

**Town of Orangetown Planning Board  
April 9, 2014 Meeting**

**Members Present:** Kevin Garvey, Chairman; Bruce Bond; John Foody; Michael Mandel; Robert Dell and Thomas Warren  
**Members Absent:** William Young  
**Also Present:** Bert Von Wurmb, Building Department, 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:

**Postponed Item from March 26, 2014 Meeting:**

<b>Orangeburg Commons Site Plan Performance Bond</b>	<b>PB #14 - 19</b>
Request for an Extension of the Term, and Recommendation to the Town Board to Reduce the Amount	<b>Granted Extension and Recommended Reduction to the Town Board</b>
74.15 / 1 / 21; LI zoning district	

**New Items:**

<b>The Hollows at Blue Hill Recreation Site Plan</b>	<b>PB #14 - 20</b>
Amendment to Approved Site Plan	<b>Final Site Plan</b>
Final Site Plan Review	<b>Approval Subject to Conditions</b>
73.05 / 1 / 53; OP/PAC zoning district	

<b>Skae Training Site Plan</b>	<b>PB #14 - 21</b>
Final Site Plan Review	<b>Final Site Plan</b>
76.08 / 1 / 3 & 4; LIO zoning district	<b>Approval Subject to Conditions</b>

<b>Lewis Avenue Subdivision Plan</b>	<b>PB #14 - 22</b>
Prepreliminary/ Preliminary/ Final Subdivision and SEQRA Review	<b>Preliminary Approval Subject to Conditions/ Neg. Dec.</b>
68.12 / 1 / 51; RG zoning district	

The decisions of the March 26, 2014 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Bruce Bond and seconded Michael Mandel by and carried as follows: William Young, absent; Kevin Garvey, aye, Thomas Warren, aye, Robert Dell, aye; Bruce Bond, aye; Michael Mandel, aye and John Foody, aye.

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

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Thomas Warren and seconded by Bruce Bond and agreed to by all in attendance. The meeting was adjourned at 9:00 p.m. The next Planning Board meeting is scheduled for May 14, 2014.

**DATED: April 9, 2014**  
**Cheryl Coopersmith**  
**Chief Clerk Boards and Commissions**

*Cheryl Coopersmith*

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TOWN OF ORANGETOWN

**PB #14-19: Orangeburg Commons Site Plan - Performance Bond  
Granted Extension of the Term, and Recommended to the Town Board to  
Reduce the Amount**

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**TO:** Alfred Rossi, FB Orangetown LLC, c/o RD Management, 810  
Seventh Avenue, 10<sup>th</sup> Floor, New York, New York 10019

**FROM:** Orangetown Planning Board

**RE:** **Orangeburg Commons Site Plan – Performance Bond:** The application FB Orangetown LLC, owner, for an Extension of the Performance Bond Term and a Recommendation to the Town Board for a Reduction in the Amount of the Performance Bond, at a site known as “**Orangeburg Commons 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 179 Route 303, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.15, Block 1, Lot 21 in the LI zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **April 9, 2014**, at which time the Board made the following determination:

Alfred Rossi appeared and testified.

The Board received the following communications:

1. A Project Review Committee Reports dated April 2 and March 19, 2014.
2. Interdepartmental memorandums signed by John Giardiello, P.E., Director of the Office of Building, Zoning and Planning Administration and Enforcement, Town of Orangetown, dated April 9 and March 26, 2014.
3. Interdepartmental memorandums signed by Bruce Peters, P.E., Department of Environmental Management and Engineering, Town of Orangetown dated April 8 and March 20, 2014 and May 2, 2008.
4. PB # 08-30, Recommendation to the Town Board to Establish Value of Performance Bond dated May 14, 2008.
5. A letter from FB Management LLC, from Brigadier General (Ret.) Alfred Rossi, P.E., Vice President, dated March 6, 2014.
6. A copy a letter to Robert Magrino, Esq., Deputy Town Attorney, Town of Orangetown, from Gail Corcoran, Assistant to Richard Birdoff, FB Orangetown, dated July 10, 2012, with an attachment of the fully executed Performance Bond.

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

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

**1. DECISION:** In view of the foregoing, the Board **Granted a Two Year Extension** of the Term of the Performance Bond until April 9, 2016, subject to the following condition:

1. All previous conditions of site approvals and performance bond requirements remain in effect. Any changes to the site plan require an application for a Plan Amendment to the Board.

