

**Meeting of July 24, 2013
TOWN OF ORANGETOWN PLANNING BOARD**

MEMBERS PRESENT: Kevin Garvey, Chairman; Bruce Bond; Michael Mandel; and Robert Dell

MEMBERS ABSENT: William Young, John Foody and Jeffrey Golda
ALSO PRESENT: John Giardiello, Director, Department of Building, Zoning, Planning Administration and Enforcement; Robert Magrino, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Cheryl Coopersmith, Chief Clerk

Kevin Garvey, Chairperson 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:

Postponed Item from June 12, 2013 Meeting:

Henry Kaufmann Campground Master Plan	PB #13 - 23
Prepreliminary/ Preliminary/ Final Master Plan and SEQRA Review 69.14/1/28 & 69.10/2/21; R-80 zoning district	Preliminary Approval Subject to Conditions/ Neg. Dec.

One Ramland Road Site Plan	PB #13 - 32
Final Site Plan Review 73.20/1/23 & 24; LIO zoning district	Final Site Plan Approval Subject to Conditions

Levine Site Plan	PB #13 - 33
Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review Critical Environmental Area 71.09/1/40; R-22 zoning district	Final Site Plan Approval Subject to Conditions/ Neg. Dec.

The decisions of the July 10, 2013 Planning Board Meeting was reviewed, edited and approved. The motion for adoption was made and moved by Bruce Bond and seconded by Michael Mandel and carried as follows: Kevin Garvey, aye; Bruce Bond, aye, Jeffrey Golda, absent; Robert Dell, aye; John Foody, absent; Michael Mandel, aye, and William Young, absent.

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 Michael Mandel and agreed to by all in attendance. The meeting was adjourned at 9:00 p.m. The next Planning Board meeting is scheduled for September 18, 2013.

DATED: July 24, 2013
Town of Orangetown Planning Board



TOWN CLERKS OFFICE
2013 AUG 29 PM 11 56
TOWN OF ORANGETOWN

**PB #13-23: Henry Kaufmann Campground, Inc. Master Plan
Preliminary Master Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 1 of 7**

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

RE: Henry Kaufmann Campgrounds, Inc. Master Plan: The application of Henry Kaufmann Campgrounds, Inc., applicant, for UJA Federation of New York, owner, for Prepreliminary/ Preliminary/ Final Master Plan Review, (Donald Brenner, attorney for the applicant), at a site known as "**Henry Kaufmann Campgrounds, Inc. Master 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 667 Blauvelt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.14, Block 1, Lot 28 & Section 69.10, Block 2, Lot 21 in the R-80 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting, **Wednesday, July 24, 2013**, at which time the Board made the following determinations:

Donald Brenner, Jay Greenwell, Daniel Heuberger and Jeff Coopersmith appeared and testified.

The Board received the following communications:

1. Project Review Reports dated June 5 and July 17, 2013.
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 July 24, 2013.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated July 19, 2013.
4. A letter from the Rockland County Department of Planning, signed by Thomas Vanderbeek, Commissioner of Planning, dated June 3, 2013.
5. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated June 12, 2013.
6. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated May 16 & 20, 2013.
7. Letters from Rockland County Drainage Agency, signed by Vincent Altieri, Executive Director, dated May 27 and June 26, 2013.
8. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated June 4, 2013.
9. A letter from the New York State Department of Environmental Conservation, Region 3, signed by Joseph R. Murray, Environmental Analyst, Division of Environmental Permits, dated May 30, 2013.
10. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated May 15, 2013.

TOWN CLERKS OFFICE
2013 AUG 29 AM 11 56
TOWN OF ORANGETOWN

**PB #13-23: Henry Kaufmann Campground, Inc. Master Plan
Preliminary Master Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 2 of 7**

11. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated March 13, 2013.
12. Master Plan drawings – Site Plan Option A, prepared by Dattner Architects, signed and sealed by Daniel Heuberger, R.A., dated March 1, 2013:
 - Sheet 1: Existing and proposed
 - Sheet 2: Existing
 - Sheet 3: Proposed
 - Sheet 4: Existing Road Network and Proposed Road and Parking
 - Sheet 5: Agency Boundary
13. A copy of a letter to Vincent Altieri, Executive Director, Rockland County Drainage Agency, from Donald Brenner, dated June 10, 2013.
14. A Full Environmental Assessment Form, signed by Donald Brenner, undated.

