

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

Thomas Warren, Chairman, William Young, Vice-Chairman, Stephen Sweeney,
Blythe Yost, Robert Dell, Kevin Garvey, and Michael Mandel

MEMBER ABSENT: Bruce Bond, alternate

ALSO PRESENT: Rick Pakola, Deputy Town Attorney; Jane Slavin, Director,
Department of Building, Zoning, Planning Administration and Enforcement;
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.
Kevin 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:

Item Postponed from January 10, 2018 Meeting:

C & E Island Flavor Site Plan/ Parking Plan **PB #18-04**
Prepreliminary/ Preliminary/ Final Site Plan/ **Postponed**
Parking Plan and SEQRA Review
500 Route 303, Orangeburg
74.07/1/6; CC zoning district

New Items:

Bethany Mar Thoma Church Plan **PB #18-31**
Prepreliminary/ Preliminary Site Plan
and SEQRA Review **Preliminary Site Plan**
90 Old Orangeburg Road, Orangeburg **Approval Subject to**
74.09/1/64; R-80 zoning district **Conditions/ Neg. Dec.**

Schelin Resubdivision Plan **PB #18-33**
Prepreliminary/ Preliminary/
Final Subdivision Plan and SEQRA Review **Final Subdivision Plan**
65 and 75 Lawrence Street, Tappan **Approval Subject to**
77.15/3/14 & 15; R-15 zoning district **Conditions/ Neg. Dec.**

Kibria Subdivision Plan **PB #18-34**
Prepreliminary/ Preliminary/
Final Subdivision Plan and SEQRA Review **Preliminary Subdivision Plan**
571 Route 303, Blauvelt **Approval Subject to**
70.15/1/43.1; R-15 zoning district **Conditions/ Neg. Dec.**

Skae Site Plan – Building Expansion **PB #18-35**
Prepreliminary/ Preliminary/
Final Site Plan and SEQRA Review **Preliminary Site Plan**
337-339 Blaisdell Road, Orangeburg **Approval Subject to**
76.08/1/4; LIO zoning district **Conditions/ Neg. Dec.**

TOWN CLERK'S OFFICE
2018 SEP 27 P 2:40
TOWN OF ORANGETOWN

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Lia Toyota Site Plan – Parking Expansion
Prepreliminary/ Preliminary/ Final Site Plan/
Parking Plan and SEQRA Review
618 Route 303, Orangeburg
65.18/1/7; LI/LIO zoning district

PB #18-36

**Continued: Revise
Plans**

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Stephen Sweeney and seconded by William Young and agreed to by all in attendance. The meeting was adjourned at 9:00 p.m. The next Planning Board meeting is scheduled for September 26, 2018.

DATED: September 12, 2018

**Cheryl Coopersmith
Chief Clerk Boards and Commissions**



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TOWN CLERK'S OFFICE

PB #18-31: Bethany Mar Thoma Church Plan Site Plan Permit #47839
Preliminary Site Plan Approval Subject to Conditions
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TO: John Atzl, Atzl, Nasher & Zigler, PC, 234 North Main Street,
New City, New York 10956
FROM: Orangetown Planning Board

RE: Bethany Mar Thoma Church Site Plan: The application of Rev. Saju John for Bethany Mar Thoma Church, owner, for Prepreliminary/ Preliminary Site Plan Review at a site known as "**Bethany Mar Thoma Church Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 90 Old Orangeburg Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.09, Block 1, Lot 64 in the R-80 zoning district.

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

John Atzl and Frank Phillips appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 5, 2018.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, RA, AIA, Director, dated September 7, 2018.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 5, 2018.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated September 11, 2018.
5. A letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated August 20, 2018.
6. Letters from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer II dated, July 25, 2018 and Joseph Arena, dated July 30, 2018.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated September 7, 2018.
8. Letters from Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer, dated August 24, 2018.
9. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated September 5, 2018.

