

**Meeting of April 13, 2016
Town of Orangetown Planning Board**

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

MEMBERS ABSENT: Kevin Garvey, Chairman

ALSO PRESENT: John Giardiello, Director, Department of Building, Zoning, Planning Administration and Enforcement; Robert Magrino, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Elizabeth Decort, Clerk.

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

New Items:

- | | | |
|--|--|------------------|
| SMK-Erie Subdivision
Recommendation to the Town Board to release the Performance Bond
89 West Erie Street Blauvelt
70.13/1/21; R-15 zoning district | Postponed | PB #16-16 |
| The Saloon Roof Plan
Prepreliminary/ Preliminary/
Final and SEQR Review
45-49 West Central Avenue, Pearl River
68.16/1/9; CC zoning district | Preliminary Site
Plan Approval Subject to
Conditions/ Neg. Dec. | PB#16-17 |
| The Club at Pearl River Temporary Lease Signs
Prepreliminary/ Preliminary/ Final Plan
and SEQR Review
Blue Hill South & Veterans
Memorial Drive, Pearl River
73.10/1/4; OP zoning district | Final Approval
Subject to Conditions
Neg. Dec. | PB #16-18 |
| The Club at Pearl River Monument Sign
Prepreliminary/ Preliminary/ Final Plan
and SEQR Review
Blue Hill South & Veterans
Memorial Drive, Pearl River
73.10/1/4; OP zoning district | Final Approval
Subject to Conditions
Neg. Dec. | PB #16-19 |
| Verizon Wireless Site Plan
Final Site Plan Review
Above Ground Fuel &
Secondary Containment System Plan
2000 Corporate Drive, Orangeburg
73.15/1/19; LIO zoning district | Final Site Plan Approval
Subject to Conditions | PB #16-20 |

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Continued items from November 9, 2015

Bailey's Smoke House Resubdivision Plan

PB #11-49

Prepreliminary/ Preliminary/
Final Resubdivision Plan
and SEQRA Review
132 and 136 Erie Street, Blauvelt
70.14/4/ 5 & 6; CS zoning district

**CONTINUED:
Revise Plans & needs
drainage**

Bailey's Smoke House Site Plan

PB #11-50

Prepreliminary/ Preliminary Site Plan
and SEQRA Review
132, 136 & 140 Erie Street, Blauvelt
70.14/4/ 5, 6 & 7; CS zoning district

**CONTINUED:
Revise Plans & needs
drainage**

Other Business:

Dominican College Gymnasium Addition – Hennessey Student Center, plan revision date of April 12, 2016: The Board reviewed and approved a minor modification of the proposed 2 story addition, which was recently reapproved on January 13, 2016 as PB #16-02. The building addition is now 19,030 square feet; slightly larger than the 18,040 square feet originally approved by the Board. The Board held that the change was insignificant in term of having to reappear as a formal item. The applicant stated that the reason for this change is to accommodate the internal layout of the building.

The decisions of the March 23, 2016 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Stephen Sweeney and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, absent; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye, William Young, aye; Robert Dell, aye; Stephen Sweeney, aye and Thomas Warren, aye.

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

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Michael Mandel and seconded by Stephen Sweeney and agreed to by all in attendance. The meeting was adjourned at 9:45 p.m. The next Planning Board meeting is scheduled for April 27, 2016.

DATED: April 13, 2016

Cheryl Coopersmith

Chief Clerk Boards and Commissions

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PB #16-17: The Saloon Roof Plan – Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.

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TO: Bridget Killen, 45-49 West Central Avenue, Pearl River, New York
FROM: Orangetown Planning Board

RE: The Saloon Roof Plan: The application of Bridget Killen, owner, for Prepreliminary/ Preliminary/ Final Roof Plan Review, at a site known as “**The Saloon Roof 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 45-49 West Central Avenue, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.16, Block 1, Lot 9 in the CC zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, April 13, 2016** at which time the Board made the following determinations:

Bridget Killen and Donald Brenner appeared and testified.

