

**Meeting of September 25, 2019
Town of Orangetown Planning Board**

MEMBERS PRESENT: Thomas Warren, Chairman
Michael McCrory Bruce Bond
Robert Dell Michael Mandel

MEMBERS ABSENT: William Young, Vice-Chairman
Stephen Sweeney

ALSO PRESENT: Rick Pakola, Deputy Town Attorney; Jane Slavin, Director, R.A., AIA, Department of Building, Zoning, Planning Administration and Enforcement, Melisa Pezzullo, Stenographer and Cheryl Coopersmith, Chief Clerk Boards and Commissions

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

Continued item from the September 11, 2019 Meeting:

Schneider Minor Subdivision Plan PB #19-53
Tappan Historic Area Final Subdivision Plan
Final Subdivision Plan Review Approval Subject
40 Van Wardt Plan, Tappan to Conditions
77.15/1/72; R-15 zoning district

Continued Items from March 13, 2019 Meeting:

125 South Greenbush Road Site Plan PB #19-17
Prepreliminary/Preliminary Site Plan Continued: Applicant
and SEQRA Review Request for Full Board
125 South Greenbush Rd., Orangeburg
74.07/1/15.1; LI zoning district

155 South Greenbush Road Properties Site Plan PB #19-18
Prepreliminary/Preliminary Site Plan Continued: Applicant
and SEQRA Review Request for Full Board
155 South Greenbush Rd., Orangeburg
74.07/1/15.2; LI zoning district

New Items:

St. Thomas Aquinas Dormitory Site Plan PB #19-54
Final Site Plan Review Final Site Plan Approval
124 Route 340, Sparkill Subject to Conditions
74.12/1/29 and 74.16/1/1; R-40 zoning district

Alatsas – DWA LLC Minor Subdivision Plan PB #19-55
Prepreliminary/ Preliminary/ Continued: Address
Final Subdivision Plan DEME Comments and
and SEQRA Review Submit Full EAF
15 & 19 Mercury Drive, Pearl River
68.14/2/49 & 50; R-15 zoning district

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2019 OCT - 8 P 3: 09
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**September 25, 2019
Town of Orangetown Planning Board Meeting**

Orangetown Quick Stop Site Plan **PB #19-56**
Prepreliminary/ Preliminary/ Final
and SEQRA Review **Postponed by Applicant**
Route 303 Overlay Zone **to work with Consultants**
299 Route 303, Orangeburg
74.11/2/48; CC zoning district

West Lewis Avenue Minor Subdivision Plan **PB #19-57**
Prepreliminary/ Preliminary/
Final Subdivision and SEQRA Review **Continued: On Advice of Board;**
39 West Lewis Avenue, Pearl River **Applicant to Proceed to ZBA**
68.12/1/44; RG zoning district **and obtain Variances and then**
return to Planning Board

Western Highway Enterprises Site Plan **PB #19-58**
Consultation **Continued: Applicant**
423-427 Western Highway, Tappan **Needs additional time**
74.14/2/39; LO & LI zoning district **to review information**

30 Rockland Park Avenue Site Plan **PB #19-59**
Final Site Plan Review **Final Site Plan Subject**
30 Rockland Park Road, Tappan **to Conditions**
77.16/1/33; LIO zoning district

125 East Central Avenue Site Plan **PB #19-60**
Prepreliminary/ Preliminary/
Final Site Plan and SEQRA Review **Final Site Plan Subject**
125 East Central Avenue, Pearl River **to Conditions; Neg. Dec.**
68.16/6/44; CS zoning district

The decisions of the September 11, 2019 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Bruce Bond and seconded by Michael Mandel and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, absent; Michael Mandel, aye; Michael McCrory, abstain; Robert Dell, aye; Stephen Sweeney, absent, and Bruce Bond, aye.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Michael Mandel and seconded by Bruce Bond and agreed to by all in attendance. The meeting was adjourned at 9:52 p.m. The next Planning Board meeting is scheduled for October 7, 2019.

DATED: September 25, 2019



Cheryl Coopersmith, Chief Clerk Boards and Commissions

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**PB #19-53: Schneider Minor Subdivision Plan
Final Subdivision Plan Approval
Subject to Conditions**

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**TO: William Brodsky, 350 Boxberger Road, Valley Cottage,
New York, 10984**
FROM: Orangetown Planning Board

RE: Schneider Minor Subdivision Plan: The application of Ryerson Farms, applicant for Audrey Schneider, owner, for Final Subdivision Plan at a site to be known as "**Schneider Minor Subdivision Plan**", in the Tappan Historic Area, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located at 40 Van Wardt Place, Tappan, Town of Orangetown, Rockland County, New York, in the Tappan Historic Area and as shown on the Orangetown Tax Map as Section 77.15, Block 1, Lot 72; in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, September 11 and 25, 2019**, at which time the Board made the following determinations:

September 11, 2019

William Brodsky and Jay Greenwell appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 4, 2019.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated September 4, 2019.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 6, 2019.
4. A letter from Maser Consulting, signed by Jesse Cokeley, P.E., dated August 21, 2019.
5. A letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated August 19, 2019.
6. A letter from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated August 12, 2019.
7. A letter from Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer, dated August 30, 2019.
8. Correspondence from an abutting property owner, Dennis Machado, received September 11, 2019.