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10. A letter from the New York State Department of Environmental Conservation, Division of Environmental Permits, Region 3, signed by Victoria Lawrence, dated August 21, 2018.
11. An email from John Atzl forwarding an email from the New York State Parks CRIS Application, Subject SHPO Initial Consultation Submission Received, dated September 6, 2018.
12. A letter from the Town of Orangetown Zoning Board of Appeals signed by Dan Sullivan, Chair, dated September 5, 2018.
13. A Short Environmental Assessment Form signed by John Atzl, dated June 21, 2018.
14. A Project Narrative prepared by Atzl, Nasher & Zigler, dated June 25, 2018.
15. A copy of the Building Permit Referral provided by Building Inspector Rick Oliver, dated June 27, 2017.
16. Plans entitled Bethany Mar Thoma Church Site Plans, prepared by Atzl, Nasher & Zigler P.C., dated June 16, 2018, revised as noted:
 - Drawing No. 1: Site Development Plan, revised July 18, 2018
 - Drawing No. 2: Existing Site
 - Drawing No. 3: Grading Plan
 - Drawing No. 4: Erosion & Sediment Control (E & SC) Plan

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

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 Kevin Garvey and seconded by Stephen Sweeney and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye; Blythe Yost, aye, and Bruce Bond, absent, 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.

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After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Atzl, Nasher and Zigler 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 Department of Health, Rockland County Department of Highways, Town of Orangetown Zoning Board of Appeals, and having reviewed proposed Site Plans by prepared by Atzl, Nasher & Zigler PC a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown'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

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On motion by Kevin Garvey and seconded by Stephen Sweeney and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye and Blythe Yost, aye, and Bruce Bond, absent, 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. Application shall be made to the Town of Orangetown Zoning Board of Appeals for the proposed Floor Area Ratio (FAR), Front Yard Setback, Side Yard Setback, Total Side Yard Setback and Maximum building height per the Bulk Table.
5. The proposed parking in the front yard shall be carefully considered in relationship to the close proximity to the designated street line and the existing and proposed curb cut.
6. The applicant's engineer shall provide calculations demonstrating the total area of disturbance for the site. Those calculations shall include existing and proposed pervious and impervious area break down.

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7. The applicant's engineer shall provide drainage calculations for the proposed drainage piping systems and outlet protection system (rip rap slope blanket.)

8. A blowup of the slope blanket at the exhaust of the proposed piping system, into the existing stream bed shall be provided showing existing elevations of stream (bed and banks) outlet pipe elevation from exhaust piping entering from lands of New York State, dimensions of blanket, etc.

9. The location of the existing sanitary building connections for the church and the pastor's residence shall be given on the plans.

10. Soil erosion protection measures shall be added along the entire eastern property line as well as the area around the proposed flared end section/ slope blanket.

11. The Soil erosion and sediment control symbols shall conform to NYSDEC standards. Also, the SESC plans shall include the proposed SESC measures in the Legend.

12. The applicant shall contact the neighboring property to the West (Joseph's Home, Inc., 74.09/1/65.2) to inquire as to whether the existing macadam driveway, that services Joseph's Home at the south west corner of the property, can be removed. DEME feels it is concerned about having an active driveway that close to the proposed building structure. It shall be noted that the driveway as constructed does not lie within the filed easement.

13. The New York State Department of Environmental Conservation's number for this stream, as well as its classification, shall be shown on the plans, if applicable.

14. A profile for the proposed drainage system shall be added to the drawings.

15. Note #6 references the contour datum as being a sewer manhole in grass area behind the firehouse, what firehouse; it appears this note is in error. This shall be corrected and the benchmark elevation shall be added to the note.

16. Drainage Review Recommendation

The applicant is proposing to reduce impervious areas and is maintaining existing drainage patterns. Sufficient detail have been provided to demonstrate that potential significant impacts with respect to drainage can be mitigated and therefore the Planning Board Drainage Consultant, Brooker Engineering, recommends that the Bethany Mar Thoma Church Site Plan be approved for drainage subject to the following Project Comments.

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Continuation of Condition #16....

Project Description

This is the first drainage review report for this project. The site contains a one story frame church along Old Orangeburg Road and a pastor's residence in the rear of the property. There is a parking lot encompassing the majority of the site and additional parking that encroaches onto the neighboring property to the east by about 45 feet. There are no drainage features in the parking lot and stormwater sheet flows in an easterly direction to an existing off-site stream. The project involves the removal of asphalt and will have a net reduction in impervious areas. Existing drainage patterns are being maintained.