The Board received the following communications:

1. A Project Review Report dated April 6, 2016.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated April 13, 2016.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 7, 2016.
4. A letter from the Rockland County Department of Planning, signed by Douglas Schutz, Acting Commissioner, dated April 6, 2016.
5. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated March 21, 2016.
6. A letter from the Rockland County Sewer District, signed by Joseph LaFiandra, Engineer II, dated March 31, 2016.
7. Letters from the New York State Department of Environmental Conservation, signed by Jean McAvoy, Region 3, Division of Environmental Permits, dated April 5, 2016.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated March 16, 2016.
9. A Short Environmental Assessment Form signed by Donald Brenner, dated March 10, 2016.
10. Copy of PB #15-13, Final Site Plan Approval Subject to Conditions, dated March 11, 2015.

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11. Plans prepared by Barbara Marks, Architect, dated March 26, 2014, revised December 16, 2015, unless noted:

- Drawing BDO: Notes, Zoning and Plot Plan
- Drawing BD1: Exit/ Demo Basement, 1st, 2nd & Roof Plans
- Drawing BD2: Proposed 1st, 2nd Floor Plans, revised January 13, 2015
- Drawing BD3: Proposed Roof Plans & Details, revised March 8, 2016
- Drawing BD4: Proposed Exterior Elevations

12. Copy of Building Permit Referral, dated January 5, 2016, signed by Rick Oliver, Building Inspector.

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

A motion was made to close the Public Hearing portion of the meeting by Bruce Bond and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, absent; Bruce Bond, Vice Chairman, aye; William Young, aye; Robert Dell, aye; Stephen Sweeney, aye; Michael Mandel, aye and Thomas Warren, aye.

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

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

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

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

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applicant, the applicant's professional representatives, namely by Barbara Marks, 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 Health, Rockland County Sewer District #1, New York State Department of Environmental Conservation, and having reviewed a Plan by prepared by Barbara Marks, 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.

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting".
2. The following note shall be placed on the Site Plan: "Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations" .
3. The application is for a rooftop extension; therefore the footprint of the building will remain unchanged.
4. The following variances from the Town of Orangetown Zoning Board of Appeals need to be sought:
 - Floor area ratio of 0.3 is allowed, 0.85 exists and the proposed floor area ratio is not on the plan. The Zoning Bulk Table shall be amended on the Site Plan to reflect this new variance. In addition, the Bulk Table shall reflect the Zoning Board of Appeals variances that were granted as part of decision ZA #14-78.
5. The parapet with trellis shall be designed in accordance with the New York State Building Codes.
6. The Short Environmental Assessment, item 5b, shall be answered "Yes"; otherwise it appears to be in order.
7. The applicant's engineer shall calculate the total area of disturbance.

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

1) An updated review must be completed by the County of Rockland Department of Highways and all required permits obtained.

2) An updated review must be completed by the New York State Department of Transportation and any required permits obtained.

3) Since outdoor seating is not proposed, exterior lighting will need to be provided on the rooftop. All lighting must be directed so as not to cause a glare to vehicles on either the State or County highway.

4) There are no parking standards provided or parking spaces allocated on the plans for the site. The parking requirements for a restaurant/bar are one space for every 100 square feet of gross floor area. Since the floor area would be increased with the rooftop seating area, then the parking requirement will also be increased. The applicant must provide parking calculations on the site plan, showing both what is required and proposed. In addition, it must be noted how many on-site and off-site spaces are provided. Lastly, the Town Planning Board must be satisfied that there are sufficient parking spaces off-site to serve the needs of this restaurant and other commercial establishments in the neighborhood.

5) If any variances are needed to implement the proposed site plan, the Rockland County Department of Planning requests the opportunity to review the proposed variances, as required by New York State General Municipal Law, Section 239-m(3)(v).

9. Based on the information provided, there are no Rockland County Health Department approvals needed for this project.

10. 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.

11. The New York State Department of Environmental Conservation reviewed the plans and there are no water bodies that appear on its regulatory maps, the site is not within a New York State Freshwater Wetlands, and no records of sensitive resources were identified. This project is not within the NYCDEP East of Hudson Watershed or appear to involve disturbance of 1 acre or more and therefore, no SPDES Stormwater Permit is required.

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

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

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

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

15. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

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

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Continuation of Condition #16 ...