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9. An email from William Brodsky with an attachment of Percolation Test Results, prepared by Fairway Testing, dated September 10, 2019, and a return email from Bruce Peters, DEME, Town of Orangetown, dated September 11, 2019.
10. Subdivision Plan prepared by Jay Greenwell, PLS:
- Sheet 1: Subdivision of Property for Schneider, dated November 29, 2018, last revised March 12, 2019
 - Sheet 2: Grading, Drainage & Utility Plan with Erosion Control for Schneider, dated November 29, 2018, last revised May 10, 2019
 - Sheet 3: Details for Schneider, dated November 29, 2018, last revised March 28, 2019
 - Sheet 4: Concrete Chamber for Schneider, dated November 29, 2018, last revised June 11, 2019
11. The following Board Decisions: ACABOR #19-26, Approved as Presented, dated June 20, 2019; ZBA #19-39, Street Frontage and Front Yard Variances Approved, dated April 17, 2019 and PB #19-09, Preliminary Subdivision Plan Approval Subject to Conditions, dated February 13, 2019.

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

Public Comment:

David Booth, 22 Van Wardt Place, Tappan; raised concerns regarding development of the new lot and the possibility of a new neighbor looking into his lot. He raised concerns regarding big storms and overflowing of the Sparkill Creek and impact to the neighborhood. Mr. Booth noted that the proposed plantings for the site will take a long time to grow.

The applicant requested a **CONTINUATION**.

September 25, 2019

William Brodsky and Jay Greenwell appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 18, 2019.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated September 23 & 12, 2019.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 24, 2019.
4. A letter from Maser Consulting, signed by Jesse Cokeley, P.E., dated September 23, 2019.
5. An email from William Brodsky dated September 13, 2019 with an attachment of Percolation Test Results, prepared by Fairway Testing, dated September 10, 2019.

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

Public Comment:

Carol Bell, President of the Tappantown Historical Society, raised concerns regarding the overdevelopment of the site and requested clarification of the extent of the development.

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

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Final 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 applicant shall plant a minimum of 5 Norway spruce trees, planted 10 to 15 feet on center, starting at the end of the driveway going toward the woods (west end), planted to the left of the ditch; each tree shall be at least 6 to 8 feet in height when planted, and as noted on the revised plan, signed and dated by the applicant at the September 25, 2019 Planning Board Meeting.
4. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained and the Final Site Plan is stamped by the Chief Clerk to the Board.
5. **The existing frame garage and canvas carport shall be removed prior to the Clerk to the Planning Board signing the Subdivision Plat.** Applicant must submit for a separate demolition permit for said structures.

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6. Due to the existing flooding that occurs on and around this site, post construction stormwater maintenance agreements for the proposed rain garden systems shall be submitted to DEME and the Town of Orangetown Town Attorney's Office for review and approval. Said agreements shall include a maintenance and management schedule, inspection check list, contact person with a telephone number, yearly report to be submitted to DEME, etc.
7. The proposed grading in and along the planting berm between lots 1 and 2 shall be shown on the plan. This may require providing a "Blow up" plan view of the area.
8. The applicant shall review the location of the proposed turn-around with the Town of Orangetown Highway Department, to ensure it is proper and most useful location.
9. The applicant shall contact the Town of Orangetown Highway Department to verify whether or not road improvements must be made to Van Wardt Place along (in front of) the proposed subdivision's eastern property line. This verification shall be codified in writing.
10. A profile for the proposed sanitary house connection shall be added to the drawings.
11. The proposed sanitary house connection is only 4 feet "off" of the location for the gas, electric, telephone and cable utilities. This is too close. The distance between the utilities and sanitary house connection shall be increased.
12. Revised drainage calculations are currently under review by DEME.
13. The bottom elevation noted for the proposed stormwater chamber on Lot #2 (existing home) appears to be incorrect. The chamber is listed as being 3 feet deep inside, however, by the note, the chamber as a whole is only 1 foot deep. This shall be corrected.
14. The proposed 30 foot by 30 foot turnaround easement to the Town is located 60 feet to 90 feet away from the end of Van Wardt Place. For the turnaround to be functional, either Van Wardt place shall be extended/ improved (to Town Street Specifications) to the turnaround or the turnaround shall be moved north to where the existing paved area is. In either event, the turnaround shall be paved to Town Street Specifications. As stated above, the applicant shall consult with the Highway Department for location and approval. Lastly, the current location of the proposed turnaround appears to be within a drainage / ponding area, this is unacceptable.
15. The hatching shown on the drawing shall be added to the plan legends.
16. Profiles for all proposed drainage piping/ structures shall be added to the plans.

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17. The drawings indicate a new sanitary for the existing home (proposed Lot #2) Why is this line being replaced? Why is the "old" line not labeled as being removed? IF indeed a new sanitary house connection is to be installed for the existing home, the old line shall be labeled as to be removed and a note added to the drawing (near the old connection to the existing main) that the existing connection at the main is to be cut and capped.

18. A note shall be added to the plan stating that the Town of Orangetown Sewer Inspector shall be notified at least 48 hours prior to any sanitary sewer work being done.

19. Invert elevations shall be listed for all proposed sanitary clean outs.

20. A profile for the new sanitary house connection for the existing house (proposed lot #2) shall be added to the plans.

21. Soil erosion measures shall be added to the proposed drainage work that extends into the Town of Orangetown drainage easement at the southern end of the subdivision.