Project Comments

1. Show grading along the gutterline of Old Orangeburg Road that eliminates the puddling along the gutterline.
2. Evaluate if stormwater runoff from Old Orangeburg Road will enter the new driveway.
3. Indicate if the building is a slab on grade or has a basement or crawlspace.
4. Quantify the on-site existing and proposed impervious area and verify that there is a reduction in impervious area on site.
5. The entire revised parking lot is proposed to be served by three catch basins; the parking lot is also curbed which does not allow any sheet flow runoff from the area. Two of the proposed catch basins are in a valley in the middle of the parking lot. The Drainage Consultant recommends adding additional catch basins and creating a crown in the middle of the parking lot as opposed to the valley.
6. Perform a hydrologic and hydraulic analysis of the stream adjacent to the site to determine if the new building will be subject to the 100-year floodplain.
7. It appears the stream is flowing to the north. The flared end section shall be realigned to discharge consistent with the direction of flow. The proposed invert of the flared end section is below the base flow elevation of the stream and shall be elevated. Show proposed grading for the excavation required for the construction of the flared end section.
8. Show grading improvements along the west side of the building to demonstrate stormwater runoff will be directed away from the building.
9. DEME shall determine if a SWPPP is required based on land disturbance.

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

- A review shall be done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- A review must be completed by the Rockland Psychiatric Center, and any comments or concerns addressed.
- Prior to any grading or construction on the site, a soil and erosion control plan shall be developed that meets the New York State Guidelines for Urban Erosion and Sediment Control.
- There shall be no net increase in stormwater runoff from the site.
- A landscaping plan that meets all Town requirements shall be provided.
- A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- Areas designated for snow removal must be clearly delineated on the Site Plan so that the plow drivers will know where to place the snow piles. This will help to protect the proposed landscaping from damage due to the weight of the snow piles and salt intrusion. In addition, providing specific locations on the site for the snow piles will reduce the use of parking spaces meant for the congregants.
- The site plan map lists "Orangeburg Road County Highway Rte 22" as the road that this parcel fronts. This is incorrect, and must be renamed to "Old Orangeburg Road."
- Since this is not a County highway, the gratuitous dedication of the 4.375 feet strip of land shall instead be dedicated to the Town of Orangetown.
- The Rockland County Department of Planning requests the opportunity to review any variances that may be requested from the Town of Orangetown Zoning Board of Appeals in order to implement the revised Site Plan, as required by New York State General Municipal Law, Section 239-m, (a) (v).

18. The Rockland County Highway Department reviewed the plan and offered the following comments:

- The Rockland County Highway Department has reviewed the information provided and determined that the proposed action would have a de-minimis impact upon the Rockland County Highway system. Therefore, the department poses no objection to the local determination unless major changes are proposed to the development in the future.

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19. The Rockland County Department of Health (RCDOH) reviewed the plan and found that application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.

20. 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.

21. Town of Orangetown Bureau of Fire Prevention had the following comments which are incorporated herein as conditions of approval:

- Install an NFPA 13 compliant Fire Sprinkler, maintained according to NFPA 25. Using a 4" Storz connection on the FDC. Drawings shall be submitted to the Bureau of Fire Prevention prior to work beginning.
- Install an NFPA 72 compliant Fire Alarm, connected to Rockland County 44-control, with Red and Amber strobes, as per Town of Orangetown code. With Carbon Monoxide Detectors, as required. Drawings, cut sheets, electric calculations shall be submitted to the Bureau of Fire Prevention for approval prior to work beginning.
- Install Portable Fire Extinguishers as per NFPA 10.
- Install Emergency lighting as per NEC.

22. Based upon the circulated documents, the New York State Department of Environmental Conservation (NYSDEC) offered the following information:

- **Protection of Waters:** There are no waterbodies that appear on its regulatory maps at the location identified. If a permit is not required, please note, however the applicant is still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.
- **Freshwater Wetlands:** The project is not within a New York State protected Freshwater Wetland.
- **State – Listed Species:** No records of sensitive resources were identified by this review. The absence of data does not necessarily mean that rare or state listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site.

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Continuation of Condition #22...

- **SPDES Stormwater (Construction):** The submitted documents indicate that approximately 0.6 acre (of the 1.0 acre site) is to be disturbed in order to develop the parcel. Compliance with the current SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-15-002) is required for projects that disturb one or more acres of land. If the project is revised so that one or more acres of land are proposed to be disturbed, the applicant must prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the current SPDES General Permit noted above. As the Town of Orangetown is an MS4 area, the Town would have responsibility for review of the SWPPP. The MS4 Acceptance Form must be submitted to NYSDEC.
- **Cultural Resources:** DEC has reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. Visit NYS Office of Historic Preservation website at nysparks.com/shop/online-tools.
- Other permits from DEC or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and therefore, the applicant should verify the need for permits if the project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified.