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

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

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

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

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

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

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

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

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

Dated: April 13, 2016
Cheryl Coopersmith
Chief Clerk Boards and Commissions
attachment



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

PB #16-17: The Saloon Roof Plan – Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.

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: The Saloon Roof Plan – Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.

SEQR STATUS: Type I _____
Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____
No XXXXXX

DESCRIPTION OF ACTION: The Saloon Roof Plan – Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.

LOCATION: The site is located at 45-49 West Central Avenue, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.16, Block 1, Lot 9 in the CC zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

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Subject to Conditions**

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

RE: The Club at Pearl River Temporary Lease Signs Plan: The application of Pearl River Veterans, LLC, owner, for Prepreliminary/ Preliminary/ Final Sign Plan Review, at a site known as "**The Club at Pearl River Temporary Lease Signs 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 Blue Hill South and Veterans Memorial Drive, Pear River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.10, Block 1, Lot 4 in the OP zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, April 13, 2016**, at which time the Board made the following determinations:

Donald Brenner and Al Savincki appeared and testified.

The Board received the following communications:

1. A Project Review Report dated April 6, 2016.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated April 13, 2016.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 7, 2016.
4. A letter from the Rockland County Department of Planning, signed by Arlene Miller for Douglas Schuetz, Deputy Commissioner of Planning, dated April 11, 2016.
5. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated April 13, 2016.
6. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated March 17 & 21, 2016.
7. A letter from the Rockland County Sewer District, signed by Joseph LaFiandra, Engineer II, dated March 31, 2016.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated March 16, 2016.
9. A Short Environmental Assessment Form signed by Donald Brenner, March 10, 2016.
10. Sign Site Plan noting locations of proposed signs.
11. Copy of Building Permit Referral, dated February 4, 2016, signed by Glen Maier, Building Inspector.

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12. An Executive Summary prepared by the Applicant.

The Board reviewed the plan. The item was then open to the Public,

A motion was made to close the Public Hearing portion of the meeting by Michael Mandel and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, absent; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Stephen Sweeney, aye; and Thomas Warren, aye

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

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

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, 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 Highways, Rockland County Sewer District No. 1, Rockland County Department of Health and having reviewed the Site Plan and a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

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

On motion by Thomas Warren and seconded by Stephen Sweeney and carried as follows: Kevin Garvey, Chairman, absent; Bruce Bond, Vice Chairman, aye; William Young, aye; Robert Dell, aye; Michael Mandel, aye; Stephen Sweeney, aye and Thomas Warren, 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 a Final Approval Subject to the Following Conditions:**

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

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**PB #16-18: The Club at Pearl River Temporary Lease Signs: Final Approval
Subject to Conditions**

Town of Orangetown Planning Board Decision

April 13, 2016

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

3. The length of time for the temporary leasing sign shall be for two (2) years. In the event additional time is required, the applicant shall reappear in front of the Planning Board for an extension in time.

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

- A review must be completed by the Rockland County Department of Highways to ensure that the placement of the signs does not impeded sight distance. Any required permits must be obtained.

5. The Rockland County Department of Highway reviewed the proposed action and based upon the site plans and information submitted, the site is located at Blue Hill South Road and Veterans Memorial Drive, both of them are county roads. It is recommended the proposed signs to be located on the inside face of the easement line or designated street line. Sight line should not be obstructed. Furthermore, the sign shown with pillars should be a break away type with a sign support post, an anchor post and a breakaway component. A Rockland County Highway Department Work Permit will be required for the proposed development prior to any construction on site.

6. Based on the information provided, there are no Rockland County Health Department approvals needed for this application.

7. 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.

TOWN CLERKS OFFICE

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TOWN OF ORANGETOWN

**PB #16-18: The Club at Pearl River Temporary Lease Signs: Final Approval
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8. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans and Decisions prior to signing the final plans.

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

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

- New York State Department of Environmental Conservation
- Town of Orangetown Zoning Board of Appeals
- Rockland County Department of Health
- Rockland County Department of Highways
- Rockland County Sewer District No. 1

11. 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.

12. 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.