22. Drainage Review Recommendation

The Drainage Consultant to the Planning Board, Maser Consulting, offered the following; overall, the proposed stormwater management plan meets the intent of the regulations and therefore recommends that Schneider Minor Subdivision Plan be approved for drainage subject to the following Project Comments.

Maser Consulting completed a review of the plans on August 21, 2019 but have since received the drainage report titled, "Hydraulic Analysis and Stormwater Design Calculations," dated April 30, 2019, which was not provided at the time of the August review. Below is a list of comments based on its review of the drainage report. Additionally, the August 21, 2019 review comments have been repeated in this review for the purpose of providing all of its comments in one location.

Drainage Report Review:

1. Please provide a copy of the soils map so the hydrologic Soil Groups can be verified.
2. The time of concentration path for Prop 2 drainage area appears to be incorrect, as it is significantly longer than that of either existing drainage area. Please provide existing and proposed drainage area maps which also show the time of concentration paths.
3. The total proposed flows prior to any detention system for each design storm appears to be less than the total existing flows from the site despite an increase of impervious area. This is likely due to the high time of concentration for the Prop 2 drainage area. See comment #2.

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Continuation of Condition #22...

4. The chamber and outlet structure elevations provided in the report do not match those shown on the plans. The discrepancies shall be resolved.
5. The calculations provided in the report show an increase in impervious area of 0.04 acres from existing to proposed (0.19 to 0.23). However, the plans indicate an increase in impervious area of 2,471 square feet, or 0.057 acres. This discrepancy shall be resolved.

August 21, 2019 Drainage Review

Please note this review is of the existing and proposed drainage only and as such, below is a list of comments with respond to the drainage design ONLY:

1. A review memo dated February 5, 2019 has been previously provided. Some comments in said memo are no longer applicable as there have been changes to the plans subsequent to the letter. The remaining applicable comments are listed below for clarity. The Drainage Consultant, Maser Consulting, kindly requests written responses to these comments on future submissions for ease of review and confirmation of any changes to the plans.
2. Portions of the frontage of the property (\pm 1,200 SF according to the Subdivision Plan) are within the 100 Year Flood Plain. There is proposed grading and other work within these areas and cut/fill calculations shall be provided to ensure there will be zero net change in storage volume within the flood plain.
3. Actual grading of the proposed 2' landscape berm between the two proposed lots shall be shown to accurately reflect the limit of disturbance.
4. The overall limit of disturbance shall be added to the plans.
5. The construction entrance proposed at the driveway entrance to Lot #1 is located within the flood plain. The concern is that if that area floods in the 100 year storm, the stone from the construction entrance would be washed away and potentially clog or damage storm systems downstream. This shall either be relocated outside the limits of the flood plain or large enough stone need to be specified so that it can withstand the potential flooding.

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Continuation of Condition #22...

6. What is the 'CI' abbreviation within the building footprint on Lot #1 stand for?
7. Please provide soil testing information for the locations of the proposed concrete systems. Specifically, testing shall be done to determine depth to groundwater at the system locations for buoyancy concerns. This is not necessarily needed for final approval, but shall be done prior to installation.
8. Please provide a detail for dewatering as there is proposed utility trenching within the 100-year flood plain.
9. Please show on the grading drainage and utility plan which inlets will be fitted with drop inlet protection.

New Comments:

1. Please provide an updated drainage report and calculations to show that the post-development peak runoff does not exceed the pre-development peak runoff. The original submission included a report with the rain gardens, but the Drainage Consultant needs to see that these concrete structures are still providing the necessary mitigation.
2. Is the Town of Orangetown granting the rights to construct field inlets and drainage pipe within their 15 foot wide easement just beyond the southwest property line?
3. Please check inverts and labels for chamber systems/ outlet structures/ contours. For examples:
 - a. It appears the proposed 41-contour at the southwest end of the proposed berm is labeled as 43.
 - b. The bottom of the camber system for Lot 2 is shown 0.5 feet below the top of chamber.
 - c. The invert of the 36" pipe out of the chamber for Lot 2 is shown as 39, which means the top of the pip would be above ground.
 - d. The top of the outlet structure for Lot 2 appears to be mislabeled.
 - e. Please provide inverts of pipes in and out of the chamber systems.
4. Going up the driveway to Lot 1, there is a missing 42- contour between the 41- and 43- contour. Please clarify.

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

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Continuation of Condition #23...

1. The site plan included with this application only included sheets #2-4, with sheet#1 being missing. This sheet must be provided and shall contain a bulk table that conforms to the standards of the R-15 zoning district. A note must be attached to this that states variances for street frontage and front yard were granted at the April 17, 2019 Zoning Board of Appeals Meeting, ZBA #19-39. In addition, this sheet shall include map notes that list all appropriate information, including the district details.
2. An updated review must be completed by the Rockland County Highway Department and all comments and concerns addressed.
3. An updated review must be completed by the Rockland County Drainage Agency, any comments or concerns addressed, and all required permits obtained.
4. 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.
5. As indicated in the February 6, 2019 letter from the Rockland County Department of Health, application must be made to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
6. 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.
7. There shall be no net increase in stormwater runoff from the site.
8. The designated floodplain administrator for the Town of Orangetown shall certify that the proposed construction is in compliance with the floodplain regulations of the Town and the Federal Emergency Management Agency.