23. 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
- Rockland County Highway Department
- Town of Orangetown Zoning Board of Appeals
- New York State Department of Environmental Conservation

24. 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.

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

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26. 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.

27. 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.

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Continuation of Condition #27...

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.

28. 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.

29. 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.

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

31. 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).

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

33. 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

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

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

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: September 12, 2018
Cheryl Coopersmith
Chief Clerk Boards and Commissions
attachment



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

**PB #18-31: Bethany Mar Thoma Church Plan Site Plan Permit #47839
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This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

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

NAME OF ACTION: Bethany Mar Thoma Church Plan Site Plan
SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 90 Old Orangeburg Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.09, Block 1, Lot 64 in the R-80 zoning district.

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, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

2018 SEP 27 P 2:41
TOWN OF ORANGETOWN

**PB #18-33: Schelin Resubdivision Plan
Final Resubdivision Plan Approval
Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
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**TO: John Carroll, 50 Lawrence Street, Tappan, New York, 10983
FROM: Orangetown Planning Board**

RE: Schelin Resubdivision Plan: The application of Leslie Schelin and The Robert Schelin Living Trust, owners, for Prepreliminary/ Preliminary/ Final Resubdivision Plan Review, at a site to be known as "**Schelin Resubdivision 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 65 and 75 Lawrence Street, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.15, Block 3, Lots 14 & 15 in the R-15 zoning district.

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

John Carroll, Leslie Schelin and Carol Schelin appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 5, 2018.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, RA, AIA, Director, dated September 7, 2018.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 5, 2018.
4. A letter from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer II, dated August 27, 2018.
5. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated September 10, 2018.
6. A letter from the Rockland County Drainage Agency, signed by Vincent Altieri, Executive Director, dated August 30, 2018.
7. An Email from Michael Bettmann, Chief Fire Inspector, Bureau of Fire Prevention, Town of Orangetown, dated August 17, 2018.
8. A letter from the Town of Orangetown Zoning Board of Appeals signed by Dan Sullivan, Chair, dated September 5, 2018.
9. A Short Environmental Assessment Form signed by John Carroll, dated August 2, 2018.

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10. Subdivision Plan prepared by Civiltec Engineering & Surveying, dated May 18, 2018.

11. A letter from John Carroll Attorney at Law, signed by John Carroll, dated July 31, 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 Kevin Garvey and second by Stephen Sweeney and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye; Blythe Yost, aye, and Bruce Bond, absent.

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 Kevin Garvey and seconded by Michael Mandel and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye; Blythe Yost, aye, and Bruce Bond, absent, 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.

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

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On motion by Kevin Garvey and seconded by Michael Mandel and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye; Blythe Yost, aye, and Bruce Bond, absent; 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 a **Final Resubdivision 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 zoning chart for both lots shall be revised to show the side yard and total side yard setbacks to the main dwellings, as the garage structures are free standing and considered accessory structures.
4. 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.
5. 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.

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6. 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.

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

- Rockland County Highway Department
- Town of Orangetown Zoning Board of Appeals
- Rockland County Sewer District #1
- Rockland County Drainage Agency

8. The applicant shall comply with all pertinent items in the **Guide to the Preparation of Subdivisions** and Board Decision prior to signing the final plans.

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

10. **TREE PROTECTION:** The following note shall be placed on the Subdivision 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:

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Continuation of Condition #10...

- 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.

11. 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.

12. 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.

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

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

16. 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

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

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

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: September 12, 2018
Cheryl Coopersmith
Town of Orangetown Planning Board**
Attachment

Cheryl Coopersmith

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

**PB #18-33: Schelin Resubdivision Plan
Final Resubdivision Plan Approval
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Neg. Dec.**

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

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

**NAME OF ACTION: Schelin Resubdivision Plan
Final Resubdivision Plan Approval Subject to Conditions/ Neg. Dec.**

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

DESCRIPTION OF ACTION: Resubdivision Plan Review

LOCATION: The site is located at 65 and 75 Lawrence Street, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.15, Block 3, Lots 14 & 15 in the R-15 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, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

TOWN OF ORANGETOWN

**PB #18-34: Kibria Subdivision Plan
Preliminary Subdivision Plan Approval
Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
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**TO: Donald Brenner, 4 Independence Avenue, Tappan, New York,
10984
FROM: Orangetown Planning Board**

RE: Kibria Subdivision Plan: The application of Jamal Kibria, owner, for Prepreliminary/ Preliminary/ Final Subdivision Plan Review, at a site to be known as “**Kibria Subdivision 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 571 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.15, Block 1, Lot 43.1 in the R-15 zoning district.