The Board reviewed the plans.

Public Comments:

John Torpey, 79 Sickletown Road, Orangeburg: discussed the environmental impacts of the buses during the camp season.

Robert Beers, 81 Sickletown Road, Orangeburg: noted that he has lived in the area for over 30 years and the amount of bus traffic has increased, he raised questions regarding drainage runoff onto his property. Mr. Beers requested the Board to consider having the buses drop off the children in the morning, park in another location during the day and come back to pick them up at the end of the day.

Kevin McCormack, 83 Sickletown Road, Orangeburg: raised concerns regarding the drainage impact to his property.

Marion Weiner, 2 Briarwood Lane, Orangeburg: agreed with the statements of other residents.

Loretta Tito, 85 Sickletown Road, Orangeburg: held that the noise from the buses appears to be louder this summer.

A motion was made to close the Public Hearing portion of the meeting by Bruce Bond and seconded by Michael Mandel and carried as follows:
Bruce Bond, aye, Kevin Garvey, aye, Michael Mandel, aye, William Young, absent, John Foody, absent, Robert Dell, aye and Jeffrey Golda, absent.

TOWN CLERKS OFFICE

2013 AUG 29 AM 11 56

TOWN OF ORANGETOWN

**PB #13-23: Henry Kaufmann Campground, Inc. Master Plan
Preliminary Master Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 3 of 7**

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

On motion by Bruce Bond and seconded by Michael Mandel and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; William Young, absent; Robert Dell, aye; John Foody, absent; Michael Mandel, aye and Jeffrey Golda, absent; the Board declared itself Lead Agency.

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

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 Dattner Architects, signed and sealed by Daniel Heuberger, 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, Rockland County Drainage Agency and New York State Department of Environmental Conservation, and having reviewed the Master Plan by prepared Dattner Architects, signed and sealed by Daniel Heuberger, 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;

TOWN CLERKS OFFICE
2013 JUN 29 AM 11 56
TOWN OF ORANGETOWN

**PB #13-23: Henry Kaufmann Campground, Inc. Master Plan
Preliminary Master Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 4 of 7**

-Will not have an impairment of the character or quality of important historical, archeological or architectural resources; -Will not have an impairment of the character or quality of important aesthetic resources;
Will not have an impairment of existing community or neighborhood character;
-Will not remove or destroy large quantities of vegetation or fauna;
-Will not remove or destroy large quantities of wildlife species or migratory fish;
-Will not have a significant adverse impact to natural resources;
-Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
-Will not have adverse economic or social impacts upon the Town;
-Will not create a hazard to human health; and
-Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Bruce Bond and seconded by Michael Mandel and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Robert Dell, aye; John Foody, absent; William Young, absent; Michael Mandel, and Jeffrey Golda, absent, the Board made a Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED A PRELIMINARY MASTERPLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. The Board granted the applicant Preliminary Approval of the Master Plan as well as the approval to move forward with the renovation of a bath house. Since the bath house is an upgrade to an existing facility, the Planning Board shall not require further review of the bath house and the Buildings Department shall take the lead in reviewing and approving the design, construction and permitting of the structure.
2. The proposed plans show the overall future improvements on the entire property. Each phase for the implementation of the site improvements shown on the Master plan will require a detailed review by the Planning Board and other agencies and Boards.
3. The applicant shall describe the "phases" by numbers or letters and the approximate time when anticipated implementation of each phase will occur. For example, the phases shall be labeled on the Master Plan.
4. The Full Environmental Assessment Form appears in order.
5. The Master Plan shall include a conceptual Stormwater Pollution Prevention Plan that takes into account all proposed improvements / new impervious areas, even if the improvements are to be phased. A full SWPPP (including water quality measures and quantity attenuation) shall be submitted for review and approval to DEME, as pieces of the master plan are presented to the Planning Board for approval for actual construction.
6. All existing and proposed sanitary sewer facilities shall be identified on the Master Plan. Profiles shall be provided for all proposed sanitary facilities.
7. The Master Plan shall clearly define what "new" work is and what "rehab" work is.