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24. The Rockland County Department of Highways (RCHD) reviewed the plans and information and offered the following comments:

- A drainage report is required for each tax lot proposed in the proposed development. The proposed development on each tax lot shall not be allowed to increase the runoff velocity or rate of runoff as it enters the public drainage system.

25. The Rockland County Department of Health (RCDOH) reviewed the submission provided and found that application is to be made to the RCDOH for review of the system for compliance with the County Mosquito Code.

26. 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.

27. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, it has been determined that the proposed activity is within the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act, Chapter 846, is required for development within this site. Note that the Chairman of the RCDA before the County Clerk will accept same for filing. The applicant shall file an application for Subdivision Plat review and County Planning Certification Information Forms with supporting documentation to the RCDA. In addition, the following note must be added to the subdivision Mylar prior to review by RCDA:

“The site is located within the jurisdiction of the Rockland County Drainage Agency (RCDA) pursuant to the Rockland County Stream Control Act, Chapter 846. Any site improvements within the subdivided parcels will require a valid permit or a written determination that indicates a permit is not required from the RCDA, prior to the commencement of any work.”

28. The Tappan Fire District reviewed the submitted information and offered the following comments:

- Apparently, this proposed subdivision of residential property will have a driveway to be located along the north property line out to the public road. The fire district requires access to the new rear property lot that includes a minimum of 12 foot width driveway using specifications for commercial parking and a proper turnaround for fire engines. Modern engines weigh approximately 20 tons and are to 35' in length. The construction of any driveway being built to a rear property or flag lot shall be certified to handle that.

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29. The Town of Orangetown Bureau of Fire Prevention reviewed the submitted information and offered the following comment:

- Where is the driveway for house #1?

30. 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.

31. 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.

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

33. 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 #33...

- 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.

34. 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.

35. 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.

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

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

39. 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

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

41. The applicant shall comply with all pertinent and applicable conditions of all previous Board Decisions: ACABOR #19-26, Approved as Presented, dated June 20, 2019; ZBA #19-39, Street Frontage and Front Yard Variances Approved, dated April 17, 2019 and PB #19-09, Preliminary Subdivision Plan Approval Subject to Conditions, dated February 13, 2019.

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

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

Dated: September 25, 2019
Cheryl Coopersmith
Town of Orangetown Planning Board



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**PB #19-54: St. Thomas Aquinas College
Dormitory Site Plan
Final Site Plan Approval Subject to Conditions**

Permit #48423

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**TO: John Atzl, Atzl, Nasher & Zigler, 234 North Main Street, New City,
New York 10956**
FROM: Orangetown Planning Board

RE: St. Thomas Aquinas College Dormitory Site Plan: The application of Joseph Donini, applicant for St. Thomas Aquinas College, owner, for Final Site Plan Review at a site to be known as "**St. Thomas Aquinas College Dormitory Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 125 Route 340, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.12, Block 1, Lot 29 and Section 74.16, Block 1, Lot 1 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **September 25, 2019** at which time the Board made the following determinations:

Joseph Donini and Ryan Nasher appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated September 4 & 18, 2019.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated September 4 & 23, 2019.
3. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 6 & 19, 2019.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E. dated September 25, 2019.
5. A letter from Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer, dated August 30, 2019.
6. A Project Narrative prepared by Atzl, Nasher & Zigler, dated June 25, 2019 and Comment Response letter dated June 25, 2019.
7. Stormwater Management Design Report prepared by Atzl, Nasher & Zigler, dated December 28, 2018, last revised July 18, 2019.
8. Site Plans prepared by Atzl, Nasher & Zigler, dated September 22, 2018, last revision date of July 18, 2019, unless noted:
Sheet 1 of 7: Overall Existing Condition Plan
Sheet 2 of 7: Overall Existing Condition Plan
Sheet 3 of 7: Site Plan
Sheet 4 of 7: Grading Plan
Sheet 5 of 7: Erosion Control Plan
Sheet 6 of 7: Lighting & Landscaping Plan
Sheet 7 of 7: Pond Profile Plan and Details, last revision date of May 6, 2019

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9. Copies of the Board Decisions: ACABOR #19-24, Approved Subject to Conditions, dated June 6, 2019; ZBA #19-46, Variances Approved, dated May 15, 2019, and PB#19-12, Preliminary Site Plan Approval Subject to Conditions, dated March 13, 2019.

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

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The trees shown on the landscaping plan shall be increased in size to a minimum of 3.5 to 4 inches in caliper. The applicant shall increase the number of crabapple trees on the north east side of the site, by 8 to 12 trees.

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5. Test pit results must be submitted to OBZPAE in order for permit to be issued.
6. A full set of construction plans must be submitted to OBZPAE for review.
7. No dormitory room or dwelling unit shall be permitted in any cellar or basement and all dormitories shall be equipped with sprinkler and fire alarm systems in accordance with the Town of Orangetown Fire Prevention Code^[1] and the New York State Uniform Fire Prevention and Building Code.
8. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained and the Final Site Plan is stamped by the Chief Clerk to the Boards.
9. The Stormwater management design report is under review by DEME. However, the total area of disturbance shall be depicted (outlined) and labeled on drawings 3 of 7 through 6 of 7. As a reminder, the total area of disturbance must include all proposed work: dormitory, gravel fire line, dry pond, outlet pipe, removal of existing storm drain line, curbing alignment, etc.
10. Sanitary calculations for the proposed site, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval. The calculations shall include all flows (buildings/ dormitories, etc.) that contribute (flow to) the Town of Orangetown manhole offsite to the west. However, the Town owned and maintained pumping station, that will handle the flow from the proposed new dormitory, currently experiences capacity issues. In order for the Town to accept the proposed flow from the new dormitory, modifications to the existing pumping station will be required. The Town will be requesting the applicant to fund the necessary improvements. In order to get this process started, DEME requests a meeting with the applicant and their design engineer to discuss these issues.
11. A "blow-up" of the proposed dry pond/ stormwater basin shall be provided on the drawings. Cross-sections, storage volume vs. elevation vs design storm, outlet structure details with elevations, underdrain details, profiles with elevations, outlet pipe details, safety bench, 12 foot wide maintenance path (that reaches the main pool/ outlet structure/ emergency spillway), permanent sediment depth marker with detail, plantings (if applicable), emergency overflow spillway with elevations, etc. Shall also be provided in the blow-up section in the drawings and in the stormwater management design report.