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

Donald Brenner appeared and testified.

The Board received the following communications:

1. A Project Review Committee Report dated September 5, 2018.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, Director, dated September 7, 2018.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 5, 2018.
4. A letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated August 22, 2018.
5. Letters from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer II and Joseph Arena dated July 30, 2018.
6. Letters from Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer, dated August 24, 2018.
7. A letter from Rockland County Drainage Agency, signed by Vincent Altieri, Executive Director, dated August 8, 2018.
8. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated September 7, 2018.

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9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated September 5, 2018.
10. Interdepartmental memorandums from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated July 25 and September 5, 2018.
11. A letter from the New York State Department of Transportation, signed by Jason Brenner, Assistant Engineer, dated August 24, 2018.
12. A Short Environmental Assessment Form signed by Donald Brenner, dated May 8, 2018.
13. Project Narrative prepared by the applicant.
14. Subdivision Plan prepared by Robert Sorace, PLS, dated February 7, 2018, revised July 9, 2018.

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

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

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After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Highway Department, Rockland County Drainage Agency, Rockland County Sewer District #1, New York State Department of Transportation and having reviewed the drawings presented by Robert Sorace, PLS, a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- 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 OF ORANGETOWN
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On motion by Kevin Garvey and seconded by Michael Mandel and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye; Blythe Yost, aye, and Bruce Bond, absent, 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 Subdivision 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 minor subdivision does not show the development of lot #2. The applicant is requesting a waiver of the subdivision requirements under Section 21-13 of the Land Development Regulations. It shall be clearly labeled on the Subdivision plan that "Lot #2 is not approved as a Building Lot and if the applicant or future applicant wishes to obtain a building permit for Lot #2, then the applicant or future applicant will be required to appear before the Orangetown Land Use Boards for Site Plan Review and any other agencies or boards required for review and approval prior to granting an approval for development of that lot." Similarly, a note shall also be placed on the Subdivision Plat stating the following: "Should the existing structure on Lot #1 be demolished and a new structure be built, then the applicant or future applicant shall appear before the Orangetown Land Use Boards for Site Plan review and any other agencies or boards required for review and approval prior to granting any building permits for undertaking such work."

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4. Application is to be made to the Town of Orangetown Zoning Board of Appeals for a 280a variance.
5. A stabilized, no parking Fire Lane shall be shown and meet all of the requirements of the Town of Orangetown Bureau of Fire Prevention.
6. The location of the existing and proposed sanitary house connections, in its entirety to the existing sanitary main for the lots shall be given on the plans.
7. Proposed Lot #1 states that the existing sanitary house connection is to be relocated. This relocation shall be given on the plans. The applicant's engineer is reminded that cleanouts shall be placed at all changes in direction and that a 15 foot sanitary sewer easement to benefit Lot #1 over/thru Lot #2 shall also be shown on the plans.
8. A minimum of two cleanouts shall be added to the proposed sanitary house connection for Lot #2. Also, top and invert elevation for all of the proposed sanitary cleanouts shall be given on the drawings.
9. The required private sanitary house connection easement shall show the metes and bounds on the drawings. Said easement shall be submitted to DEME and the Town of Orangetown Town Attorney's Office for review and approval.
10. Profiles for the proposed sanitary sewer house connection shall be added to the plans.
11. Proposed grading shall be added to the plans.
12. Soil erosion and sediment control plans and details shall be added to the drawings NOW for review and approval. Note #12 shall be removed as SESC plans are required for subdivision approval as construction is planned over both lots.
13. The metes and bounds, page and liber or instrument number, and ownership for the existing sewer and utility easement, along the eastern property line, shall be given on the plans.
14. All existing utilities and structures within the existing sewer and utility easement shall be shown on the plans, including invert and top elevations.
15. The datum for the contours shall be given.
16. A note shall be added to the Subdivision Plan indicating the source benchmark for the referenced datum, including the BM elevation.
17. Details for the proposed driveway, sanitary house connection to the existing sanitary main, etc. shall be added to the drawings.