TOWN OF ORANGETOWN
2013 AUG 29 PM 11:56
TOWN CLERKS OFFICE

**PB #13-23: Henry Kaufmann Campground, Inc. Master Plan
Preliminary Master Plan Approval Subject to Conditions/ Neg. Dec.**

Town of Orangetown Planning Board Decision

July 24, 2013

Page 5 of 7

8. All existing easements shall be shown on the plan, including page and liber or instrument number, and ownership (i.e. is there an existing easement to the County of Rockland to cover the Naurashaun Brook).

9. Larger scale drawings shall be provided for ease of review.

10. The parking areas noted on the submitted plans are conceptual and are subject to change prior to final approval. The applicant shall provide more comprehensive details of the parking areas at Final Planning Board review and approval.

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

- 1) A review must be completed by the County of Rockland Department of Highway and any required permits obtained.
- 2) A review must be completed by the County of Rockland Drainage Agency and any required permits obtained.
- 3) A review must be completed by the New York State Department of Environmental Conservation and all required permit obtained.
- 4) A review shall be completed by the United States Army Corps of Engineers and all required permit obtained.
- 5) As per the May 20, 2013 letter from the Rockland County Department of Health, engineered drawings must be submitted for all site improvements and proposed new buildings.
- 6) The 100-foot buffer area for the existing wetlands must be shown on the Master Plan drawings so as to be assured that all proposed projects are contained outside of this area.
- 7) 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.
- 8) There shall be no net increase in the peak rate of discharge from the site at all design points.

12. The Rockland County Department of Health reviewed the Master Plan and had no comments. It is anticipated that engineered drawings will be submitted for the site improvements and new buildings that are shown as proposed.

13. Rockland County Department of Highways reviewed the plans and offered the following comment:

- Based upon the information provided, the Campground management shall provide a narrative to outline the possible impact from the proposed expansion to the playground on the traffic flow at Sickletown Road, Gilbert Avenue and Convent Road intersections. The statement shall show that the proposed plan would not have any foreseeable adverse impact upon County Highways in the surrounding area.

TOWN CLERKS OFFICE
2013 AUG 29 AM 11 56
TOWN OF ORANGETOWN

**PB #13-23: Henry Kaufmann Campground, Inc. Master Plan
Preliminary Master Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 6 of 7**

14. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, the site has been determined to be within the jurisdiction of the RCDA. However, please be advised that a Stream Control Act Permit from the RCDA is not required until an application for \ development has been filed.

15. 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.

16. The Town of Orangetown Bureau of Fire Prevention found that prior to reviewing the proposed buildings/ shelters, construction details (specific use); construction details (specific use) are needed before comments can be made. In particular the following information needs to be provided: What is the size and type of construction for the amphitheater? Additional fire hydrants may be required on the site.

17. The New York State Department of Environmental Conservation (NYSDEC) reviewed the information and offered the following:

- a. The Nauraushaun Brook (Index #NJ-1-4) and the tributary Nauaushaun Brook (Index #NJ-1-4-1) have a class and standard C (T), according to 6NYCRR Part 862, Item 19 and Item 25. Therefore, any physical alteration to the bed or banks will require Department permit.
- b. The U.S. Department of Army, Corps of Engineers' New York District Office (COE) has authority under federal law to regulate wetlands in New York State. A COE permit may be required for this proposal. Contact COE.
- c. According to Department records, the following state-listed species has been recorded within or near the project site: Kentucky Warbler, *Geothlypis Formosa* (Wilson, 1811). The potential impacts of the proposed project on this species shall be fully evaluated during the review of the project pursuant to SEQR.
- d. Since project activities will involve land disturbance of over 1 acre, the project sponsor is required to obtain a State Pollutant Discharge Elimination System General Permit (GP-0-10-001) for Stormwater Discharge from Construction Activities. Since this site is within an MS4 area (Municipal Separate Storm Sewer System), the SWPPP must be reviewed and accepted by the municipality and the MS-4 Acceptance Form must be submitted to NYSDEC.
- e. The project site is located within an area considered to be sensitive with regard to archaeological resources.
- f. It appears that portions of the site are within the 100-year floodplain.