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**PB #14-19: Orangeburg Commons Site Plan - Performance Bond  
Granted Extension of the Term, and Recommended to the Town Board to  
Reduce the Amount**

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

**2. RECOMMENDATION:** In view of the foregoing, the Board Recommended to the Town Board to **Reduce the Amount of the Performance Bond** as follows:

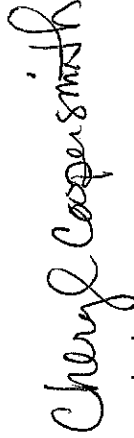
<b>ITEM</b>	<b>COST</b>
Commercial Street	\$ 18,250.00
Curbing	900.00
Sidewalk	1,300.00
Street Signs	100.00
Monuments	4,200.00
Iron Pins	450.00
As-Built Drawings	10,800.00
Soil Erosion and Sediment Control	40,000.00
Sanitary Sewers	1,000.00
Administrative Close-out (20% of Sub Total)	Sub-Total \$ 77,000.00 \$ 15,400.00
<b>Total Bond</b>	<b>\$ 92,400.00</b>

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

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

**Dated: April 9, 2014**

Cheryl Coopersmith  
Chief Clerk Boards and Commissions  
Town of Orangetown Planning Board



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**PB #14-20: The Hollows at Blue Hill Recreation Site Plan – Final Site Plan Approval Subject to Conditions**

**Town of Orangetown Planning Board Decision**

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

**RE:** The Hollows at Blue Hill Recreation Site Plan The application of The Hollows at Blue Hill LLC, owner, (Donald Brenner, attorney for the applicant), for Final Amendment to the Final Site Plan Review, at a site known as **"The Hollows at Blue Hill Recreation 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 on Veterans Memorial Drive, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.05, Block 1, Lot 53 in the OP/ PAC zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, April 9, 2014**, at which time the Board made the following determinations:

Donald Brenner, Veronica Lane, Edmund Lane, Carl Weed, and Sarah Torrens appeared and testified.

The Board received the following communications:

1. A Project Review Committee Report dated April 2, 2014.
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 9, 2014.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., April 3, 2014.
4. A letter from Brooker Engineering, PLLC, signed by Kenneth DeGennaro, P.E., dated April 9, 2014.
5. A letter from Rockland County Department of Planning, signed by Thomas B. Vanderbeek, P.E., dated March 26, 2014.
6. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated April 9, 2014.
7. A letter from Rockland County Drainage Agency, signed by Vincent Altieri, Executive Director, dated March 31, 2014.
8. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael B. Bettmann, Chief, dated March 7, 2014.
9. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated March 20, 2014.
10. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated March 7, 2014.
11. A letter from the New York State Department of Environmental Conservation, signed by Ashley Wilson, Environmental Analyst, Division of Environmental Permits, dated January 16, 2014.
12. A letter from Ahneman Kirby Engineers, signed by Karl H. Weed, P.E., dated February 19, 2014.

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13. A copy of the MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form, dated February 24, 2014.
14. A copy of the Notice of Intent, New York State Department of Environmental Conservation, dated February 18, 2014.
15. Copy of PB #13-02, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec; dated January 15, 2014.
16. The Hollows at Blue Hill, LLC Site Development Plans prepared by Ahneman Kirby, LLC, Civil Engineering and Land Surveying, dated February 18, 2014:
  - SP-1 - Sheet 1 of 4: Proposed Recreational Area
  - SP-2 - Sheet 2 of 4: Soil Erosion and Sediment Control Plan
  - SP-3 - Sheet 3 of 4: Proposed Recreational Area Details
  - SP-4 - Sheet 4 of 4: Proposed Recreational Area Details
17. A letter from residents of the Hollows Development, signed by Barbara and Joseph Hovsepian, dated April 5, 2014.
18. A letter from a resident of the Hollows Development, signed by Guy Gervasi, President of the Board of Managers, The Hollows at Blue Hill, dated March 26, 2014.
19. An E-mail from James G. Waters, Chair, The Hollows Amenities Committee, dated March 26, 2014.
20. Copy of James G. Waters' letter, dated March 31, 2014, signed by residents of the Hollows at Blue Hill:
  - Andreina and Antonio Perillo, 4202 Fred III Jr. Court
  - Barbara and John Connolly, 19 Robert McPadden Street
  - Marie and Jim Michaels, 63 Michael Roberts Court
  - Fran and John Menzie, 49 Michael Roberts Court
  - Gloria Donohue
  - Mr. and Mrs. Joseph Stanziani, 21 Robert McPadden Street
  - Lauren and Barry Schoenhaut, 45 Michael Roberts Court
  - Tova and Barry Adesnik, 6103 Fred III Jr. Court
  - Dorothy and Malcolm Blotner, 2201 Fred III Jr. Court
  - Shirley and Robert Aigen, 59 Michael Roberts Court

**Public Comment:**

**Jim Waters, 71 Michael Roberts Court, Pearl River:** requested that a security fence be placed around all of the proposed amenities, since the middle school is adjacent to the site.

