

**Meeting of September 28, 2016  
Town of Orangetown Planning Board**

**MEMBERS PRESENT:** Kevin Garvey, Chairman; Bruce Bond, Vice Chairman  
Michael Mandel; Stephen Sweeney and Thomas Warren

**MEMBER ABSENT:** William Young and Robert Dell

**ALSO PRESENT:** John Giardiello, Director, Department of Building, Zoning,  
Planning Administration and Enforcement; Dennis Michaels, Deputy Town  
Attorney; Ann Marie Ambrose, Stenographer and Cheryl Coopersmith,  
Chief Clerk

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

**155 Corporate Drive Building Expansion  
and Parking Lot Addition Site Plan** **PB #16-56**  
Final Site Plan Review **Final Site Plan**  
155 Corporate Drive, Orangeburg **Approval Subject**  
73.15/1/18 & 73.19/1/1; LIO zoning district **to Conditions**

**Prestige Automotive Prep** **PB #16-57**  
**Center Fuel Tank Site Plan** **Continued:**  
Prepreliminary/ Preliminary/ Final Site Plan **Submit Revised**  
and SEQRA Review **Plan**  
200 Oritani Drive  
Bradley Industrial Park, Blauvelt  
65.18/1/22 and 70.06/1/1.12; LIO zoning district

**Rockland Gaelic Athletic Association** **PB #16-58**  
**Clubhouse Site Plan** **Final Site Plan**  
Amendment to Filed Site Plan **Approval Subject**  
Prepreliminary/ Preliminary/ Final Site Plan **to Conditions**  
and SEQRA Review  
160 Old Orangeburg Road, Orangeburg  
73.12/1/1; RPC-R and R-80 zoning districts

**28 Route 303 Auto Site Plan** **PB #12-02**  
Prepreliminary/ Preliminary Site Plan **Continued:**  
and SEQRA Review **Submit Revised**  
28 Route 303, Tappan **Plan**  
Route 303 Overlay Zone  
77.15/1/44; CS zoning district

The decisions of the September 14, 2016 Planning Board Meeting was reviewed,  
edited, and approved. The motion for adoption was made and moved by  
Thomas Warren and seconded by Stephen Sweeney and carried as follows:  
Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel,  
aye, Stephen Sweeney, aye; Thomas Warren, aye; William Young, absent and  
Robert Dell, absent.

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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 Bruce Bond and seconded by Stephen Sweeney and agreed to by all in attendance. The meeting was adjourned at 9:30 p.m. The next Planning Board meeting is scheduled for Wednesday, October 26, 2016.

**DATED: September 28, 2016  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions**



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**PB#16-56: 155 Corporate Drive Building Expansion  
and Parking Lot Addition Site Plan  
Final Site Plan Approval Subject  
to Conditions**

**Permit #44852  
Permit #44853**

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**TO: Douglas Bartels, P.E., c/o Russo Development, 570 Commerce  
Blvd, Carlstadt, New Jersey 07072**  
**FROM: Orangetown Planning Board**

**RE: 155 Corporate Drive Building Expansion and Parking Lot Addition  
Site Plan: The application of 155 Corporate Drive, LLC, owner, for Final Site Plan  
Review, at a site known as "155 Corporate Drive Building Expansion and  
Parking Lot Addition 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 155 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 18 and Section 73.19, Block 1, Lot 1 in the LIO zoning district.**

**Heard by the Planning Board of the Town of Orangetown at a meeting held  
Wednesday, September 28, 2016, the Board made the following  
determinations:**

Douglas Bartels and Anthony Del Veccio appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 21, 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 September 28, 2016.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 22 2016.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated September 27, 2016.
5. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated September 15, 2016.
6. A letter from the Rockland County Highway Department, signed by Sony Lin, P.E., dated September 19, 2016.
7. A letter from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated August 18, 2016.
8. A Short Environmental Assessment Form, signed by Michael Pembroke, Manager, dated May 20, 2016.
9. Stormwater Pollution Prevention Plan prepared by Russo Development, LLC, dated March 14, 2016, revised August 4, 2016.