TOWN CLERKS OFFICE
2013 AUG 29 AM 11 56
TOWN OF ORANGETOWN

**PB #13-23: Henry Kaufmann Campground, Inc. Master Plan
Preliminary Master Plan Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 7 of 7**

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

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

The foregoing Resolution was made and moved by Bruce Bond and seconded by Michael Mandel and carried as follows: Bruce Bond, aye; Kevin Garvey, aye; Michael Mandel, aye; William Young, absent; John Foody, absent; Robert Dell, aye and Jeffrey Golda, absent.

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

Dated: July 24, 2013
Town of Orangetown Planning Board
Attachment



TOWN OF ORANGETOWN
2013 AUG 29 AM 11 56
TOWN CLERKS OFFICE

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

**Town of Orangetown Planning Board Decision
July 24, 2013**

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: Henry Kaufmann Campground, Inc. Master Plan
Final**

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

**DESCRIPTION OF ACTION: Preliminary Master Plan Approval Subject to
Conditions/ Neg. Dec.**

LOCATION: The site is located at 667 Blauvelt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.14, Block 1, Lot 28 & Section 69.10, Block 2, Lot 21 in the R-80 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed 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
2013 AUG 29 AM 11 57
TOWN OF ORANGETOWN

**PB #13- 32: 1 Ramland Road Site Plan – 1547 – Final Site Plan Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 1 of 8**

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

RE: One Ramland Road Resubdivision Plan: The application 1547 Ramland, applicant, for Ramland Holding LLC, owner, for Final Site Plan Review (Donald Brenner, Attorney for the owner), at a site known as “**One Ramland Road 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 21 of the Code of the Town of Orangetown. The site is located at One Ramland Road, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.20, Block 1, Lots 23 & 24 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held, **Wednesday, July 24, 2013**, at which time the Board made the following determinations:

Diego Villareale, Donald Brenner and Jay Greenwell appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report dated July 17, 2013.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated July 24, 2013.
3. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated July 3 & 19, 2013.
4. A letter from Rockland County Department of Planning, signed by Thomas B. Vanderbeek, Commissioner of Planning, dated July 3, 2013.
5. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated July 9, 2013.
6. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated June 24, 2013.
7. A letter from the New York State Department of Environmental Conservation, signed by Jean McAvoy, Division of Environmental Permits, Region 3, dated June 28, 2013.
8. Copies of the following Board Decisions: ACABOR # 13- 35, Approved Subject to Conditions, dated July 11, 2013; ZBA #13-32, Front Yard, Building Height, Outdoor Loading Berth Variances Approved, dated May 15, 2013; ZBA #13-33, Performance Standards Conformance, dated May 15, 2013 and PB #13-54, Preliminary Site Plan Approval Subject to Conditions, dated March 27, 2013.
9. Brochure of Materials and Product Features, prepared by fifteenfortyseven Critical Systems Realty, for One Ramland Road, entitled One Ramland Road ACABOR Review July 11, 2013.

TOWN CLERKS OFFICE
2013 AUG 29 AM 11 57
TOWN OF ORANGETOWN

**PB #13- 32: 1 Ramland Road Site Plan – 1547 – Final Site Plan Approval
Subject to Conditions**

Town of Orangetown Planning Board Decision

July 24, 2013

Page 2 of 8

10. Site Plans prepared by John Meyer Consulting, PC, signed and sealed by Diego Villareale, P.E., drawings last revision date of June 10, 2013:

- SP-1: Cover Sheet
- SP-2: Overall Site Existing Conditions Plan
- SP-3: Site Layout and Landscaping Plan
- SP-4: Site Grading Plan
- SP-5: Site Utilities Plan
- SP-6: Site Sediment & Erosion Control Plan
- SP-7: Construction Details
- SP-8: Construction Details
- SP-9: Construction Details
- SP-10: Site Cross Section Plan

The Board reviewed the plans.

The meeting was then open 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 Michael Mandel and second by Bruce Bond and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; William Young, absent; Robert Dell, aye; John Foody, absent, Michael Mandel, aye and Jeffrey Golda, absent.