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

1. A review shall be completed by the New York State Department of Transportation and any comments or concerns addressed, and permits obtained.
2. As required by the Rockland County Stream Control Act, the subdivision map must be reviewed and approved by the Chairman of the Rockland County Drainage Agency before the Rockland County Clerk will accept same for filing.
3. A review shall be done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
4. 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.
5. There shall be no net increase in stormwater runoff from the site.
6. The Rockland County Department of Planning requests the opportunity to review any variances that may be requested from the Town of Orangetown Zoning Board of Appeals in order to implement the revised Site Plan, as required by New York State General Municipal Law, Section 239-m, (a)(v).

19. The Rockland County Department of Health (RCDOH) reviewed the submission provided and found that the Board should require a Stormwater management system to remediate the increase in impervious coverage, application is to be made to the RCDOH for review of the system for compliance with the County Mosquito Code.

20. The Rockland County Department of Highways reviewed the plans and information and found that the proposed action should have a de minimis impact upon county highway system. Therefore, the RCHD has no objection to the local determination unless changes are proposed to the project in the future.

21. 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.

22. 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.

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23. The New York State Department of Transportation reviewed the plans and information and offered the following:

- A Highway Work Permit will be required as part of the proposed action. The applicant shall submit the PERM 33-COM as part of the submission.
- The Site Plan supporting this proposal shall include GPS coordinates for the driveway centerline at its junction with the State Highway.

24. The Town of Orangetown Bureau of Fire Prevention reviewed the plan and offered the following comments:

- The length of the driveway must be stabilized to allow Emergency Vehicle access and minimum width of 12 feet and 13'6" clearance.
- No Parking shall be allowed along the length of the driveway; this shall be noted on the plan and posted as a sign on site.

25. 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.

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

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

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

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

29. TREE PROTECTION: The following note shall be placed on the Subdivision 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:

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- 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.

30. 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.

31. 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.

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

33. 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).

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

35. 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

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

Architecture and Community Appearance Board of Review: A motion was made to Waive the need to appear in front of the Town of Orangetown Architecture and Community Appearance Board for review by Kevin Garvey and second by Michael Mandel and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, aye; Kevin Garvey, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye; Blythe Yost, aye and Bruce Bond, absent.

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

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: September 12, 2018
Cheryl Coopersmith
Town of Orangetown Planning Board
Attachment**

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

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

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

NAME OF ACTION: Kibria Subdivision Plan; Preliminary Approval Subject to Conditions/ Neg. Dec.

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

DESCRIPTION OF ACTION: Subdivision Plan Review

LOCATION: The site is located at 571 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.15, Block 1, Lot 43.1 in the R-15 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, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

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**TO: Donald Brenner, 4 Independence Ave., Tappan, New York
FROM: Orangetown Planning Board**

RE: Skae Site Plan – Building Expansion: The application of Peter Skae, LLC, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review, at a site known as “**Skae Site Plan – Building Expansion 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 337-339 Blaisdell Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 76.08, Block 1, Lot 4 in the LIO zoning district.

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

Donald Brenner, Steven Sparaco and Peter Skae appeared and testified. The Board received the following communications:

1. Project Review Committee Report dated September 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 September 7, 2018.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 6, 2018.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated September 10, 2018.
5. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated August 29, 2018.
6. Letters from the Rockland County Highway Department signed by Dyan Rajasingham, Engineer III, dated August 17, 2018 and Joseph Arena dated August 23, 2018.
7. Letters from the Rockland County Department of Health, signed by Elizabeth Mello, P.E., dated August 24, 2018.
8. A letter from the Rockland County Sewer District No.1, signed by Joseph LaFindra, Engineer II, dated September 7, 2018.
9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated September 5, 2018.
10. An interdepartmental memorandum signed by Michael Bettmann, Chief Fire Inspector, Bureau of Fire Prevention, Town of Orangetown, dated September 7, 2018.

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11. A Short Environmental Assessment Form, signed by Peter Skae, dated July 20, 2018.
12. A Project Narrative prepared by the applicant.
13. Site Plans entitled "Pole Barn Addition for Skae Training" prepared by Sparaco & Youngblood PLLC dated March 21, 2017:
 - 1 of 3: Site Plan
 - 2 of 3: Part Plans & Details
 - 3 of 3: Details
14. Architectural Plans prepared by Victor Caruso, R.A., dated April 24, 2018:
 - Floor Plan and Foundation Plan
 - Elevations and Section
15. Building Permit Referral dated June 13, 2018, prepared by Rick Oliver, Building Inspector.