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**PB#16-56: 155 Corporate Drive Building Expansion  
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10. Rider #1: Project Narrative, prepared by Russo Development, LLC.
11. Rider #2: Project History of Approvals, Permits, and Applications, prepared by Russo Development, LLC.
12. Rider #3: Summary of Variances/ Waivers Granted by the Planning Board for Original Building, prepared by Russo Development, LLC.
13. Copy of Memo to Town of Orangetown Planning Board Response to Department of Environmental Management and Engineering letter dated May 6, 2016, Memo to Town of Orangetown Planning Board Response to Bureau of Fire Prevention letter dated May 2, 2016,
14. Copies of the following Board Decisions:
  - PB #16-25; Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated May 11, 2016;
  - ACABOR #16-48, Approved as Presented, July 7, 2016;
  - ZBA #16-58, Approved; Loading Berth Variance Approved; dated July 6, 2016;
  - PB #14-04, Amendment to Final Site Plan Approval Subject to Conditions, dated January 15, 2014;
  - PB #13-19, Final Site Plan Approval Subject to Conditions, dated May 22, 2013; ACABOR #13-23, Approved Subject to Conditions, dated May 16, 2013; ZBA#13-34, Performance Standards Approved, dated May 15, 2016;
  - ZBA #13-35, Front Yard, Building Height, and Loading Berth Variances Approved, dated May 15, 2013;
  - PB #13-13, Amendment to Preliminary Site Plan Approval Subject to Conditions, dated March 27, 2013;
  - PB #13-19, Final Site Plan Approval Subject to Conditions, dated May 22, 2013.
15. Site Plan prepared by Russo Development, LLC, dated March 14, 2016, revised August 4, 2016:
  - C1: Title Sheet
  - C2: Existing Conditions Plan
  - C3: Phase 1 Site Plan
  - C3.1: Phase 2 Site Plan
  - C4: Grading, Drainage & Utility Plan
  - C5: Construction Details
  - C6: Landscaping Plan
  - C7: Lighting Plan
  - C8: Soil Erosion & Sediment Control Plan
  - C9: Soil Erosion & Sediment Control Details
  - C9.1: Soil Erosion & Sediment Control Details
  - Vt1: Vehicle Turning Plan

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16. Building Permit Referrals dated November 2, 2015, signed by Rick Oliver, Building Inspector.
17. An Affidavit of Public Notice dated September 23, 2016.

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

**Public Comment:**

Qi Fan, 34 Corrigan Way, Old Tappan, New Jersey, raised concerns regarding the noise created by the fans on the rear of the existing structure and wanted to know if additional fans would be added to the building. She also raised issues of possible drainage impact to her property due to the expansion of the building.

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. **The applicant shall comply with all previous applicable and pertinent Board Decisions:** PB #16-25; Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated May 11, 2016; ACABOR #16-48, Approved as Presented, July 7, 2016; and ZBA #16-58, Approved; Loading Berth Variance Approved; dated July 6, 2016.

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4. The revised drainage calculations are currently under review by DEME.
5. The revised Storm Water Pollution Prevention Plan is under review by DEME. However, SWPPP shall address how Redevelopment and Green Infrastructure requirements are to be met in this design.
6. The applicant's engineer shall look into adding a larger grate or re-designing the now proposed oversized catch basin to be a "double basin", in the proposed expanded parking lot to intercept the larger amount of sheet flow that will be created by the parking lot addition.
7. It is unclear where on the site the location of the outlet structure, detailed on drawing C5 is.
8. Revised cross sections through the existing forebay, sediment filter and detention basin shall be added to the plans, showing the various design year storm elevations, flow path, berm elevation, outlet structure and piping elevations, outlet structure trash rack, emergency spillway elevations, aquatic bench, safety bench with elevations, etc.; for this increase flows that will now be directed in these facilities.
9. Sediment depth markers shall be added to the forebay, sediment filter and detention basin. A detail for same shall be added to the drawings indicating depth/ elevation at which sediment must be removed from the aforementioned areas.
10. The ownership of the existing 40 foot wide access easement at the north – west end of the proposed parking lot expansion shall be given on the plans.
11. An access easement, into and through the "north" parking lot shall be provided to the Town of Orangetown Sewer Department. This shall be reflected on the drawings.
12. The Soil Erosion and Sediment Control Plan legend shall be modified to reflect standard NYSDEC symbols for the two types of catch basin/ curb inlet protection proposed.
13. The applicant/ applicant's engineer is advised that the Town of Orangetown Sewer Inspector shall be contacted when work in/ over the existing Town force main is to begin. **A note stating same shall be added to the plans.**

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**14. Drainage Review Recommendation:** The application has provided sufficient information to demonstrate that potential significant adverse impacts with respect to drainage can be mitigated and therefore the Drainage Consultant to the Planning Board recommends that the 155 Corporate Drive Building Addition Site Plan be approved for drainage subject to the subject to no conditions.