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

TOWN OF ORANGETOWN
2013 AUG 29 AM 11 57
TOWN CLERKS OFFICE

**PB #13- 32: 1 Ramland Road Site Plan – 1547 – Final Site Plan Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 3 of 8**

4. The Drainage Consultant to the Planning Board, Brooker Engineering, found that the information provided demonstrated that potential significance adverse environmental impacts to stormwater quality and quantity can be mitigated. The consultant recommends that the Data Center Building Center Expansion Site Plan be approved for drainage subject to the following Project Comments:

- a. Site disturbance is greater than one acre. A full Stormwater Pollution Plan has been including post construction stormwater quality and quantity mitigation has been prepared. A stormwater management basin as per NYSDEC best management practices Pocket Pond P-5 is proposed and shall be labeled on the Site Plan. The permanent pool elevation of 77.90 shall be labeled on the Site Plan. The various runoff reduction measures that are proposed as part of the SWPPP shall be labeled on the Site Plan.
- b. The existing end section on the west wetland has an invert elevation of 73.3 and the upstream drainage manhole has an invert of 76.15. It appears that the existing 19" x 30" pipe is back pitched. The slope of the pipe shall be verified and replaced if a positive slope is not present. The crown of the new 15 inch drainage pipe that discharges to the above noted drainage manhole shall match the existing crown.
- c. The proposed footing drain for the new building addition shall be shown on the plan.
- d. A hydraulic analysis of the wetland that receives the outfall from the stormwater management basin shall be performed to demonstrate that backwater effects from the pond will not submerge the proposed basin and result in dead storage.
- e. The proposed retaining wall will form a swale along the high side of the wall; this shall be labeled on the Site Plan and the point of discharge shown.
- f. It is recommended that the proposed outlet structure be moved north of the overflow spillway and/or along the east side of the basin in order to facilitate access for maintenance.
- g. A maintenance schedule for the basin shall be included on the Site Plan.
- h. Details for the proposed gravel areas shall be added to the Site Plan.
- i. Details for the fuel storage tanks shall be added to the Site Plan. Permits from the Rockland County Department of Health will be necessary. If the tanks are proposed to be Above Ground Storage Tanks, then secondary containment shall be shown and the provisions for draining stormwater in the secondary containment area shall be included with the Site Plan.

TOWN OF ORANGETOWN
2013 AUG 29 AM 11 57
TOWN CLERKS OFFICE

**PB #13- 32: 1 Ramland Road Site Plan – 1547 – Final Site Plan Approval
Subject to Conditions**

Town of Orangetown Planning Board Decision

July 24, 2013

Page 4 of 8

5. The applicant shall investigate ways to minimize the lighting glare in the northern portion of the parking area.
6. 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. As per the June 24, 2013 letter from the Rockland County Department of Health, an application must be made for review of the Stormwater Management System for compliance with the County Mosquito Code.
 3. An updated review must be completed by the New York State Department of Environmental Conservation and all required permits obtained.
 4. An updated review shall be completed by the U.S. Army Corps of Engineers and any required permits obtained.
 5. A stormwater pollution prevention plan (SWPPP) was not provided. The SWPPP, if required shall conform to the current regulations, including the New York State Stormwater Management and Design Manual (August 2010) and local ordinance.
 6. Prior to any grading or construction on the site, a soil and erosion control plan shall be developed that meets the New York State Guidelines for Urban Erosion and Sediment Control.
 7. There shall be no net increase in stormwater runoff from the site.
 8. A review must be done by the Rockland County Department of Health for the underground storage tanks, as required by Article X of the Rockland County Sanitary Code, and all required permits obtained.
7. The Planning Board held that in PB #12-54: 1 Ramland Road Site Plan – 1547 – Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec., comments #10, #11, and #12, of the December 11, 2012 letter from Rockland County Department of Planning were Overrode by the Planning Board. These comments now appear as comments #9, #10, and #11 of the July 3, 2013 letter submitted for the Final Site Plan review. Therefore, since the Planning Board had previously overrode these comments, the applicant shall be referred back to the PB #12-54; Preliminary Site Plan Approval for comments.