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

The Board reviewed the plan.

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting".
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The two proposed walkways through the wetlands to the pool, one from the putting green and the other from the cul-de-sac shall be to American Disability Act (ADA) specifications.
4. Security motion detector lighting shall be placed at the pool area, tennis court and putting green.
5. The proposed pool elevation (floor elevation) is shown at 194.10 and the finished grade around the pool deck is 194. Please clarify.
6. All fences shall be shown and labeled on the Site Plan. In addition to the fencing around the pool and tennis court uses, a security fence shall be considered.
7. A Storm Water Pollution Prevention Plan is required, including calculations, and a storm water maintenance agreement shall be submitted (or an amendment to the existing SWMA.) The SWPPP drainage calculations shall include where the exhaust from the proposed detention basins will run to and what negative effects may occur downstream. This proposed site work shall not adversely impact any downstream properties.
8. The revised drainage calculations must be submitted for all three detention systems. All of the proposed stormwater facilities (i.e. basins) shall be designed for up to the 100 year storm, not just the 25 year storm. The calculations shall be resubmitted with the SWPPP and include all the required storms (up to 100 year) as well as all requirements for stormwater quality, as spelled out in the Town Code and the NYSDEC stormwater design manual.

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9. Detailed information regarding the proposed retention basin/ permeable pavement/ subsurface detention system shall be supplied (i.e. "blow up" details of each basin, cross-sections through each basin, storage capacity at certain elevations, berm reinforcing, maintenance requirements, etc.), the drainage retention basin notes on the plan are insufficient. Also, access points shall be added to the proposed subsurface detention system.
10. Drawing SP-2 shows a detail for a temporary sediment basin and dewatering, however its location is not shown on the Site Plan. This shall be corrected. Also, more detail regarding the electrical connection and clean out schedules shall be added to the required SWPPP.
11. All proposed grading shall be shown on the plans. Grading shall be shown around the proposed open detention basin as well as the proposed walks, pool, cabana, bocce court, etc.
12. The proposed open stormwater detention basin and permeable pavement shall be redesigned to meet current NYSDEC and Town of Orangetown standards for water quality and quantity requirements (i.e. forebay, maintenance berm, outlet structure, emergency spillway, etc.).
13. The entire proposed sanitary building connection for the proposed cabana shall be shown on the plans. A profile for the proposed sanitary connection shall be added to the drawings. Also, the entire sanitary building connection shall be shown to "tie-in" point, profile and connection detail is required, the location, inverts, connection details, etc.
14. Soil Erosion and sediment control plans (SESC) and details shall be submitted to DEME for review and approval. The applicant shall submit complete SESC plans.
15. The drawings shall indicate the name of the individual who delineated the existing wetland limits and the date when this was done.
16. Typical details shall be included with the drawings, i.e. pavement, walkway, sanitary main connection, sanitary cleanout, etc.
17. The required drainage calculations and SWPPP shall include all three proposed drainage systems. SWPPP shall indicate how each achieves both water quantity and quality. SWPPP shall also include design parameters and during construction maintenance requirements.
18. 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.

