

**Meeting of May 9, 2018
Town of Orangetown Planning Board**

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

MEMBERS ABSENT: Kevin Garvey

ALSO PRESENT: Rick Oliver, Building Inspector, 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. Warren read the agenda. Hearings as listed on this meeting's agenda which are made a part of these minutes were held as noted below:

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| Rockland Plastic Surgery Sign Location Plan | PB #18-20 |
| Prepreliminary/ Preliminary/ Final Sign Location and SEQRA Review 150 Route 304, Pearl River 72.08/1/1; LIO zoning district | Final Sign Location Plan Approval Subject |

| | |
|---|--|
| Skae Palisades Internal Commercial Subdivision Plan | PB #18-21 |
| Reapproval of Final Subdivision Plan Review 348 Route 9W, Palisades 78.09/1/26 & 27; R-80 zoning district | Final Reapproval of Final Subdivision Plan Subject to Conditions Reaffirmation of SEQRA |

Other Business:

1. Crestron Electronics Site Plan (PB #18 – 01): The Board reviewed and approved a change to Approved Site Plan; removal of one loading dock, relocating another and land banking parking spaces. 88 Ramland Road, Orangeburg, 77.05/1/36; LIO zoning district. The Board requested that the applicant attempt to decrease the glare of the site lights onto neighboring property owners.

2. Town Board Referral: The Town Board requested lead agency status and comments for a proposed zone change from CS to PAC. 14 – 16 North Main Street, Pearl River; 68.16-6-67. A motion was made to consent to the Town Board acting as Lead Agency for SEQRA review and moved by Stephen Sweeney 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.

TOWN OF ORANGETOWN
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TOWN CLERK'S OFFICE

**Meeting of May 9, 2018
Town of Orangetown Planning Board**

The Board offered the following comments for Town Board consideration:

- The Town of Orangetown has an approved Comprehensive Plan. The Town Board should review the entire downtown area of Pearl River in accordance with the Comprehensive Plan.
- The Board further requested that the Town Board specifically consider how the proposed zone change would fit in with other projects being planned for the downtown area.

A motion was made and moved by Stephen Sweeney 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 decisions of the April 25, 2018 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved 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 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 Bruce Bond and agreed to by all in attendance. The meeting was adjourned at 8:15 p.m.

DATED: May 9, 2018


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

TOWN CLERK'S OFFICE
2018 MAY 24 P 12:31
TOWN OF ORANGETOWN

**PB #18-20: Rockland Plastic Surgery
Sign Location Plan
Final Approval Subject to Conditions
Neg. Dec.**

Permit #46859

**Orangetown Planning Board Decision
May 9, 2018
Page 1 of 9**

**TO: Brian O'Connor, Frohling Signs, 711 Executive Boulevard,
Suite G, Valley Cottage, New York 10989**
FROM: Orangetown Planning Board

RE: Rockland Plastic Surgery Sign Location Plan: The application Frohling Sign Co-Monika Szczepaniec, applicant for 150 Route 304, LLC, owner, for Prepreliminary/ Preliminary/ Final Sign Location Plan Review, at a site known as **"Rockland Plastic Surgery Sign Location 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 150 Route 304, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 72.08, Block 1, Lot 1 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 9, 2018**, at which time the Board made the following determinations:

Brian O'Conner appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated May 2, 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 May 4, 2018.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., May 21, 2018.
4. Letters from Rockland County Department of Planning, from Douglas Schuetz, Action Commissioner of Planning and Arlene Mill, Deputy Commissioner, dated April 30, 2018.
5. A letter from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated April 3, 2018.
6. A letter from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated April 3, 2018.
7. A letter from Rockland County Drainage Agency, signed by Vincent Altieri, Executive Director, dated April 16, 2018.
8. A letter from the Rockland County Sewer District, signed by Joseph LaFiandra, Engineer II, dated April 23, 2018.
9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated April 4, 2018.
10. A Short Environmental Assessment Form signed by Monika Szczepaniec dated March 27, 2018.