[1] Editor's Note: See Chapter 15, Fire Prevention Code.

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12. The Planning Board is advised that as the applicant has met numerous times with the DEME/ Sewer Department and has agreed to modifications/ improvements to the Town owned sanitary pumping station. Currently, the applicant's engineer is preparing design drawings for review and approval. A **performance bond, including inspection fees, will be required for the work.**

13. **No Certificate of Occupancy (C.O.) or Temporary C.O. shall be issued by the Building Department to S.T.A.C. for the proposed new dormitory until the Building Department receives a letter from the DEME stating that the public improvements to the Town Sanitary Pumping Station have been completed, inspected and accepted by the Town DEME/ Sewer Department. This acceptance includes "As-Builts" drawings, operation manuals, warranties, etc. A note stating same shall be added to the drawings.**

14. The proposed inlet protection symbols on the SESC plan do not match the NYSDEC standards, this shall be corrected.

15. A post construction stormwater maintenance agreement, in accordance with NYSDEC Phase II Regulations, for the proposed stormwater systems, shall be submitted to DEME and the Town Attorney's office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contact person with telephone number, yearly report to be submitted to DEME, etc.

16. Drainage Review Recommendation – Brooker Engineering

The applicant has provided sufficient calculations to demonstrate that the proposed stormwater management system will mitigate potential significant adverse with respect to drainage. Brooker Engineering, the Planning Board Drainage Consultant, therefore recommends that the St. Thomas Aquinas Dormitory Site Plan be approved for drainage at this time, subject to the following comments.

Project Description

This is the second drainage review report for this project, the last review was dated February 19, 2019. The site is located along the north side of Route 340 and the proposed dormitory expansion is located along the southern side of Dormitory #300. The project adds approximately 6,500 square feet of impervious area. The footprint of the new building is located in a low lying grassy area that is piped to the northwest via an existing field inlet. The field inlet would be removed and a new dry pond stormwater management basin is proposed east of the building. Stormwater runoff would be piped to the northeast toward the Sparkill Creek. The Sparkill Creek floodplain is located on the site, but the proposed work is outside the 100-year floodplain.

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Continuation of Condition #16....

Project Comments

1. The drainage sub basin used in the hydrologic model that directs stormwater runoff to the detention basin has a drainage divide along the proposed fire lane as per the submitted drainage basin map. Additional grading shall be provided to show that the fire lane will act as a drainage divide.
 2. A spillway has been added in the dry pond directing stormwater away from the building as requested. For ease of construction inspection, label the spillway, provide a detail of the spillway, and show the intended overland flow path from the basin. Show the overland flow path with respect to the emergency fire land.
 3. Show the footing drain for the proposed building.
 4. Show the lot point elevation of the proposed pond. The pond is in three feet of cut; verify the depth to the groundwater table. Provide a sump within the basin below the pipe invert out elevation. Demonstrate that smaller storms will not enter the system and leave the system because the low flow opening is sized for larger storms.
 5. Revise the grading in the northwest face of the new building to direct stormwater runoff away from the building. Review the grading adjacent to the new west door for slope with respect to the finished floor elevation at the door and the proposed top of curb.
 6. Show the footing drain for the proposed building.
 7. Provide more detailed grading in the southeast corner of the building to demonstrate stormwater runoff will be directed away from the building.
- 17.** A Rockland County Department of Health (RCDOH) reviewed the information submitted and offered the following comments:
- Application is to be made to the RCDOH for review of the system for compliance with the County Mosquito Code.
- 18.** Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, the site has been determined to be within the jurisdiction of the RCDA. Accordingly, a permit from the RCDA pursuant to the Rockland County Stream Control Act is required. Please have the applicant submit an application to RCDA immediately.

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19. The Town of Orangetown Bureau of Fire Prevention reviewed the information and offered the following comments:

- Install NFPA 13 compliant sprinkler system before work commences.
- Install and maintain an NFPA 72 compliant Fire Alarm System with drawings and cut sheets provided to the Bureau before work commences.
- Install Emergency lighting as per NEC.
- CO Detections as required.
- Install Key Box mounted outside door where FACP is located.

20. 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.

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

22. 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.

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**PB #19-54: St. Thomas Aquinas College
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Final Site Plan Approval Subject to Conditions**

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- 23.** 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.
- 24.** 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.
- 25.** 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.
- 26.** The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
- 27.** 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 Resubdivision 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).
- 28.** Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.