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**PB #16-18: The Club at Pearl River Temporary Lease Signs: Final Approval
Subject to Conditions**

Town of Orangetown Planning Board Decision

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Continuation of Condition #12...

- 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.

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

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

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

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

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**Town of Orangetown Planning Board Decision
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17. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.

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

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

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

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

Dated: April 13, 2016
Cheryl Coopersmith
Chief Clerk Boards and Commissions



TOWN CLERKS OFFICE
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TOWN OF ORANGETOWN

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

**PB #16-18: The Club at Pearl River Temporary Lease Signs: Final Approval
Subject to Conditions**

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: The Club at Pearl River Temporary Lease Signs: Final
Approval Subject to Conditions**

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

DESCRIPTION OF ACTION: Temporary Lease Signs Review

LOCATION: The site is located at Blue Hill South and Veterans Memorial Drive, Pear River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.10, Block 1, Lot 4 in the OP zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

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TOWN OF ORANGETOWN

PB #16-19: The Club at Pearl River Monument Sign: Final Approval Subject to Conditions

Town of Orangetown Planning Board Decision

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

RE: The Club at Pearl River Temporary Lease Signs Plan: The application of Pearl River Veterans, LLC, owner, for Prepreliminary/ Preliminary/ Final Sign Plan Review, at a site known as "**The Club at Pearl River Monument Sign 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 Blue Hill South and Veterans Memorial Drive, Pear River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.10, Block 1, Lot 4 in the OP zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, April 13, 2016**, at which time the Board made the following determinations:

Donald Brenner and Al Scavincki appeared and testified.

The Board received the following communications:

1. A Project Review Report dated April 6, 2016.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated April 13, 2016.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 7, 2016.
4. A letter from the Rockland County Department of Planning, signed by Arlene Miller, for Douglas Schuetz, Deputy Commissioner of Planning, dated April 11, 2016.
5. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated April 13, 2016.
6. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated March 17, 2016.
7. A letter from the Rockland County Sewer District, signed by Joseph LaFiandra, Engineer II, dated March 31, 2016.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated March 16, 2016.
9. A Short Environmental Assessment Form signed by Donald Brenner, dated March 10, 2016.
10. Sign Plans.
11. Copy of Building Permit Referral, dated February 4, 2016, signed by Glen Maier, Building Inspector.

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PB #16-19: The Club at Pearl River Monument Sign: Final Approval Subject to Conditions

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12. An Executive Summary prepared by the Applicant.

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

A motion was made to close the Public Hearing portion of the meeting by Michael Mandel and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, absent; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Stephen Sweeney, aye; and Thomas Warren, aye.

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

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

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, 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 Sewer District No. 1, Rockland County Department of Health, Rockland County Department of Highways and having reviewed the Site Plan and a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

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PB #16-19: The Club at Pearl River Monument Sign: Final Approval Subject to Conditions

Town of Orangetown Planning Board Decision

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

On motion by Thomas Warren and seconded by Michael Mandel and carried as follows: Kevin Garvey, Chairman, absent; Bruce Bond, Vice Chairman, aye; William Young, aye; Robert Dell, aye; Michael Mandel, aye; Stephen Sweeney, aye and Thomas Warren, 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 a Final Approval Subject to the Following Conditions:**

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

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**PB #16-19: The Club at Pearl River Monument Sign: Final Site Plan
Approval Subject to Conditions**

Town of Orangetown Planning Board Decision

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2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The monument sign is proposed at the entrance along Blue Hill south. Show this permanent sign location on the Site Plan.
4. Provide the Setbacks for the sign in a Zoning Bulk Table, such as required setbacks and proposed setbacks.
5. Sight distances lines shall be provided on the Site Plan at the proposed monument sign location.
6. It appears the monument sign is proposed within the street right of way. If it is in the street right of way, then approval from the Rockland County Highway Department is required and the Short Environmental Assessment Form (SEAF) shall be amended, item #2 to include the Rockland county Highway Department. Please clarify.
7. Except for item #2 of the SEAF, as described in condition #6, the SEAF appears to be in order.
8. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
 - It is difficult to determine the location of the proposed monument sign based on the plans submitted. A detailed plan must be provided showing the location of the sign, and the setback distance from South Blue Hill Road, a County Highway. The sign must be kept out of the county right of way.
 - A review must be completed by the County of Rockland Department of Highway to ensure that the proposed monument sign does not impeded sight distance. Any raised comments or concerns must be addressed. All required permits must be obtained.