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19. Soil sampling shall be done in the locations of the various stormwater detention facilities PRIOR to receiving final approval, to ensure the adequacy of the design of the systems. The soil data shall be submitted to DEME and the Planning Board's drainage consultant for review and approval.
20. The applicant's engineer shall explain in detail, in the drainage calculations/SWPPP how an open bottom basin will be able to achieve stormwater quality and quantity as it is proposed to be built on soil that is in the wetlands.
21. It appears that the proposed emergency turn around has a catch basin that outlets directly to daylight, without going through any detention system. This is unacceptable. The runoff from the turnaround area shall be directed to one of the detention systems.
22. The proposed grading, on the North and South of the tennis court and on the South of the proposed parking lot, is at 1 to 1 ratio (45°). This is extremely steep. The drawing shall indicate how these slopes are to be maintained, especially during and after construction.
23. The "Gravelpave2" detail in drawing SP-4 shows a French/channel drain, however this does not appear on the plan views for the proposed driveway. The location of the channel shall be shown on the plan views along with its exhaust or tie-in to the detention system.
24. The Drainage Consultant to the Planning Board, Brooker Engineering, has reviewed the submitted information and found potential significant adverse impacts with respect to drainage can be mitigated subject to the following project comments. The consultant therefore recommends that The Hollows at Blue Hill Proposed Tennis Court, Pool and Playground project be approved for drainage subject to the noted Project Comments.
- This is the fourth drainage review report to the Planning Board for this project; the last drainage review report was dated January 15, 2014. The property is located at the south side of Gilbert Avenue across the street from Louis Avenue. The property slopes in a southeasterly direction. There is a southerly flowing, well-defined stream (located off the property) that is tributary to the Hackensack River just east of the property. Runoff from the portion of the site to be developed for this application site flows overland through a wooded area before entering the stream.
- Stormwater runoff from this portion of the property is independent of previous development of the site for which a stormwater management basin was constructed. There are Army Corps of Engineers wetlands located on the portion of the property to be developed for this application.
- This application proposes the construction of amenities for the housing development, including a playground, tennis courts, putting green, and swimming pool. New stormwater management features are included in the site plan that are independent of the previously constructed detention basin.

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Continuation of Condition #24...

**Project Comments**

The following project comments remain unaddressed from the January 15, 2013 and January 14, 2014 drainage review reports:

- Post construction impervious area shall be clearly shown in support of the drainage design.
- This project is being performed as part of the overall Hollows development and is on the same lot as the housing development. The status of the NYSDEC SPDES stormwater permit shall be provided and listed on the plan. Due to the ongoing construction activity, the original permit is most likely active and this work shall be included as an amended NYSDEC SPDES permit so as to avoid segmenting the project. The Stormwater Pollution Plan shall be updated and post construction water quality measures shown for the new work.
- The overall site disturbance shall be added to the Site Plan.
- Construction access, clearing, and the location of anti-tracking pavement shall be added to the Site Plan. The anti-tracking pavement does not meet NYSDEC standards.
- A stormwater detention basin is shown in the wetland area. The means for draining the accumulated water in the basin shall be addressed. Soil percolation rates shall be provided. There is a 3-5 feet cut to bring the bottom of the detention basin to elevation 183.0. It shall be demonstrated that there will not be groundwater in the detention basin.
- There are several swales and intermittent streams in the work area. These shall be shown on the Site Plan. Culverts under the proposed paths shall be added. It shall be verified that these swales do not enter the detention basin. The new plans show a “proposed wood walk”; however, the proposed grading indicates that fill is brought in to elevate the walk. The wood walk detail does not show an elevated walk.
- Access to the detention basin for maintenance equipment shall be shown.
- The stream from the concrete headwall at Gilbert Avenue has been added to the plan per the consultant’s previous comment; however, vertical information regarding the size and shape of the channel has not been added. Stormwater from the culvert under Gilbert Avenue flows due south toward the new pool and makes a 90 degree bend to the east. From the topography on the plan, there is a flat area at the bend where stormwater from this channel may inundate the proposed pool. More detail shall be provided to demonstrate that the channel has sufficient capacity to convey the existing flows without erosion or flooding of the pool.

The following project comments all remain unaddressed from Brooker Engineering’s January 14, 2014 drainage review report:

- The drainage report shall include a sub basin map that clearly shows all intended design sub basins that are used to support the drainage design.
- Off-site runoff from the western slope and Gilbert Avenue shall be addressed as either entering the site and bypassing the detention basins or these offsite subareas shall be included in the routing calculations.

