

Meeting of April 24, 2013

TOWN OF ORANGETOWN PLANNING BOARD

MEMBERS PRESENT: Kevin Garvey, Chairman; William Young; Michael Mandel and John Foody

MEMBERS ABSENT: Bruce Bond, Jeffrey Golda and Robert Dell
ALSO PRESENT: John Giardiello, Director, Department of Building, Zoning, Planning Administration and Enforcement; Robert Magrino, Deputy Town Attorney; Catherine LeBoe, 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:

Kopunek Subdivision Plan **PB #13 - 16**
Consultation **Consultation**
77.06/2/69; R-15 zoning district

Dominican College Hennessey **PB #13 - 17**
Center Site Plan **Final Site Plan**
Final Site Plan Review **Approval Subject**
70.18/2/14; R-40 zoning district **to Conditions**

Sapienza Site Plan **PB #13 - 18**
Final Site Review **Continued:**
Critical Environmental Area **Revise Plans**
65.20/1/7; R-40 zoning district

The decisions of the March 13, 2013 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by William Young and seconded by Michael Mandel and carried as follows: William Young, aye; Kevin Garvey, aye, Jeffrey Golda, absent; Robert Dell, absent; Bruce Bond, absent; Michael Mandel, aye and John Foody, aye.

The decisions of the March 27, 2013 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Michael Mandel and seconded by John Foody and carried as follows: William Young, aye; Kevin Garvey, aye, Jeffrey Golda, absent; Robert Dell, absent; Bruce Bond, absent; Michael Mandel, aye and John Foody, aye.

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

TOWN CLERKS OFFICE
2013 MAY 24 PM 11 10
TOWN OF ORANGETOWN

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 John Foody and seconded by William Young and agreed to by all in attendance. The meeting was adjourned at 7:55 p.m. The next Planning Board meeting is scheduled for May 8, 2013.

DATED: April 24, 2013
Town of Orangetown Planning Board



TOWN CLERKS OFFICE

2013 APR 24 AM 11 10

TOWN OF ORANGETOWN

PB #13-16: Kopunek Subdivision Plan: Consultation
Town of Orangetown Planning Board
April 24, 2013
Page 1 of 2

TO: Kathy Kopunek, 20 Steuben Avenue, Pearl River,
New York 10965

FROM: Orangetown Planning Board

RE: Kopunek Subdivision Plan: The application of Kathy Kopunek, owner, for Consultation, at a site to be known as "**Kopunek Subdivision Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located at 20 Steuben Avenue, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.06, Block 2, Lot 69 in the R-15 zoning district.

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

Kathy Kopunek appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated April 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 April 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 April 18, 2013.
4. Partial plans noting property to be subdivided.

CONSULTATION: In view of the foregoing and the testimony before the Board, the applicant was provided with the following comments:

1. The Zone District is R-15 and therefore requires a minimum of 15,000 square feet of lot area. The applicant proposes to subdivide and create two lots, each having 7,486 square feet of lot area.
2. The proposed two lots would require the following variances from the Town of Orangetown Zoning Board of Appeals:
 - a. Minimum Lot Width
 - b. Front Yard
 - c. Side Yard
 - d. Total Side Yards
 - e. Maximum height (possibly)

To fully evaluate the Zoning requirements, a Zoning Bulk Table would need to be provided with a formal subdivision application to the Planning Board.

TOWN CLERKS OFFICE

2013 APR 24 AM 11 10

TOWN OF ORANGETOWN

PB #13-16: Kopunek Subdivision Plan: Consultation
Town of Orangetown Planning Board
April 24, 2013
Page 2 of 2

3. All utilities would need to be shown on the Subdivision Plan.
4. The applicant would need to submit a proper subdivision plan that conforms to Section 21 of the Town of Orangetown Code Book – Land Development Regulations, for review by the Planning Board.

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

Dated: April 24, 2013 
Town of Orangetown Planning Board

TOWN OF ORANGETOWN
2013 APR 24 AM 11 10
TOWN CLERKS OFFICE

PB #13-17: Dominican College Health Center Expansion Site Plan– Final Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision

April 24, 2013

Page 1 of 7

TO: Joseph Corless Associates, 48 Michael Roberts Court, Pearl River, New York 10965

FROM: Orangetown Planning Board

RE: Dominican College – Hennessy Student Center Addition Site Plan: The application of Dominican College, applicant, Rockland County IDA, owner, (Brian Quinn, Attorney for the owner), for Final Site Plan Review, at a site to be known as “**Dominican College – Hennessy Student Center 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 470 Western Highway, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.18, Block 2, Lot 14 in the R-40 zoning district.

