:
TOWN OF ORANGETOWN
PLANNING BOARD

Town of Orangetown Planning Board Decision
December 12, 2018
Page 8 of 8

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

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

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

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

29. 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 Bruce Bond and seconded by Stephen Sweeney and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, absent; Michael Mandel, aye; Robert Dell, aye; Blythe Yost, 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: December 12, 2018
Cheryl Coopersmith, Chief Clerk Boards and Commissions
attachment



TOWN OF ORANGETOWN
2018 JAN 10 P 2:49
TOWN CLERK'S OFFICE

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

**PB#18-06: 526 Route 303 Site Plan
Preliminary Site Plan Approval Subject
to Conditions/ Neg. Dec.
December 12, 2018**

Permit #46508

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: 526 Route 303 Site Plan: Preliminary Site Plan
Approval Subject to Conditions/ Neg. Dec.**

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 526 Route 303, in the Route 303 Overlay Zone, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.19, Block 1, Lot 45 in the LO zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

For Type I Actions and Conditioned Negative Declarations, a copy of this notice

20181212 10:00 AM
TOWN OF ORANGETOWN
100 GREENBUSH ROAD