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**PB #14-20: The Hollows at Blue Hill Recreation Site Plan – Final Site Plan  
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**Town of Orangetown Planning Board Decision**

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**Continuation of Condition #24...**

- Permeable pavement is proposed for the parking lot and access drive. The permeable pavement, while being less impervious than typical asphalt, will result in more stormwater runoff than the existing woods. This shall be reflected in the drainage calculations.
- The tennis court uses a manufactured underground detention system located below the tennis court. These systems typically have access ports for inspection as part of the maintenance program. The manufactured detention system shall be located to outside the tennis court to make maintenance and inspection more practical. Relocating the system to near the putting green just downhill of the tennis court may be more practical. The proposed system will require more than one access port. The tennis court layout provided on the detail sheet shall be shown on the overall site plan to demonstrate that the access ports do not interfere with the playing surface.
- The cross slope along the tennis court is labeled at 0.83%; however, the cross slope of 0.2 feet over 60 feet measures at 0.3%. This will most likely result in puddling over the tennis court. Additionally, the gravel trench on the high side (northwest side) of the tennis court has 0.2 feet difference in elevation between the top of trench and the tennis court. This shall be increased, as the nominal difference in elevations will most likely result in stormwater overflows onto the tennis court that will enter the storm drainage system and ultimately the detention system.
- Show proposed grading around the cabana that diverts stormwater runoff away from the cabana.

Brooker Engineering had the following additional comments regarding the last submission:

- Drainage calculations have been submitted over several emails; a drainage report shall be compiled that includes all data.
- The detention basin outlet shows a weir elevation of 186.99 and a top of wall elevation of 187.00. The difference in elevations of 0.01 foot between spillway and top of dam is not practical. Armoring the grade below the spillway outfall shall be provided.
- Identify the NYSDEC Best Management Practices design standards that are being utilized to provide post construction stormwater quality and quantity mitigation. Demonstrate that NYSDEC guidelines for water quality have been met.
- A curve number of 77 is used for existing conditions. A lower curve number consistent with wood/brush shall be used for existing conditions and existing conditions to remain undisturbed.

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**Continuation of Condition #24...**

- The walk from the driveway to the pool has a slope of 16% and a length of 60 feet. The drainage consultant question whether the small trench drain at the bottom of the walk (along the pool) can receive the flow from this slope; the consultants anticipate the possibility overflows entering the pool. The building inspector shall identify if this walk should to meet ADA requirements. This area enters the trench drain system and is conveyed to the detention pond; this was not part of the design calculations for sizing of the pond. A drainage subarea map shall be provided that clarifies all design watersheds to be conveyed to the detention facilities. It is not clear if runoff from Gilbert Avenue will enter the site, flow across the driveway and down the walk and enter the detention system.
- The drainage calculations shall show increases in runoff from additional disturbed areas that are changing from woods to lawn, i.e. the putting green.
- The embankment on both sides of the tennis court and downhill of the driveway has a one horizontal to one vertical slope. Proposed ground cover on these slopes shall be provided. It shall be demonstrated that the soil is stable at this angle. Furthermore, the capacity of the swale at the toe of the slope on the north side of the tennis court shall be calculated to ensure runoff from this steep slope does not bypass the infiltration channel.
- EOP spot grades are shown on the plan that conflict with other spot grades; these shall be consistent with the other spot grades. Contour labels shall be added to the plans.
- The “Retaining Wall Section” is presumed to be the concrete wall for the detention basin. Weep holes shall be removed from the section or included in the routing calculations. Water shall be shown on the detail in lieu of soil. The wall shall be designed to withstand hydrostatic loading.
- A walk shall be shown from the cabana to the pool.

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

- The comments and conditions of the December 31, 2013 letter from the Rockland County Department of Highways must be met.
- The comments contained in the November 26, 2013 letter from the Rockland County Department of Health letter must be met.
- Trees to be preserved must be clearly identified in the field prior to any construction or grading. No regrading shall occur within the “drip zone” area of the tree in order to ensure the preservation of the existing trees and their root system.

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PB #14-20: The Hollows at Blue Hill Recreation Site Plan – Final Site Plan  
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Continuation of Condition #25....

- The proposed walks leading from the putting green and residences seem to enter the pool area right at the pool equipment. No walkway is provided to the pool from these wooden walkways. A pedestrian walkway must be provided to the pool, continuing from the wooden walkways to a useable entrance to the pool.
  - No walkway is proposed from the tennis court to any other recreational amenity. The residents could benefit from having a walkway installed connecting the tennis court to the walk which traverses between the putting green and the proposed pool.
  - Some of the contours within the wetland area do not seem to be tying back into the correct grade. For example, contours at elevation 196 and 198 seem to be running directly into the new grading south of the driveway, without merging back into the correct elevation. Contour lines cannot cross other lines. In addition, it is not clear what is happening at contour elevation 196 by the walkway, as two new contours are tying into the existing contour line at the wood walkway. All new contours must tie correctly back into the existing topography.
  - Since extensive regrading is being proposed directly adjacent to the wetland area, all sloped areas must be fully re-established before the silt fencing is removed, to ensure that soil erosion does not occur.
  - Soil erosion control measures must also be installed along the areas where the walkways are being installed, and the topography regraded, particularly since these areas are within the wetlands.
  - Sheet SP-1 contains two listing of Drainage Retention Basin Notes. It appears that the second heading for this listing should be "General Notes."
  - 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.
  - There shall be no net increase in the peak rate of discharge from the site at all design points.
26. The Rockland County Department of Highway reviewed the proposed action and offered the following comments:
- The existing access from Veterans Memorial Drive shall be shown on the drawings. The applicant shall offer a narrative to show why a new access on Gilbert Avenue is necessary for the proposed development.