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

Joseph Corless, Brian Quinn, Michael Dempsey and Sister Kathleen Sullivan appeared and testified. The Board received the following communications:

1. Project Review Committee Report dated April 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 April 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 April 18, 2013.
4. A letter from Brooker Engineering, Planning Board Drainage Consultant, signed by Kenneth DeGennaro, P.E., dated April 23, 2013.
5. Letters from the Rockland County Department of Planning, signed by Thomas B. Vanderbeek, Commissioner of Planning, dated March 26, 2013.
6. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated March 27, 2013.
7. A letter from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated March 1, 2013.
8. A letter from New York State Department of Transportation, signed by Mary Jo Russo, P.E., Rockland County Permit Engineer, dated March 11, 2013

TOWN CLERKS OFFICE

2013 APR 24 AM 11:10

TOWN OF ORANGETOWN

PB #13-17: Dominican College Health Center Expansion Site Plan– Final Site Plan Approval Subject to Conditions

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

9. Submitted at the meeting by the applicant, Dominican College - Revised Narrative (#2) – April 2013, prepared by P.J. Corless, P.E., dated April 17, 2013.
10. Site Plans prepared by Corless and Associates, dated January 31, 2013:
 - Sheet 1: Amended Site Development Plan
 - Sheet 2: Existing Site
 - Sheet 3: Grading Plan
 - Sheet 4: Details
 - Sheet 5: Soil Erosion Control Plan
11. Copies of the following Board Decisions: ACABOR #13-13, Approved subject to Conditions, dated April 4, 2013; ZBA #11-96, Floor Area Ratio and Building Height Variances Approved, dated November 16, 2011 and PB #11-40, Preliminary Site Plan Approval Subject to Conditions, dated September 14, 2011.

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

TOWN CLERKS OFFICE

2013 APR 24 AM 11:11

TOWN OF ORANGETOWN

PB #13-17: Dominican College Health Center Expansion Site Plan– Final Site Plan Approval Subject to Conditions

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

3. The applicant shall comply with all pertinent and applicable conditions of previous Board Decisions: ACABOR #13-13, Approved subject to Conditions, dated April 4, 2013, ZBA #11-96, Floor Area Ratio and Building Height Variances Approved, dated November 16, 2011 and PB #11-40, Preliminary Site Plan Approval Subject to Conditions, dated September 14, 2011.

4. The revised Stormwater Management Plan is under review by DEME.

5. The applicant's engineer shall design a "system" to prevent vehicular traffic from driving into the proposed detention basin.

6. Soil erosion and sediment control plans and details are under review by DEME.

7. The Drainage Consultant to the Planning Board, Brooker Engineering, recommends the approval for drainage subject to the following conditions:

1. More detail shall be provided for the roof drainage to ensure the current drainage pattern of the existing and proposed roofs are maintained.
2. Proposed grading showing that stormwater runoff is directed away from the building shall be provided on the Site Plan. Door locations shall be shown on the Site Plan.
3. Footing drains shall be shown for the addition.
4. The drainage report shall use the same runoff coefficient for all design storms. Void spaces beneath the pavers shall not be included in the stormwater detention volume calculations. Void spaces beneath the topsoil in the detention basin shall not be included in the volume calculations. The detention basin as shown may be undersized; the calculations show that the basin will be full based on 1.2 inches of rainfall over just the new building addition alone. This includes the volume in the one foot of freeboard in the detention basin between elevations 137.0 through 138.0.
5. The Drainage Maps provided in the drainage report shall be based on the drainage area that enters the detention basin.
6. The drainage design shall use a 24-hour design storm for all recurrence intervals. Stormwater hydrographs shall be routed based on the 24-hour design storm. A stage versus discharge curve for the outlet orifice/weir configuration shall be developed to model how stormwater leaves the detention system.
7. The overflow path from the detention basin directing basin overflows to the catch basin just east of the basin shall be provided and shown on the Site Plan.
8. A maintenance plan and schedule for the detention basin shall be shown on the Site Plan.