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 Kevin Garvey and seconded by William Young 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, aye and Bruce Bond, absent.

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 Kevin Garvey and seconded by Stephen Sweeney 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, aye, and Bruce Bond, absent the Board declared itself Lead Agency.

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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 Sparaco & Youngblood PLLC, 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 and Rockland County Health Department, 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;

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- 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 Kevin Garvey and seconded by William Young 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, aye, Bruce Bond, absent, 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. The following note shall be placed on the Site 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. 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.

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4. The Site Plan shall note the access road to the structure, starting point and ending point; in accordance with Bureau of Fire Prevention conditions.
5. The building separation distances between the proposed and existing structures shall be noted on the Site Plan.
6. The applicant shall provide in writing, the use of the proposed pole barn.
7. Explain in writing, what is the construction and use in connection between the existing wood frame structure and proposed pole barn.
8. The Site Plan indicates the existing two story frame dwelling. Is the frame structure being used as a dwelling? As stated in the Town of Orangetown Zoning Board of Appeals Decision #15-01, the pre-existing non-conforming structure was permitted to remain with specific condition that the structure's use shall be conforming to the LIO district.
9. The square footage of the proposed roof overhang at the pole barn shall be shown in the floor ratio calculations.
10. The Bulk Table shall indicate the existing and proposed setbacks and proposed height for the accessory structure. The current Bulk Table indicates the dimensions and variance as they relate to the main building.
11. In accordance with the Town of Orangetown Town Code, Chapter 43, § 9.2, Degree of non-conforming bulk not to be increased; a variance will be required from the Zoning Board of Appeals.
12. Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval. The calculations shall demonstrate zero net increase in runoff, tabular and graphical inflow and outflow hydrographs for the proposed subsurface detention system, storage vs. volume vs. elevations tables, pre-development vs. post development runoff totals for various design storms, drainage areas maps, etc.
13. The applicant's engineer shall provide calculations showing the existing and increase impervious area for the site. These calculations shall include a tabular breakdown of the total area of disturbance listed on drawing 2 of 3.
14. The 15 inch HDPE overflow/ outlet pipe and rip rap exhaust area shall be shown on drawing 1 of 3.

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15. Soil borings, perc tests and determination of groundwater elevations shall be performed at the subsurface detention system location. These tests shall be performed **PRIOR** to this proposal receiving **Final Approval** to ensure adequacy of designed drainage system. This information shall be added to the drainage calculations. The tests shall be performed in the spring when the ground water table is typically at its highest.

16. An existing conditions plan shall be added to the drawing set.

17. The post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for this site shall be amended to include the proposed subsurface detention system, catch basin, and piping. The revised document shall be submitted to DEME and the Town of Orangetown Town Attorney's office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contact person with telephone number, yearly report to be submitted to DEME, etc.

18. The drawing indicates that only one catch basin is being proposed to capture all of the runoff from the new paved parking areas/ driveway. This is unrealistic and unacceptable. Additional catch basin and connection piping shall be added to the proposed parking areas/ driveway to adequately handle the runoff from these impervious areas.

19. The drawings do not show any curbing to be installed around the proposed driveway/ parking areas. What will prevent stormwater from flowing as sheet flow off of the paved areas and bypassing the catch basin/ subsurface detention system? Curbing shall be added to the paved parking areas/ driveway.

20. Because of any bypass or overflow from the proposed stormwater facilities will flow into wetlands, a grease trap or other approved stormwater quality control feature shall be added to the stormwater system. This feature shall be located prior to the inlet/ outlet stormwater manhole.

21. Profiles for the proposed drainage piping shall be added to the plans. The profiles shall show all utility crossings.

22. Soil erosion and sediment control plans and details shall be submitted to DEME for review and approval.

23. The Soil erosion and sediment control symbols shall conform to NYSDEC standards. Also, the SESC plans shall include the proposed SESC measures in the Legend.

24. The location of the existing sanitary building connection shall be given on the plans.

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25. The datum for the contours shall be added to Note #5.

26. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum, including the BM elevation.