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**Continuation of Condition #26...**

- The strip between the designated street line and the right of way line along Gilbert Avenue next to this property shall be gratuitously dedicated to the Rockland County Highway Department.
- A Rockland County Highway Department Work Permit will be required for the proposed development prior to any construction on site.
- Separate additional Rockland County Road Opening Permit will be required for any sewer or utility connections that will involve disruption to the paved surface within any county road.

**27.** Based upon the Rockland County Drainage Agency's (RCDA) evaluation of available mapping and the information submitted, it has been determined that the site is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is not requested. However, the parcel is located along County Highway Routes 20 & 26. The applicant shall contact the Rockland County Highway Department for a jurisdictional and/or permit determination.

**28.** 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.

**29.** The Applicant is reminded that the Rockland County Health Department must approve the engineering plans for the pool prior to construction.

**30.** The Bureau of Fire Prevention offered the following comments which shall be incorporated herein as conditions of approval:

- 1) The access driveway from Gilbert Avenue must have a maximum grade of 10%; however the current plan notes a 10% minimum grade. Please correct.
- 2) The proposed minimum gate must meet all requirements of Appendix D of the New York State Fire Code, Section D103.5:
  - The minimum gate width shall be 20 feet.
  - Gates shall be of the swinging or sliding type.

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**Continuation of Condition #30...**

- Construction of gates shall be materials that allow manual operation by one person.
- Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
- Electric gates shall be equipped with a means of opening the gate by the Fire Department personnel for emergency access. Emergency opening devices shall be approved by the Bureau of Fire Prevention.
- Manual opening gates shall not be locked with a pad lock or chain and pad lock unless they are capable of being opened by means of forcible entry tools or when a key box containing keys to the lock is installed at the gate location.
- Locking device specifications shall be submitted for approval to the Bureau of Fire Prevention.

3) Clarify the type of system that will be used for the swimming pool: Salt water, chlorine, etc. Upon submission of this information, additional requirements may apply.

4) Describe the type of pool; will it be heated, and if so, what type of heater.

31. The New York State Department of Environmental Conservation has reviewed the submitted documents and found that the project will require permits as follows:

- Compliance with the State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities (GP-0-10-001); for project disturbing more than an acre of land.

**• Article 15, Protection of Waters:**

Name	Class	DEC Water Index #	Status
Unnamed Tributary (A)		NJ-2	Protected

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32. In order to accommodate a handicap walkway, the Bocce court shall be moved in an Easterly direction and a retaining wall shall be placed on the Easterly side of the Bocce Court.
33. An ADA compliant walkway shall be placed on the west side of the pool, by the proposed Cabana.
34. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans prior to signing the final plans.
35. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.
36. 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.
37. **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 #37 ...

- 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.

**38.** 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.

**39.** 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.

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

**41.** 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).

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

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43. 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

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

45. The applicant shall comply with all pertinent and applicable conditions of the prior Board Decision: PB #13-02, Preliminary Site Plan Approval Subject to Conditions, dated January 15, 2014.

**Overrides**

The Board made a motion to override Conditions #3, #4, #5, #6, #9, #11, #12, #14, #15 and #16 of the March 26, 2014 letter from Rockland County Department of Planning, signed by Thomas B. Vanderbeek, P.E., Commissioner of Planning, for the following reasons:

#3. A review shall be completed by the New York State Department of Environmental Conservation and /or the United States Army Corps of Engineers, and any required permits obtained, especially since a drainage retention basin and walks are proposed within the wetland area. In addition, all proposed increases in drainage flow going into the wetland area must be reviewed and approved by them.