TOWN CLERKS OFFICE

2013 APR 24 PM 11 31

TOWN OF ORANGETOWN

**PB #13-17: Dominican College Health Center Expansion Site Plan-- Final
Site Plan Approval Subject to Conditions**

Town of Orangetown Planning Board Decision

April 24, 2013

Page 4 of 7

8. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
- An undated review shall be completed by the Rockland County Department of Highways and any required permits obtained.
 - The conditions of the March 1, 2013 letter from the Rockland County Department of Health must be met.
 - The Site Plan is labeled showing that a two story 9,020 square foot addition is proposed. However, this is the dimensions for just one story, so in fact, is not an 18,040 square foot addition proposed? This must be clarified and corrected, on both the building and in the square footage listing proposed under the bulk regulations. The total building area shall be listed as 73,040 square feet.
 - A landscaping plan that meets all Town of Orangetown requirements shall be provided.
 - Signage and Lighting Plans must be provided and meet all Town of Orangetown requirements.
 - Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Towns, Villages and County with an adequate supply of water. A letter from the public water supplier, stamped and sealed by a NYS licensed professional engineer, shall be issued to the municipality for this project, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.
 - If any public water supply improvements are required, engineering plans and specification for these improvements shall be reviewed by the Rockland County Department of Health, prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, and the New York State regulations governing public water systems. Both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.
 - Public sewer mains requiring extensions within a right of way or an easement shall be reviewed and approved by Rockland County Department of Health prior to construction.
 - Access to the fire zones shall be unimpeded by other parking areas and maneuverability on the site feasible.
 - The fire department connections shall be designated on the Site Plan and kept clear for easy access by the emergency response vehicles.
 - Map Note #7 on the Site Plan shall be deleted as Section 239K no longer exists, and since a similar and correct version is also provided in Map Note #16.

9. The applicant has addressed comment #3 of Rockland County Department of Planning letter dated March 26, 2013, by accommodating the decrease in parking spaces on the project site by expanding parking in the new parking lot recently paved, and located off of Western Highway

TOWN CLERKS OFFICE

2013 APR 24 AM 11:11

TOWN OF ORANGETOWN

**PB #13-17: Dominican College Health Center Expansion Site Plan– Final
Site Plan Approval Subject to Conditions**

Town of Orangetown Planning Board Decision

April 24, 2013

Page 5 of 7

10. The Rockland County Department of Highway reviewed the material provided and found that the proposed action will have no foreseeable adverse impact upon the County roads in the area with the notion that the site plan will adequately demonstrate that all required parking will be contained on site, in accordance with current Town of Orangetown Zoning Code requirements.
11. The Rockland County Department of Health reviewed the project had had the following comments:
 1. Application is to be made to the Rockland County Department of Health for review of the Stormwater Management system for compliance with the County Mosquito Code.
 2. Rockland County Department of Health must approve plans for the sewage disposal by per Article IV, Section 4.2.1 of the Rockland County Sanitary Code. Formal application is to be made.
12. The Town of Orangetown Fire Prevention Bureau had the following comments in regards to the addition that includes a gym, exercise area and storage:
 1. Extend the Fire Sprinkler into the new area.
 2. Extend the Fire Alarm system into the new area.
 3. With proposals for the Sprinkler and Fire Alarm submitted to Town of Orangetown Fire Prevention Bureau for approvals before work begins.
 4. Add portable fire extinguishers as required by NFPA 10.
 5. Add Emergency Lighting as per NEC.
 6. Consider Fire Department access as per 503 of the New York State Fire Code.
13. The New York State Department of Transportation reviewed the Site Plan and drainage study and feel the project will have no significant impact on the state transportation system.
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 Plan.
16. 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.

TOWN CLERKS OFFICE

2013 APR 24 AM 11 11

TOWN OF ORANGETOWN

**PB #13-17: Dominican College Health Center Expansion Site Plan– Final
Site Plan Approval Subject to Conditions**

Town of Orangetown Planning Board Decision

April 24, 2013

Page 6 of 7

17. The following note shall be placed on the Site Plan:

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from trunk per inch DBH
 - Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:

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

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.

18. 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.

19. 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.

TOWN CLERKS OFFICE

2013 APR 24 AM 11:11

TOWN OF ORANGETOWN

**PB #13-17: Dominican College Health Center Expansion Site Plan– Final
Site Plan Approval Subject to Conditions**

Town of Orangetown Planning Board Decision

April 24, 2013

Page 7 of 7

20. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
21. 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).
22. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
23. 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
24. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.
- The foregoing Resolution was made and moved by William Young, and seconded by John Foody and carried as follows: Kevin Garvey, aye; Bruce Bond, absent; Michael Mandel, aye; William Young, aye; Robert Dell, absent; John Foody, 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: April 24, 2013
Town of Orangetown Planning Board



TOWN CLERKS OFFICE

2013 APR 24 PM 11:11

TOWN OF ORANGETOWN