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29. 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

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

31. The applicant shall comply with all pertinent and applicable conditions of all previous Board Decisions: The applicant shall comply with all previous and pertinent applicable Board Decisions: ACABOR #19-24, Approved Subject to Conditions, dated June 6, 2019; ZBA #19-46, Variances Approved, dated May 15, 2019, and PB#19-12, Preliminary Site Plan Approval Subject to Conditions, dated March 13, 2019.

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

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

**Dated: September 25, 2019
Cheryl Coopersmith
Chief Clerk Boards and Commissions**



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**PB#19-59: 30 Rockland Park Road Site Plan
Pulmuone Food USA
Concrete Pads on Existing Impervious Site Plan
Final Approval Subject to Conditions**

Permit #47553

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**TO: Christina Lee, Pulmuone, 30 Rockland Park Road, Tappan,
New York 10983**
FROM: Orangetown Planning Board

RE: 30 Rockland Park Road Site Plan: The application of Pulmuone Food USA, applicant, for SPM Management, Inc., owner, for Final Site Plan Review at a site known as "**30 Rockland Park Road Site Plan**", for the construction of 2 concrete pads, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 30 Rockland Park Road, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.16, Block 1, Lot 33 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 25, 2019** at which time the Board made the following determinations:

Christina Lee, Hojoon Chung, Chang Sun Hwang, and Donald Brenner appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 18, 2019.
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 23, 2019.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated September 23, 2019.
4. A copy of an interdepartmental memorandum to Eamon Reilly, P.E, Commissioner of the Department of Environmental Management and Engineering (DEME), Town of Orangetown, from Michael Weber, Industrial Pretreatment Coordinator, DEME, dated August 15, 2019.
5. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated September 18, 2019.
6. A letter from the Rockland County Health Department, signed by Elizabeth Mello, P.E. dated September 19, 2019.

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7. Plans prepared by Joon Architecture and Design dated September 21, 2018:
G001: Project information and Existing Site Plan
A001: Proposed Site Plan
A101: Proposed Plan, Sections and Details, revised January 28, 2019
A201: Proposed Elevations, revised January 28, 2019

P001: Plumbing Notes & Schedules, revised July 22, 2019
P002: Plumbing Plan, revised July 22, 2019
P003: Plumbing Riser Diagram & Details, revised July 22, 2019

8. Copies of the following Board Decisions: ACABOR#19-11, Approved Subject to Conditions, dated March 7, 2019, ZBA #19-02, Side Yard and Total Side Yard Variances Approved, dated January 2, 2019 and PB #18-26, Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec., dated October 24, 2018.

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

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

1. The following note shall be placed on the 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. 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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3. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained and the Final Site Plan is stamped by the Chief Clerk to the Board.
4. A note shall be added to all of the plans stating that ALL trash containers, roll off boxes, dumpsters, and any other containers or containment devices used to hold or store tofu and tofu production byproducts, etc., shall be located within the enclosed trash containment storage area.
5. Due to MS4 violations, illicit discharges of tofu production byproducts into the onsite drainage system and then into the Sparkill Creek, and NYSDEC violations, discharge without a SPDES permit, at this site and this specific area of the site, the following items are required to be added to the plans:
 - a. A piped collection system inside of the proposed trash containment storage area shall be designed by a NYS licensed professional engineer to collect any leakage, spillage from any and all trash containers, roll off boxes, dumpsters, and any other containers or containment devices used to hold or store tofu and tofu production byproducts, etc. The piped system shall be designed to connect to the existing onsite sanitary sewer system. The design engineer shall provide signed and sealed calculations identifying how the collection piping is sized.
6. The previously submitted plan showed more information (manholes, catch basins, etc.) than the current plan. All sanitary manholes, stormwater manholes, catch basins, subsurface piping and all other related appurtenances shall be shown on the plan for the entire site.
7. The top and invert elevations for all sanitary and drainage shall be added to the plans, along with pipe sizes, materials, lengths and slopes for all subsurface sanitary and stormwater systems.
8. The previously submitted plan depicted a 16.5 foot wide gas easement. The current plan does not, which is correct? If there is a gas easement across the property, the drawings shall indicate if this is an abandoned easement and if so, provide documentation on when and how and by whom the easement was abandoned. If the easement is "live", the metes and bounds, liber and page of instrument number, as well as the ownership of the easement shall be listed on the drawings.
9. Soil erosion and sediment control plans and details shall be submitted to DEME for review and approval.

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10. The applicant shall tie the new collection system drain line into the existing sanitary building connection which runs under the trash containment area shown on the drawing (two separate lines – as currently shown on drawing P002 – is not acceptable.) This is necessary in order for the Town to have one sampling location prior to the sanitary flow from the building and the trash collection area entering the Town's sanitary system.

11. In conjunction with comment #10 above, an inspection manhole shall be added to the existing sanitary building connection line, prior to the buildings connection to the Town system. A detail for said manhole shall be added to the plans. The manhole details shall reflect a Campbell Foundry model #1012b frame cover with cover detail.

12. It appears that the Town owned sanitary main runs east to west, along the northern portion of this lot. The applicant's attorney shall research to see if there is an easement to the Town of Orangetown "covering" this main. If an easement exists, it shall be depicted on the drawings. If no such easement exists, the applicant shall provide a 20 foot wide sanitary easement to the Town of Orangetown. The applicant's attorney shall provide a written easement, with metes and bounds, for review and approval by DEME and the Town Attorney's Office. Plans, profiles and details for the required piped collection system shall be added to the plans. The required collection piping system shall connect to the site's existing sanitary sewer system by use of a new manhole. Details for same shall be added to the plans.