TOWN OF ORANGETOWN
2013 AUG 29 AM 11 57
TOWN CLERKS OFFICE

**PB #13- 32: 1 Ramland Road Site Plan – 1547 – Final Site Plan Approval
Subject to Conditions**

Town of Orangetown Planning Board Decision

July 24, 2013

Page 5 of 8

Continuation of Condition #7....

- A.** A lighting plan shall be provided that shows fields of illumination. Lighting shall not shine beyond the property line or into the County highway.

The Board held that the parking facility was already illuminated. In addition, the site would be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review for lighting on the site.

- B.** Low evergreen landscaping shall be provided in front of the parking spaces that face the County roadway to prevent the lights from shining into the right of way.

The Board held that the applicant will be required to appear and present a lighting and landscaping plan to the Town of Orangetown Architecture and Community Appearance Board of Review.

- C.** A signage plan that conforms to the Town of Orangetown standards must be submitted for review. The signs must be kept out of the County right of way.

The Board held that the applicant does not plan any signage on the site.

8. The Site Plan contains a road widening along Blaisdell Road in reference to a subdivision map filed under a previous owner, the status of which is unknown. This dedication shall be finalized in the form of a deed filed within the County Clerk's Office before the issuance of a work permit from Rockland County Department of Highways.

9. Any drainage report prepared for this project shall be forwarded to Rockland County Department of Highway for review.

10. A Rockland County Highway Department Work Permit will be required for the proposed site improvements, and must be secured prior to the start of any excavation or construction on the site.

11. A separate Rockland county Highway Department Road Opening Permit will be required prior to any sewer or utility connection that may require disruption to the paved surface within the County Highway.

12. The Rockland County Department of Health (RCDOH) reviewed the plans and found that application is to be made to RCDOH for review of the Stormwater Management system for compliance with the County Mosquito Code.

TOWN OF ORANGETOWN
2013 AUG 29 AM 11 57
TOWN CLERKS OFFICE

**PB #13- 32: 1 Ramland Road Site Plan – 1547 – Final Site Plan Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 6 of 8**

13. The Town of Orangetown Bureau of Fire Prevention had the following comments which are incorporated herein as conditions of approval:
- a. All roadways, turnarounds, etc. must provide a proper turning radius to accommodate a 55 foot long piece of fire apparatus.
 - b. All roadways must be a minimum of 26 feet in width with vertical clearance of 13 feet 6 inches.
 - c. All proposed fire lanes are to be shown on the Site Plan. Any fire lane less than 26 feet wide must have fire lane signs posted on both sides. Any fire lane over 26 feet wide must be posted on one side as required by the Fire Inspector.
 - d. A plan showing all building heights, number of floors, construction type, etc. must be submitted as this may affect hydrant distances, road widths, sprinkler connections, etc.
 - e. Provide a Site Plan for Fire Service Features: Turning Radius as required, fire Hydrants, turnarounds, road widths throughout, includes all items noted above.
 - f. All gates shall comply with all of the following criteria:
 - a) The minimum gate width shall be 20 feet (6096mm).
 - b) Gates shall be of the swinging or sliding type.
 - c) Construction of gates shall be of materials that allow manual operation by one person.
 - d) Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
 - e) Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Code Enforcement Official.
 - f) Manual opening gate shall not be locked with a padlock or chain and padlock unless that are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.
 - g) Locking device specifications shall be submitted for approval by the Code Enforcement Official.
14. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans prior to signing the final plans.
15. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site
16. The applicant shall comply with all previous and pertinent conditions of all Board Decisions: ACABOR # 13- 35, Approved Subject to Conditions, dated July 11, 2013; ZBA #13-32, Front Yard, Building Height, Outdoor Loading Berth Variances Approved, dated May 15, 2013; ZBA #13-33, Performance Standards Conformance, dated May 15, 2013 and PB #13-54, Preliminary Site Plan Approval Subject to Conditions, dated March 27, 2013.

TOWN CLERKS OFFICE
2013 AUG 29 AM 11 57
TOWN OF ORANGETOWN

**PB #13- 32: 1 Ramland Road Site Plan – 1547 – Final Site Plan Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 7 of 8**

17. 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. Plan.