TOWN CLERK OFFICE
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TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 2 of 9**

11. Sign location Plan prepared by Atzl, Nasher & Zigler, dated December 21, 2017
12. Sign Plan prepared by Frohling Sign Company dated August, 2017.
13. A copy of the Building Permit Referral, dated September 8, 2017, signed by Glen Maier, Building Inspector.
14. An Executive Summary prepared by Frohling Sign Company, signed by Monika Szczepanec, dated March 27, 2018.

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

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

TOWN OF ORANGETOWN
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TOWN OF ORANGETOWN

**Final Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 3 of 9**

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Atzl, Nasher & Zigler and Frohling Sign Company 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 Department of Highways and Rockland County Drainage Agency, and having reviewed proposed Sign Location Plans, 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; Robert Dell, aye; Stephen Sweeney, aye; Blythe Yost, aye and Bruce Bond, aye, the Board made a Negative Declaration pursuant to SEQRA.

TOWN CLERK'S OFFICE
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TOWN OF ORANGETOWN

**Final Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 4 of 9**

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Final 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. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The application shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.
4. Rockland County Department of Planning had the following comments which are incorporated herein as condition of approval:
 - A review must be completed by the New York State Department of Transportation, and all required permits obtained.
 - The April 16, 2018 letter from the Rockland County Drainage Agency notes that the applicant is in violation of a permit given previously. A "Notification of Completion" form and an "As-Built" drawing must be provided to RCDA, and resolution of the permit violation addressed, before the sign plan can be granted by the Town of Orangetown Planning Board.
 - The Town must ensure that the proposed sign conforms to the Town's sign requirements, as per Section 3.11, Table of General Use Regulations, Column 5, item 11.

TOWN OF ORANGETOWN
PLANNING BOARD
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**Final Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 5 of 9**

5. The Rockland County Department of Highway reviewed the proposed action and based upon the site plans and information submitted, the proposed action would have a de-minimis impact upon the County Highway System. The Rockland County Highway Department poses no objection to the local determination unless major changes are proposed to the development in the future.

6. The Town of Orangetown Planning Board requires that a copy of the Rockland County Drainage Agency Permit be provided for their review, prior to signing the Sign Location Site Plan.

7. The Rockland County Drainage Agency (RCDA) issued a Stream Control Act permit on September 17, 2003 for the reconstruction of a building with parking lot repair as per the Rockland Plastic Surgery LLP Site Plan" project drawings prepared by Lawler, Matusky & Skelly Engineers LLP, dated / last revised March 18, 2003, with an expiration date of March 17, 2004. Based on a review of the records, the developments were completed prior to year 2007 and the current owner is 150 Route 304 LLC.

In accordance with General conditions 1 and 2 of Permit No. 02-30, the permittee/ authorized representative shall file a "Notification of Completion" form (included with the permit) and, within three months upon completion of permitted work, an "As-Built" drawing showing post construction conditions of the site, signed and stamped or sealed by a NYS licensed Professional Engineer (P.E.) or a Registered Architect (R.A.) to the RCDA. Based on their records, Permit No. 02-30 expired March 17, 2004 and as of today, the RCDA has not received the following items required by the permit conditions:

1. A notarized Notification of Completion form for Permit No. 02-30; and
2. An "As-Built" drawing showing post construction conditions of the site, signed and stamped by a NYS licensed Professional Engineer (P.E.) or a Registered Architect (R.A.).

Please note that the non-compliance with General Conditions 1 and 2 of Permit No. 02-30 constitute a permit violation. This notice will serve to provide the Permittee with a written formal notice that the property and its owners are currently in violation of the Rockland county Stream Control Act permit and/ or its conditions.

TOWN OF ORANGETOWN
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TOWN OF ORANGETOWN

**Final Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 6 of 9**

Continuation of Condition #7...

In accordance with page 1 of 3 of Permit No. 02-30, "By acceptance of this permit, the property owner and/or authorized representative agrees that the permit is contingent upon strict compliance with the Rockland County Stream Control Law, all applicable regulations, the General Conditions, Special Conditions and approved contract drawings included as part of this permit. The property owner and/or authorized representative further agree that any violation of this permit can be subject to fines of up to TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS per day per violation for each day continued violation."