**Project Description:** This is the second drainage review report for this project. The property is located along the west side of Corporate Drive and has parcels on the north and south sides of the road. The parcel on the north side is an existing parking lot and the parcel on the south side contains the existing building and additional parking. The project proposed to expand the parking lot on the north parcel to add 27 spaces and to construct a 12,000 square foot building addition on the south parcel. There is an existing stormwater management basin on the south parcel that receives stormwater runoff from both areas of land disturbance; no change to the runoff pattern is proposed. The building addition is located on an existing parking lot and no increase to impervious area is proposed at this location.

The revised drainage report utilizes the updated 24-hur rainfall totals from the 2010 NYSDEC design manual, thereby addressing the only Project Comment of the last drainage report.

**Project Comments:**

**Previous Project comments have been addressed and the Drainage Consultant has no new comments based on the latest submission.**

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

- Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.
- There shall be no net increase in the peak rate of discharge from the site at all design points.

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16. The Rockland County Highway Department reviewed the information and plans received of the proposed building expansion, parking lot addition and loading berths and found it to have minimum impact on the county roads. The subject site is more than 500 feet from the closest county road; Rockland County Highway Department work permit will not be required for the proposed development.

17. The Rockland County Health Department (RCDOH) reviewed the information provided and found that there are no RCDOH approvals needed for this application.

18. 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.

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

20. 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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**Continuation of Condition #20...**

- 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.

**21.** 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.

**22.** 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.

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

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

**26.** 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

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

**28.** 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.

**Override**

The Board made a motion to override Condition #1 of the September 15, 2016 letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, for the following reasons:

1. The Borough of Old Tappan, New Jersey is the reason this proposal was referred to Rockland County Department of Planning for review. The municipal boundary is located directly south of the site. As required under Section 239nn 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.

The Board held that the New York State General Municipal Law does not require referral to the Borough of Old Tappan, New Jersey. This New York law is only applicable, and can be only applicable, to require circulation to municipalities only within New York State, not those located in another state, in this case the Borough of Old Tappan, New Jersey. The legislative history of the bill clearly states the justification for the law was to "...encourage intergovernmental cooperation and area planning for land use **among** neighboring municipalities in **New York state**". (Emphasis added) The New York State Attorney General also indicated in its report to the legislature that: "This bill would encourage the coordination of land use development and regulation **among adjacent municipalities throughout New York State**." (Emphasis added). Nevertheless, as a courtesy, in addition, the Borough of Old Tappan had been mailed a referral package for this application and had not provided any written comments for the meeting.

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

The foregoing Resolution was made and moved by Bruce Bond and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel aye; William Young, absent; Stephen Sweeney, aye; Robert Dell, absent 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: September 28, 2016  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions**



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**PB #16-58: Rockland Gaelic Athletic Association Clubhouse Site Plan**

**Permit #43532**

**Amendment to Filed Site Plan Approval Subject to Conditions**

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TO: Michael Healy, 10 Lois Lane, Pearl River, New York 10965  
FROM: Orangetown Planning Board

RE: Rockland Gaelic Athletic Association Clubhouse Site Plan: The application of Rockland Gaelic Athletic Association, Inc., owners, for Final Site Plan Review, at a site known as "**Rockland Gaelic Athletic Association Clubhouse Site Plan - Amendment to Filed Site Plan Approval Subject to Conditions**", 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 160 Old Orangeburg Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.12, Block 1, Lot 1 in the RPC-R and R-80 zoning districts.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 28, 2016**, the Board made the following determinations:

Michael Healy and Jessy Cokeley appeared and testified for the applicant. The Board received the following communications:

1. A Project Review Committee Report dated September 21, 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 September 28, 2016.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., September 23, 2016.
4. A letter from Maser Consulting dated September 9, 2016, signed by Jesse Cokeley, P.E., Assistant Project Engineer.
5. A Short Environmental Assessment Form, signed by Michael Healy, dated September 9, 2016.
6. Copy of PB #15-09, Final Site Plan approval Subject to Conditions, dated February 11, 2016.
7. A Stormwater Management Report Addendum Rockland Gaelic Athletic Association Clubhouse Amended Site Plan, dated September 9, 2016, signed by Jesse Cokeley, P.E., prepared by Maser Consulting.

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**PB #16-58: Rockland Gaelic Athletic  
Association Clubhouse Site Plan  
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8. Site Plans, prepared by Maser Consulting, dated June 24, 2014, last revision date of September 9, 2016:

- Sheet 1 of 2: Amended Site Plan Dimension Plan
- Sheet 2 of 2: Amended Site Plan Grading, Drainage, & ESC Plan

9. Landscaping Plan entitled "GAA Clubhouse", prepared by Land Design Studio, dated September 7, 2016, page 1 of 1.

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

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

**REAFFIRMATION OF SEQRA**

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Maser Consulting and the Town of Orangetown's engineering consultant, and having heard from the following offices, officials and/or Departments: (Town of

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**PB #16-58: Rockland Gaelic Athletic Association Clubhouse Site Plan  
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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 No.1, New York State Department of Environmental Conservation, 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 Bruce Bond and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, absent; Stephen Sweeney, aye; Robert Dell, absent; and Thomas Warren, aye, the Board Reaffirmed the Negative Declaration pursuant to SEQRA.