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from trunk per inch DBH
 - Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

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

TOWN OF ORANGETOWN
2013 AUG 29 AM 11 57
TOWN CLERKS OFFICE

**PB #13- 32: 1 Ramland Road Site Plan – 1547 – Final Site Plan Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 8 of 8**

20. 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.

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

22. 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).

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

24. 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

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

The foregoing Resolution was made and moved by Bruce Bond and seconded by Michael Mandel and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; William Young, absent; John Foody, absent; Michael Mandel, aye; Robert Dell, aye and Jeffrey Golda, absent.

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

Dated: July 24, 2013
Town of Orangetown Planning Board



TOWN CLERKS OFFICE
2013 AUG 29 AM 11 57
TOWN OF ORANGETOWN

PB #13-33: Levine Site Plan; Final Site Plan Approval Subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

July 24, 2013

Page 1 of 7

TO: Meeka Van der Wal, Design Farm Group, 103 South Greenbush Road, Orangeburg, New York 10962
FROM: Orangetown Planning Board

RE: Levine Site Plan: The application of Jamie and Alanna Levine, applicants, for Julie Simon Knight, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review, at a site known as "**Levine Site Plan**", located in the Critical Environmental Area, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 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 39 Tweed Boulevard, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.09, Block 1, Lot 40 in the R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 24, 2013**, the Board made the following determinations:

Thomas Scrabble and Meeka Van der Wal appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report dated July 17, 2013.
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 July 24, 2013.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., July 19, 2013.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated July 1, 2013.
5. A letter from Rockland County Department of Planning, signed by Thomas Vanderbeek, P.E., Commissioner of Planning, dated July 8, 2013.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated July 3, 2013.
7. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated June 24, 2013.
8. Letters from the New York State Department of Environmental Conservation, signed by Janet Swentusky, Environmental Permits, Region 3, dated June 21, 2013.
9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel W. Sullivan, Chairman, dated July 2, 2013.
10. Site Plan prepared by Thomas Skrabble, P.E., dated May 21, 2013.
11. A Short Environmental Assessment Form signed by Meeka Van der Wal, dated June 18, 2013.

TOWN CLERKS OFFICE
2013 AUG 29 AM 11 57
TOWN OF ORANGETOWN

PB #13-33: Levine Site Plan; Final Site Plan Approval Subject to Conditions/ Neg. Dec.

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 2 of 7**

The Board reviewed the plans.

The meeting was then open 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 and carried as follows: Kevin Michael Mandel Garvey, aye; Bruce Bond, aye; William Young, absent; Robert Dell, aye; John Foody, absent, Michael Mandel, aye and Jeffrey Golda, absent.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Bruce Bond and seconded by William Young and carried as follows: Bruce Bond, aye; Michael Mandel, aye; William Young, absent; Robert Dell, aye; John Foody, absent; Jeffrey Golda, absent and Kevin Garvey, 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, namely Thomas Skrable, P.E., 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 No.1, New York State Department of Environmental Conservation, and having reviewed a proposed Site plan by prepared by Thomas Skrable, P.E., a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

TOWN OF ORANGETOWN
2013 AUG 29 AM 11 57
TOWN CLERKS OFFICE

PB #13-33: Levine Site Plan; Final Site Plan Approval Subject to Conditions/ Neg. Dec.

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 3 of 7**

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

On motion by Bruce Bond and seconded by Michael Mandel and carried as follows: Bruce Bond, aye; Michael Mandel, aye; Robert Dell, aye; John Foody, absent; William Young, absent; Jeffrey Golda, absent and Kevin Garvey, 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 subdivision plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. Due to the minimal amount of soil to be removed, the Board held that the construction is feasible and that construction shall take place no more than a maximum of 18 inches, and as noted on the submitted plans. The construction shall not encroach on the neighboring property.