By copy of this letter, the RCDA is hereby notifying the Town of Orangetown land use boards and municipal departments that the permittee and the project site continue to be in violation of the Rockland County Stream Control Act Permit No. 02-30 and/ or its conditions for non-compliance to the permit conditions. Any future decisions or determinations made by the Town of Orangetown land use boards and municipal departments regarding the above referenced parcel shall reflect that the property owner and the project site have outstanding permit violations until receiving a notice from the RCDA indication that all violations have been resolved or the permit files are closed. The RCDA is hereby requesting the Town of Orangetown land use boards and municipal departments not to accept the site conditions until the RCDA notify that all violations have been abated or permit files are closed. Please be advised that Permit No. -2-30 cannot be closed until all outstanding violations have been addressed and the project is completed to the satisfaction of the RCDA. Please be further advised that, as per the Special Conditions, bond posted for the permit must be in full force and effect until the RCDA verify that the project is completed to the satisfaction of the RCDA.

8. 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.

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

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

TOWN OF ORANGETOWN
PLANNING BOARD
MAY 24 2018

**Final Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 7 of 9**

11. 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 Department of Highway
- Rockland County Planning Department
- Rockland County Drainage Agency

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 §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.

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

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

WILLIAM BARNETT
15 MAY 2018 10:57
TOWN OF ORANGETOWN

**Final Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 8 of 9**

Continuation of Condition #13...

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.

14. 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.

15. 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.

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

17. If the applicant, during the course of construction, 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 shall submit their recommendations as to the special treatment 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 recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant'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. Wetlands - U.S. Army Corps of Engineers).

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TOWN OF ORANGETOWN
PLANNING BOARD

**Final Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 9 of 9**

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

19. 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 DEMA 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

20. 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, nay; Robert Dell, nay; Stephen Sweeney, aye; Blythe Yost, aye and Bruce Bond, 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: May 9, 2018
Cheryl Coopersmith
Chief Clerk Boards and Commissions



TOWN OF ORANGETOWN
2018 MAY 24 P 12:31
TOWN CLERK'S OFFICE

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

**PB #18-20: Rockland Plastic Surgery
Sign Location Plan
Final Approval Subject to Conditions
Neg. Dec.
May 9, 2018**

Permit #46859

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: Rockland Plastic Surgery Sign Location Plan
Final Approval Subject to Conditions**

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

DESCRIPTION OF ACTION: Monument Sign Location Plan Review

LOCATION: The site is located at 150 Route 304, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 72.08, 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 development. 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, R.A., AIA, Director, Office of Building, Zoning and Planning Administration and Enforcement; Town of Orangetown; 20 Greenbush Road Orangeburg, NY 10962; Telephone Number: 845-359-5100

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

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TOWN OF ORANGETOWN

**PB#18-21: Skae Palisades Internal
Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan
Approved with Conditions/ Neg. Dec.**

Permit # 44227

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 1 of 5**

**TO: Donald Brenner, 4 Independence Avenue, Tappan, New York
10983**
FROM: Orangetown Planning Board

**RE: Skae Palisades Internal Commercial Subdivision Plan – 2nd
Floor:** The application of Peter Skae, owner, (Donald Brenner, attorney for the applicant) for Prepreliminary/ Preliminary/ Final Internal Commercial Subdivision Plan Review, at a site to be known as **“Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor”**, 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 348 Route 9W, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.09, Block 1, Lot 26 & 27 in the R-80 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 9, 2018**, the Board made the following determinations:

Donald Brenner appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated May 2, 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 May 4, 2018.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated May 21, 2018.
4. All prior letters from PB#15-26: Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor; Final Interior Commercial Subdivision Plan Approved Subject to Conditions, Neg. Dec.
5. A copy of PB #15-26, Final Interior Commercial Subdivision Plan Approved subject to Conditions, Neg. Dec., dated May 27, 2015.
6. A Project Narrative prepared by the applicant.
7. A Short Environmental Assessment Form, signed by Peter Skae, dated April 15, 2015.