13. Invert elevations shall be provided for all new and existing sanitary piping and required inspection manhole.

14. A note shall be added to all the plans stating that the Town of Orangetown Sewer Inspector shall be notified 48 hours prior to any work taking place in or around the sanitary building connection or Town main.

15. The previous submission contained and overall site plan. This shall be added back into the plan set.

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16. The Town of Orangetown Industrial Pretreatment Coordinator reviewed the plans and offered the following recommendations:

Review of Performance Standards – Pulmuone Food USA reveals deficiencies in the proposed plumbing drawings due to the current sampling location for SIU PERMIT No. 2019-034. Currently, the sampling that takes place is performed inside of the existing building in the soybean soaking room. This location does not account for additional drainage from the waste containers (drawing P002.) Additionally, the manhole that is located on the Northeast side of the building receives flow from Rockland Park Plaza and flows North to the Rail Trail and then to the Plan. This manhole does not represent an adequate sampling location for the Industrial Pretreatment Permit. The Industrial Pretreatment Coordinator suggests that an alternate sampling location be created to combine the flow from both the process and the spill pad drains. The Coordinator would also like to see that a flow meter is installed if feasible so that the actual flow is accounted for rather than relying on the system of using prorated water bills. The Town Industrial Pretreatment Coordinator has submitted marked up drawings with his concerns and requests that the drawings be modified to meet the SIU permit requirements.

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

- An updated review must be completed by the Rockland County Drainage Agency and all required permits obtained.
- The engineer of record shall certify to the floodplain administrator of the Town of Orangetown that the proposed construction is in compliance with the floodplain regulations of the Town and the Federal Emergency Management Agency.
- The description on the application form indicates that a shed addition is proposed. The site plan provided does not depict the location of the shed, nor does it clearly delineate the location of the two concrete slabs, so it is impossible to determine the size of the structure and slabs, or their impact on drainage or other features. All proposed features must be clearly depicted and labeled on the Site Plan.
- The site plan must denote that the entire site is located with the floodplain of the Sparkill Creek. Any improvements to the site must try to limit any additional impervious materials. The use of pervious pavers or other features must be installed wherever feasible.
- The bulk table provided on the site plan must indicate that the variances requested were granted by the Zoning Board of Appeals, ZBA #19-02 on January 2, 2019.

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Continuation of Condition #17....

- The bulk table indicates the side yard will be 37.46 feet. However, Sheet A.001 of the site plan indicates it will be 36 feet, 1 inch. If this is the case, the bulk table must be updated and a new variance shall be sought for the requirement. The Rockland County Planning Department requests the opportunity to review this variance, if needed.

18. The Rockland County Highway Department reviewed the plan and found there are no Rockland County Health Department approvals needed for this application

19. 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. Therefore, if there is a stream or pond outlet present at the site with year-round flow, it assumes the classification of the water course into which it feeds, Sparkill Creek, Class C and a Protection of Waters permit is not required. If there is a stream or pond outlet present at the site that runs intermittently (seasonally), it is not protected, and a Protection of Waters permit is not required. If a permit is not required, please note, however 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.
- **Water Quality Certification:** Be aware that the Army Corp of Engineers (ACOE) may require a permit for work completed in or impacting a federal wetland. If a permit from the ACOE is required, a Section 401 Water Quality Certification may be required from NYSDEC. Contact ACOE for a determination.

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Final Approval Subject to Conditions**

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**Town of Orangetown Planning Board Decision
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Continuation of Condition #19....

- **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.
- **FEMA Floodplains/ Floodways:** The project site indicated is located within a Federal Emergency Management Agency (FEMA) Floodplain/ Floodway. The project sponsor shall contact the local municipality to determine if any additional jurisdictions are applicable to the proposal.
- 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.

20. 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.

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

22. 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.

23. 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.

TOWN CLERK'S OFFICE
2019 OCT - 8 P 3:11
TOWN OF ORANGETOWN

**PB#19-59: 30 Rockland Park Road Site Plan
Pulmuone Food USA
Concrete Pads on Existing Impervious Site Plan
Final Approval Subject to Conditions**

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**Town of Orangetown Planning Board Decision
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- 24.** 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.
- 25.** The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
- 26.** 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 Site 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).
- 27.** Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
- 28.** 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
- 29.** The Planning Board shall retain jurisdiction over lighting, landscaping, and signs and refuse control.
- 30.** The applicant shall comply with all pertinent and applicable conditions of all previous Board Decisions: ACABOR#19-11, Approved Subject to Conditions, dated March 7, 2019, ZBA #19-02, Side Yard and Total Side Yard Variances Approved, dated January 2, 2019 and PB #18-26, Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec., dated October 24, 2018.