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**PB #16-19: The Club at Pearl River Monument Sign: Final Site Plan
Approval Subject to Conditions**

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9. The Rockland County Department of Highway reviewed the proposed action and based upon the site plans and information submitted, the site is located at Blue Hill South Road and Veterans Memorial Drive, both of them are county roads. It is recommended the proposed signs to be located on the inside face of the easement line or designated street line. Sight line should not be obstructed. Furthermore, the sign shown with pillars should be a break away type with a sign support post, an anchor post and a breakaway component. A Rockland County Highway Department Work Permit will be required for the proposed development prior to any construction on site.

10. Based on the information provided, there are no Rockland County Health Department approvals needed for this application.

11. 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.

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

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

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

- New York State Department of Environmental Conservation
- Town of Orangetown Zoning Board of Appeals
- Rockland County Department of Health
- Rockland County Department of Highways
- Rockland County Sewer District No. 1

15. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

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

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**PB #16-19: The Club at Pearl River Monument Sign: Final Site Plan
Approval Subject to Conditions**

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Continuation of Condition #16....

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

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

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

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

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

TOWN CLERK'S OFFICE

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**PB #16-19: The Club at Pearl River Monument Sign: Final Site Plan
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**Town of Orangetown Planning Board Decision
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20. If the applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant shall submit their recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Wetlands - U.S. Army Corps of Engineers).

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

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

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

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

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

Dated: April 13, 2016
Cheryl Coopersmith
Chief Clerk Boards and Commissions

TOWN CLERKS OFFICE
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TOWN OF ORANGETOWN

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

PB #16-19: The Club at Pearl River Monument Sign: Final Approval Subject to Conditions

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: The Club at Pearl River Monument Sign: Final Approval Subject to Conditions

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

DESCRIPTION OF ACTION: Monument Sign Review

LOCATION: The site is located at Blue Hill South and Veterans Memorial Drive, Pear River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.10, Block 1, Lot 4 in the OP zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

TOWN CLERKS OFFICE
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**PB #16-20: Verizon Wireless Site Plan – Fuel Storage Expansion Plan –
Final Site Plan Approval Subject to Conditions**

April 13, 2016

Town of Orangetown Planning Board Decision

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TO: Donald Brenner, 4 Independence Avenue, Tappan,
New York 10994

FROM: Orangetown Planning Board

RE: Verizon Wireless Site Plan: The application of CellCo Partnership, owner, (Donald Brenner, attorney for the owner) for Final Site Plan Review for **the installation of an above ground fuel and secondary containment system to support generators** already on site, at a site known as “**Verizon Wireless 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 2000 Corporate Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 19 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held, **Wednesday, April 13, 2016** at which time the Board made the following determinations:

Donald Brenner, Joseph Modafferi and Daniel Lofrisco appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report dated April 6, 2016.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated April 13, 2016.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 7, 2016.
4. A letter from the Rockland County Department of Planning, from Douglas Schuetz, Acting Commissioner of Planning, dated April 13, 2016.
5. A letter from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated March 21, 2016.
6. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated March 21, 2016.

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**PB #16-20: Verizon Wireless Site Plan – Fuel Storage Expansion Plan –
Final Site Plan Approval Subject to Conditions**

April 13, 2016

Town of Orangetown Planning Board Decision

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7. A copy of the Building Department Referral, dated October 26, 2015.