PLANNING BOARD
MAY 9 2018
TOWN OF ORANGETOWN

**PB#18-21: Skae Palisades Internal
Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan
Approved with Conditions/ Neg. Dec.**

Permit # 44227

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 2 of 5**

8. Commercial Subdivision Plan prepared by Atzl, Nasher & Zigler, dated April 15, 2011, last revised April 10, 2018.
9. Skae Palisades Second Floor Plan Internal Commercial Subdivision Plan prepared by Kier B. Levesque, R.A., dated November 25, 2014, last revised April 10, 2018.

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 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; Stephen Sweeney, aye; Blythe Yost, aye and Bruce Bond, aye.

REAFFIRMATION OF SEQRA

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Atzl, Nasher & Zigler, dated April 15, 2011, last revised April 10, 2018 and Kier B. Levesque, R.A., dated November 25, 2014, last revised April 10, 2018; 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 Department of Health, and having reviewed proposed Subdivision Plans by prepared by Atzl, Nasher & Zigler and Kier B. Levesque, R.A., a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

TOWN OF ORANGETOWN
MAY 24 PM 03:31
2018

**PB#18-21: Skae Palisades Internal
Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan
Approved with Conditions/ Neg. Dec.**

Permit # 44227

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 3 of 5**

- 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; Robert Dell, aye; Stephen Sweeney, aye; Blythe Yost, aye and Bruce Bond, 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 Final Internal Commercial Subdivision Approval Subject to the Following Conditions:

TOWN OF ORANGETOWN
2018 MAY 24 PM 12:31
TOWN CLERK'S OFFICE

**PB#18-21: Skae Palisades Internal
Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan
Approved with Conditions/ Neg. Dec.**

Permit # 44227

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 4 of 5**

1. The applicant shall comply with all applicable and pertinent conditions of previous Board Decision #15-26, Final Interior Commercial Subdivision Plan, Approved with Conditions, dated May 27, 2015.
2. Based on the plans and information provided for the project, the Rockland County Highway Department found that the requested action will have minimum foreseeable adverse impact upon county roads in the area. A Rockland County Highway Department Work Permit will not be required for the proposed development.
3. 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.
4. The Rockland County Health Department (RCDOH) reviewed the information provided and found that this site is served by an existing subsurface disposal system. If the internal subdivision will result in an increase of employees, the system will need to be expanded. The applicant or their professionals are to address this issue.
5. The Town of Orangetown Bureau of Fire Prevention reviewed the plan and offered the following comments, place this information as a note on the Internal Commercial Subdivision Plan and the Architectural Plan:
 - Each tenant must apply for and maintain a Certificate of Compliance with the Town of Orangetown Bureau of Fire Prevention.
6. 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 Department of Health
7. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plans prior to signing the final plans.
8. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.

TOWN OF ORANGETOWN
PLANNING BOARD
MAY 9 2018

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Permit # 44227

**Town of Orangetown Planning Board Decision
May 9, 2018
Page 5 of 5**

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 §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.

The foregoing Resolution was made and moved 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; Stephen Sweeney, aye; Blythe Yost, aye and Bruce Bond, 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: May 9, 2018
Cheryl Coopersmith
Chief Clerk Boards and Commissions
attachment**



TOWN OF ORANGETOWN
2018 MAY 24 P 12:31
TOWN CLERK'S OFFICE

**PB#18-21: Skae Palisades Internal
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Permit # 44227

**Town of Orangetown Planning Board Decision
May 9, 2018**

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

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: Reapproval of Skae Palisades Internal Commercial
Subdivision Plan - 2nd Floor Final Interior Commercial Subdivision Plan**

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

DESCRIPTION OF ACTION: Interior Commercial Subdivision Plan Review

LOCATION: The site is located at 348 Route 9W, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.09, Block 1, Lots 26 & 27 in the R-80 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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