TOWN CLERK'S OFFICE
2019 OCT - 8 P 3:11
TOWN OF ORANGETOWN

PB#19-59: 30 Rockland Park Road Site Plan
Pulmuone Food USA
Concrete Pads on Existing Impervious Site Plan
Final Approval Subject to Conditions

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

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

Dated: September 25, 2019
Cheryl Coopersmith, Chief Clerk Boards and Commissions
Town of Orangetown Planning Board



TOWN OF ORANGETOWN
2019 OCT - 8 P 3: 11
TOWN CLERK'S OFFICE

**PB #19-60: 125 East Central Avenue Site Plan
Final Site Plan Approval Subject to
Conditions/ Neg. Dec.**

Permit #48318

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

RE: 125 East Central Avenue Site Plan: The application of Andrew Asgar, owner, for a Prepreliminary/ Preliminary/ Final Site Plan Review at a site known as "**125 East Central Avenue 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 125 East Central Avenue, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.16, Block 6, Lot 44 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 25, 2019**, the Board made the following determinations:

Donald Brenner appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 18, 2019.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated September 23, 2019.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., September 23, 2019.
4. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated September 5, 2019.
5. Letters from Rockland County Department of Planning, signed by Doug Schuetz, Acting Commissioner of Planning, dated August 19, 2019 and Michael Kezner, dated August 9, 2019.
6. A letter from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer III, dated August 19, 2019.
7. Letters from Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer, dated September 19, 2019.
8. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated September 9, 2019.

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9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated September 4, 2019.
10. Plans prepared by Michael Esmay, R.A.:
 - Drawing 1: Alteration to Existing Commercial Building – Basement Plan, dated October 22, 2018, last revised August 13, 2019
 - Drawing 3: Proposed Landbanked Parking Area – dated December 31, 2018, last revised August 13, 2019
11. A Short Environmental Assessment Form signed by Andrew Asgar, dated May 15, 2019.

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

There being no public comment, a motion was made to close the Public Hearing portion of the meeting by Bruce Bond and second by Michael Mandel and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, absent; Bruce Bond, aye; Michael McCrory, aye, Robert Dell, aye; Stephen Sweeney, absent; and Michael Mandel, aye.

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

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

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

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**Town of Orangetown Planning Board Decision
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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 Michael Esmay, R.A., and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Planning, Rockland County Department of Highways, Rockland County Department of Health, Rockland County Sewer District No.1, and having reviewed a proposed Subdivision plan by prepared by Michael Esmay, R.A., a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

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

TOWN CLERK'S OFFICE

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TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
September 25, 2019
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On motion by Bruce Bond and seconded by Michael Mandel and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice Chairman, absent; Bruce Bond, aye; Michael McCrory, aye, Robert Dell, aye; Stephen Sweeney, absent; and Michael Mandel, aye; the Board made a Negative Declaration pursuant to SEQRA.

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

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

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

3. The applicant converted existing basement storage space into offices and is requesting to land bank the additional parking required. No further comments.

4. The Department of Environmental Management and Engineering has no objection to the request for land banking of parking.

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

- 1) Provide an egress plan for the basement.
- 2) Provide a reflected ceiling plan showing fire alarm devices.
- 3) Provide information regarding the proposed use of the space.

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

- A review shall be completed by the Rockland County Highway Department, any comments or concerns addressed and all required permits obtained.
- A review must be completed by the Rockland County Department of Health and all required permits obtained.

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**Town of Orangetown Planning Board Decision
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Continuation of Condition #6...

- Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site that meet the latest edition of the New York State Standards 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.
- The proposed commercial building must comply with all requirements of the New York State Uniform fire Prevention Building Code.
- A review must be completed by the local fire department or the County of Rockland Office of Fire and Emergency Services to ensure that there is sufficient access to the site or maneuverability on site for emergency vehicles.

7. Rockland County Department of Highways is in receipt of the site plan and offered the following comment for consideration:

As the proposed parking area reduces the pervious surface in the parcel, it may cause stormwater runoff issues on the public roads. A drainage report shall be submitted for the proposed parking lot expansion. The report shall satisfy the County's drainage requirement of "no net increase in the peak rate of discharge from the site at all design point."

8. Based on the information provided, the Rockland County Health Department (RCDOH) offered the following comment: Should the Board require a stormwater management system, application is to be made to RCDOH for review of the system for compliance with the County Mosquito Code.

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

10. 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 Highway Department
- Rockland County Department of Planning
- Rockland County Sewer District #1
- Town of Orangetown Zoning Board of Appeals

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

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

TOWN CLERK'S OFFICE
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**Town of Orangetown Planning Board Decision
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13. 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.

14. 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:

- 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.

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

16. 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.

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

18. 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).

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

20. 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

TOWN OF ORANGETOWN
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TOWN CLERK'S OFFICE

**PB #19-60: 125 East Central Avenue Site Plan
Final Site Plan Approval Subject to
Conditions/ Neg. Dec.**

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**Town of Orangetown Planning Board Decision
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21. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

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

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

Dated: September 25, 2019

Cheryl Coopersmith
Chief Clerk Boards and Commissions
attachment



TOWN OF ORANGETOWN
2019 OCT -8 P 3:11
TOWN CLERK'S OFFICE

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

**PB #19-60: 125 East Central Avenue Site Plan
Final Site Plan Approval Subject to
Conditions/ Neg. Dec.**

Permit #48318

**Town of Orangetown Planning Board Decision
September 25, 2019**

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: East Central Avenue Site Plan – Land Banking Parking Spaces

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

**DESCRIPTION OF ACTION: Site Plan – Land Banking Parking Spaces
Final Site Plan Approval Subject to
Conditions/ Neg. Dec.**

LOCATION: The site is located at 125 East Central Avenue, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.16, Block 6, Lot 44 in the CS 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:

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

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

TOWN OF ORANGETOWN
2019 OCT - 8 P 3: 11