TOWN CLERKS OFFICE
2013 AUG 29 AM 11 57
TOWN OF ORANGETOWN

PB #13-33: Levine Site Plan; Final Site Plan Approval Subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

July 24, 2013

Page 4 of 7

4. Any utilities, such as water lines, sewer lines, gas lines, etc., shall be shown on the Site Plan.
5. The discharge point for the six inch perforated PVC drain for the rubble retaining wall shall be shown on the Site Plan.
6. An erosion and sediment control plan shall be provided. The silt fence detail is on the plan; however its installation location is not shown.
7. The Short Environmental Assessment Form appears to be in order.
8. Erosion control measures shall be added along the southern property line and the eastern side of the proposed rubble wall.
9. The Drainage Consultant to the Planning Board, Brooker Engineering, reviewed the information and held that the applicant can successfully mitigate potential significant adverse impacts with respect to drainage and therefore recommends that the Levine Site Plan be approved for drainage subject to the above Project Comments.

This is the first drainage review report to the Planning Board for this project. The property is located on the east side of Tweed Boulevard and slopes downhill to the east. There is an existing dwelling to remain and no additional impervious areas are proposed for this work. No proposed stormwater detention measures are proposed and none are required.

The project consists of the replacement of an existing railroad tie retaining wall with a gabion retaining wall and the relocation/rebuild of an existing stone retaining wall. Approximately seven feet of fill will be brought in to elevate the area just southwest of the southwest corner of the house.

1. Verify the footing drain for the existing basement and show on the Site Plan. Provide a waterproofing detail of the foundation wall that will be backfilled by the proposed fill.
2. The Rubble (Fieldstone) Retaining Wall Detail shows a swale along the top of the wall. The swale shall be shown on the Grading Plan to direct stormwater runoff away from the dwelling.
3. Show proposed grading along the fill area at the high side of the gabion wall. Stormwater runoff from the driveway and uphill area shall be directed away from the house and not toward the adjacent property.
4. Show erosion control measures to be used during construction.
5. Show the distance to the property line on the proposed Gabion Wall Detail and Rubble Wall Detail.

TOWN OF ORANGETOWN
2013 AUG 29 AM 11 57
TOWN CLERKS OFFICE

PB #13-33: Levine Site Plan; Final Site Plan Approval Subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision

July 24, 2013

Page 5 of 7

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

- a. A review must be completed by the Rockland County Department of Highways and all required permits obtained.
- b. Prior to any grading or construction on the site, a soil and erosion control plan shall be developed that meets the New York State Guidelines for Urban Erosion and Sediment Control.
- c. There shall be no net increase in peak rate of discharge from the site at all design points.

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

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

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

13. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans 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 §21. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Plan Approval pursuant to Town Code §21 and §6A.

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

TOWN OF ORANGETOWN
2013 AUG 29 AM 11 57
TOWN CLERKS OFFICE

PB #13-33: Levine Site Plan; Final Site Plan Approval Subject to Conditions/ Neg. Dec.

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 6 of 7**

Continuation of Condition #16...

- 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 plan shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

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

TOWN CLERKS OFFICE
2013 AUG 29 AM 11 57
TOWN OF ORANGETOWN

PB #13-33: Levine Site Plan; Final Site Plan Approval Subject to Conditions/ Neg. Dec.

**Town of Orangetown Planning Board Decision
July 24, 2013
Page 7 of 7**

Continuation of Condition #20...

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 Bruce Bond and seconded by Michael Mandel and carried as follows: Bruce Bond, aye; Kevin Garvey, aye; Michael Mandel, aye; William Young, absent; John Foody, absent; Robert Dell, aye and Jeffrey Golda, absent.

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

Dated: July 24, 2013
Town of Orangetown Planning Board
attachment



TOWN OF ORANGETOWN
2013 AUG 29 AM 11 57
TOWN CLERKS OFFICE

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

**PB #13-33: Levine Site Plan; Final Site Plan Approval Subject to
Conditions/ Neg. Dec. – Critical Environmental Area**

**Town of Orangetown Planning Board Decision
July 24, 2013**

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: Levine Site Plan – Critical Environmental Area

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

**DESCRIPTION OF ACTION: Levine Site Plan; Final Site Plan Approval
Subject to Conditions/ Neg. Dec. - Critical Environmental Area**

LOCATION: The site is located at 39 Tweed Boulevard, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.09, Block 1, Lot 40 in the R-22 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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, Town Supervisor, Applicant, Involved Agencies

TOWN CLERKS OFFICE

2013 AUG 29 PM 11 57

TOWN OF ORANGETOWN