8. Site Plans prepared by JMC and WB Engineers & Consultants dated October 30, 2015, last revision date of February 29, 2016:

T-001: Cover Sheet

C-301.00: Overall Existing Conditions Map

C-302.00: Overall Site Plan

C-303.00: Existing Conditions Map

C-304.00: Site Layout Plan

C-305.00: Site Grading Plan

C-306.00: Site Erosion and Sediment Control Plan

C-401.00: Construction Details

9. Site Plans prepared by JMC and WB Engineers & Consultants dated October 2, 2015, revised February 29, 2016:

M-001.00: Mechanical Symbols, Notes and Specifications

M-201.00: Mechanical Specifications

M-202.00: Mechanical Specifications II

M-203.00: Mechanical Specifications III

M-204.00: Mechanical Specifications IV

M-205.00: Mechanical Specifications V

M-301.00: Mechanical Site Plan

M-501.00: Fuel Oil System Flow Diagram

E-001.00 Electrical Symbols, Notes and Abbreviations

E-101.00 Electrical Panel Schedules

E-201.00 Electrical Specifications

E-301.00 Electrical Power Plan

10. Copies of the following Board Decisions: ZBA #16-20, Performance Standards Approved, dated March 16, 2016; ACABOR #16-15, Approved Subject to Conditions, dated March 3, 2016 and PB #16-01, Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec., dated January 13, 2016.

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

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

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DECISION: In view of the foregoing and the testimony before the Board, the application was **Granted a 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. The applicant shall comply with all pertinent and applicable conditions of all previous Board Decisions: ZBA #16-20, Performance Standards Approved, dated March 16, 2016; ACABOR #16-15, Approved Subject to Conditions, dated March 3, 2016 and PB #16-01, Preliminary Site Plan Approval Subject to Conditions/Neg. Dec., dated January 13, 2016.

4. A detail for the crossing through the existing sanitary sewer easement shall be added to the plans.

5. The page and liber or instrument number, as well as ownership for all easements/ dedications shall be given on the plans; specifically sanitary sewer easement.

6. A note shall be added to the plans (T001, C302.00, C304.00) that the owner/ applicant will contact the Town of Orangetown’s Sewer Inspector prior to construction to coordinate inspection of the proposed work in the Town of Orangetown sanitary sewer easement.

7. Dike and rain guard details shall be provided and containment system and fence details shall be added to the plans.

8. The existing fence shown on the Site Plan shall be extended 30 to 40 feet past the fuel storage tank in order to screen the ground fuel and secondary containment system.

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

- The comments in the March 21, 2016 letter from the Rockland County Department of Health must be met.

10. The Rockland County Department of Health reviewed the information and offered the following comments:

1. Approval will be needed from the Department's Petroleum Bulk Storage Program prior to construction. The applicant shall contact Ebi Elaahi at 845-364-2605 to coordinate.
2. Application is to be made to the Rockland County Health Department for review of the Stormwater Management System for compliance with the County Mosquito Code.

11. The Town of Orangetown Fire Prevention Bureau had the following comments regarding the new installation of a 30,000 gallon above ground combustible storage tank:

- Installation must comply to NFPA 31.
- The tanks must be protected by Bollards.
- One (1) 50 BC minimum portable Fire Extinguisher must be installed in the vicinity of the tank.

12. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and/or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

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

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

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

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Continuation of Condition #15...

- 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.

16. 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.

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

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

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

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

21. 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

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

Override

The Board made a motion to override Condition #2 of the April 13, 2016 letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning:

- Condition #2: The Borough of Old Tappan, New Jersey is the reason this proposal was referred to Rockland County Planning Department for review. The municipal boundary is located directly south of the site. As required under Section 239n of the State General Municipal Law, the Borough of Old Tappan, New Jersey must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the Town of Orangetown.

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The Board made a motion to override the condition for the following reasons:

Section 239nn applies only to municipalities within the State of New York, thus there is no requirement that the Borough of Old Tappan, New Jersey be given the opportunity to review the proposed site plan. Nevertheless as a courtesy, the Town of Orangetown notified the Borough of Old Tappan, New Jersey that the application was made and when it would be heard by the Town of Orangetown Planning Board.”

A motion to override the condition was made and moved by Thomas Warren and seconded by William Young and carried as follows: Kevin Garvey, Chairman, absent; Bruce Bond, Vice Chairman, aye; William Young, aye; Michael Mandel, aye; Thomas Warren, aye; Robert Dell, aye and Stephen Sweeney, aye.

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

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

Dated: April 13, 2016
Cheryl Coopersmith
Chief Clerk Boards and Commissions



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