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**PB #16-58: Rockland Gaelic Athletic Association Clubhouse Site Plan  
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**DECISION:** In view of the foregoing and the testimony before the Board, the application was **Granted an Amendment to the Final Site Plan Approval Subject to the Following Conditions:**

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations
3. The applicant shall comply with all pertinent and applicable previous Board Decisions: PB #15-09, Final Site Plan Approval Subject to Conditions, dated February 11, 2016. ACABOR #14-38, Approved Subject to Conditions, dated November 6, 2014 and PB #14-31, Preliminary Site Plan Approval Subject to Conditions, dated September 10, 2014.
4. A note shall be placed on the site grading plan indicated the new driveway between the existing parking lot and the new handicap parking spaces shall not exceed 10% in grade.
5. The Short Environmental Assessment Form appears to be in order.
6. The revised drainage calculations are under review by DEME.
7. Because the site is still actively under construction, the SWPPP and the NOI for the site will need to be amended. It shall include the revised layout, existing and proposed drainage facilities, post construction drainage maps, etc.
8. All drainage facilities previously approved for the clubhouse and installed shall be depicted on the plans as existing.
9. Drainage facilities shall be added to the proposed driveway and parking area and the runoff these facilities capture shall be directed into the proposed subsurface stormwater chambers.

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**10.** Details for the proposed underground storage facilities shall be added to the drawings, i.e. design and dimensions of the chambers, cross sections through the chambers, isolator row, inspection ports, exhaust manifold, etc.

**11.** Detailed information regarding the proposed underground storage facilities shall be supplied (i.e. storage capacity at certain elevations and analyzed storms – 1 yr. through 100 yr., etc.) This information shall be placed on the drawings and in the SWPPP.

**12.** The amount of new impervious surface and total area of disturbance shall be listed on the plans and in the revised/ amended SWPPP and NOI (this shall include a breakdown of the areas previously approved as well as the new areas.)

**13.** The existing post construction stormwater maintenance agreement shall be amended to include the new proposed drainage facilities and underground storage chambers. The revised post construction SWMA shall be reviewed and approved by the Town of Orangetown Town Attorney's Office and DEME.

**14.** Profiles for the new storm drain lines, as well as those previously approved, shall be added to the drawings.

**15.** The location of the existing utility lines to the clubhouse shall be shown on the plans.

**16.** Profiles for the proposed driveway and the asphalt sidewalk shall be added to the drawings, including the percent slope on the finished grade.

**17.** A stabilized construction entrance shall be added to the SESC Plan.

**18.** Existing and proposed grading shall be shown around all proposed work (i.e. existing and proposed grading shall be shown around all new walkways/ sidewalks, etc.)

**19.** Typical details shall be added to the plans (i.e. pavement, catch basin, field inlet, paver sidewalk, asphalt sidewalk, retaining wall, etc.)

**20.** All existing easements shall be shown on the plan, including page and liber or instrument number and ownership.

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**21.** 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.

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

**23.** 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 Site Plan.

**24. 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:
  - o One (1) foot radius from trunk per inch DBH
  - o 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:
    - o 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.
    - o Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.
    - o 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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**25.** 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.

**26.** 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.

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

**28.** 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).

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

**30.** 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

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

The foregoing Resolution was made and moved by Thomas Warren and seconded by Bruce Bond and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Stephen Sweeney, aye; Michael Mandel, aye; William Young, absent; Robert Dell, absent 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: September 28, 2016  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions**



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**Reaffirmation of NEGATIVE DECLARATION**

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

**PB #16-58: Rockland Gaelic Athletic Association Clubhouse Site Plan Amendment to Filed Site Plan Approval Subject to Conditions** **Permit #43532**

**Town of Orangetown Planning Board Decision  
September 28, 2016**

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

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

**NAME OF ACTION: Rockland Gaelic Athletic Association Clubhouse Site Plan - Amendment to Filed Site Plan Approval Subject to Conditions**

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

**DESCRIPTION OF ACTION: Amendment to Filed Site Plan Approval Subject to Conditions**

LOCATION: The site is located at 160 Old Orangeburg Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.12, Block 1, Lot 1 in the RPC-R and R-80 zoning districts

**REASONS SUPPORTING THIS DETERMINATION:**

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

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed 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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