27. Drainage Review Recommendation

Sufficient detail and drainage calculations have been provided to demonstrate that potential significant impacts with respect to drainage can be mitigated. The Drainage Consultant, Brooker Engineering, therefore recommends that the Skae Pole Barn Addition Site Plan be approved for drainage subject to the following comments:

Project Description

This is the first drainage review report for this project. The Drainage Consultant previously performed a drainage review for the athletic training center building on the west side of the property. The current project consists of a new pole barn addition on the east side of the property. Access this portion of the site is via a private drive off of Orangeburg Road. The proposed addition and new parking lot is for an office and warehouse use. The two uses are independent and each has separate stormwater management facilities. There is a wetland between the two areas of land disturbance that resulted from each application.

Stormwater runoff flows downhill in a westerly direction through the site. Approximately 9,500 square feet of new impervious area is being added to the site. Stormwater detention is provided by 16 Stormtech 3500 chambers. An outlet structure is provided to regulate outflows and provide the stormwater routing. The outlet structure discharges to the wetlands on the property.

Project Comments

1. Provide a curb or berm along the west side of the driveway to make sure stormwater runoff does not bypass the field inlet that conveys stormwater to the detention system.
2. The drainage narrative describes an off-site subarea but this is not included in the hydrologic model. Evaluate stormwater runoff from the east that enters the property and may be conveyed to the detention system.
3. Provide a hood over the outlet pipe in the proposed catch basin at the northwest corner of the parking lot.
4. Provide a catch basin with a hood over the outlet pipe to discharge the roof leaders to prior to entering the detention system. Alternately, tie the roof leaders into the catch basin at the northwest corner of the parking lot.

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Continuation of Condition #27...

5. Provide a plan view detail of the detention system. Provide elevations of the isolator row and regular stormtech rows on the section.
6. Shift the stormwater outfall to the center of the property and away from the southern property line.
7. Show positive drainage on the south and east side of the existing building.
8. Show the actual finished floor elevation of the new building.
9. Provide maintenance requirements and schedule for the detention system on the Site Plan.
10. Show proposed grading on the east and south sides of the existing house that directs stormwater runoff away from the building.
11. Provide the results of the test pits.

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

- The comments in the August 17, 2018 letter from the Rockland County Highway Department must be met.
- As indicated in the August 24, 2018 letter from the Rockland County Department of Health, an application must be made for review of the stormwater management system to ensure compliance with the County Mosquito Code.
- Rockland County Department of Planning last reviewed this parcel for site plan review in February, 2018 for the shed and 75' antenna. The site plan that corresponded to that application was dated November 11, 2016, with a revision date of January 2, 2018. The application before us now is dated March 21, 2017, with no revision dated listed. Therefore, this map for a newer application is older than the previous approved final site plan. Additions since 2017, such as the 75' antenna and shed are not depicted on this set of plans. The plans submitted must contain the most up to date information, particularly for approved facilities. A revised site plan, illustrating all components of the site must be provided.
- Prior to any grading or construction on the site, all soil and erosion control measures must be in place for the site. These measures must be the latest edition (November 2016) of the New York State Guidelines for Urban Erosion and Sediment Control.
- There shall be no net increase in the peak rate of discharge from the site at all design points.

29. The Rockland county Department of Health (RCDOH) offered the following comment:

- Application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.

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30. 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.

31. The Town of Orangetown Bureau of Fire Prevention reviewed the plan and The Bureau offered the following comments:

- More detail shall be provided as to what the pole barn is proposed to be and where the access to it will be placed. The Detail for turning radius is done with an articulated ladder truck; there is not one in Tappan or Orangeburg. Orangeburg's ladder truck is a straight vehicle 246" wheelbase, total length 47' that would be first due in the event of a fire.

32. 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 #1
- Rockland County Health Department
-

33. 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.

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

35. 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.

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from trunk per inch DBH
 - Drip line of the Tree Canopy.

The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:

- Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
- Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

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

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

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38. 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.

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

40. 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).

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

42. 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

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

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

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: September 12, 2018
Cheryl Coopersmith, Chief Clerk Boards and Commissions
Town of Orangetown Planning Board**



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TOWN CLERK'S OFFICE

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

**PB#18-35: Skae Site Plan
Building Expansion
Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.**

Permit #47781

**Town of Orangetown Planning Board Decision
September 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: Skae Site Plan Building Expansion

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

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 337-339 Blaisdell Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 76.08, Block 1, Lot 4 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:
Office of Building, Zoning and Planning
Administration and Enforcement
Town of Orangetown
20 Greenbush Road
Orangeburg, NY 10962
Telephone Number: 845-359-5100

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