A review has been completed by the United States Army Corps of Engineers and the Board is satisfied.

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

#4. The Town must ascertain if the eight (8) proposed parking spaces are sufficient to serve the residents of the housing complex who may drive to the recreational amenities instead of walk. If not, additional parking may need to be provided – either from Gilbert Avenue or near the north end of the existing cul-de-sac by the residential units.

The Board held that 8 parking spaces are sufficient for the proposed recreational area.

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

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#5. All trees to be removed must be clearly identified on the Site Plan and in the field. Only one tree is currently shown to be removed on Sheet SP-1.

The Board held that all trees are clearly shown on the Site Plan.

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

#6. The tree locations are only shown near the proposed recreational amenities. No trees are identified in the areas where the proposed walks are located leading from the pool to the putting green or residence. Since this area is heavily treed, it seems likely that other trees will need to be removed in order to install the proposed walks. All trees must be depicted, and the locations of those to be removed must be identified.

The Board held that the walkway is located in the wetlands and would be constructed to go around the existing trees. No trees would be removed.

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

#9. The walkway from the parking area to the proposed pool requires the users to walk along the driveway area before they can access the sidewalk. Either a sidewalk must be provided along the driveway, or this proposed walkway access relocated so that it is closer to the parking spaces.

The Board held that there is adequate room for pedestrians to access the pool area, and an ADA access would be available.

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

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#11. The proposed fencing seems to act as a boundary for the wetland area, without serving any real purpose. To help prevent people from entering the steeply sloped areas of the site, it would seem preferable to locate the fence at the top of the regraded area, and not at the bottom of these sloped areas. In addition, the fencing around the pool area does not completely surround the pool, a requirement for all in-ground pools. The reason for the location of the proposed fencing must be clarified, and the fencing around the proposed pool completed so that no one can accidentally access the pool.

The Board held that a fence shall surround the pool and tennis court, and would be labeled on the Site Plan. The Board is satisfied.

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

#12. No fence is shown around the perimeter of the tennis court. Most tennis courts have fencing to aid in containing the tennis balls. A fence would be beneficial to the players so that errant balls do not enter into the periphery area, especially since steep grading is being proposed directly adjacent to the tennis court.

The Board held that a fence shall surround the tennis court and would be labeled on the Site Plan. The Board is satisfied.

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

#14. A landscaping plan shall be submitted for review by Rockland County Department of Planning. Low evergreen landscaping or a berm must be provided in front of the parking spaces facing the roadway to shield headlights from shining into oncoming vehicles traveling on the County highway.

The Board held that the project site is lower in grade than the street level, and any type of lighting would not shine into oncoming vehicles traveling on the road.

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

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#15. A lighting plan shall be submitted for review by Rockland County Department of Planning. Fields of illumination must be provided and demonstrate that no lighting shall shine into the County right of way.

The Board held that since the recreational facilities are for daytime only, no lighting is proposed, with the exception of security lighting on motion detectors.

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

#16. All proposed signage, if any, shall be indicated on the site plan and shall conform to the Town of Orangetown sign standards.

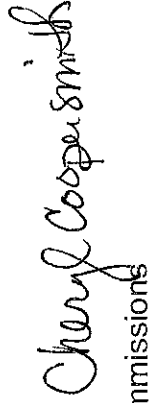
The Board held that since the recreational facilities are for residents of the Hollows complex no signage would be placed at the site.

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

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

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

Dated: April 9, 2014  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions



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TO: Donald Brenner, Esq., 4 Independence Ave., Tappan, New York 10983  
FROM: Orangetown Planning Board

RE: Skae Site Plan: The application of Peter Skae, owner, (Donald Brenner, attorney for the owner), for Final Site Plan Review at a site to be known as “Skae 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 337 – 339 Blaisdell Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 76.08, Block 1, Lots 3 & 4 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held, **Wednesday, April 9, 2014**, at which time the Board made the following determinations:

Donald Brenner, Peter Skae, Steven Sparaco and Sara Torrens appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated April 2, 2014.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated April 9, 2014, with an attachment of “Proposed Local Law NO. \_\_\_ of the Town of Orangetown, Amending the Town Zoning Law to add Individual Fitness and Training Center as a Conditional Use in the LIO zoning district.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 3, 2014.
4. A letter from Brooker Engineering, PLLC, signed by Kenneth DeGennaro, P.E., dated April 8, 2014.
5. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated April 9, 2014.
6. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated April 1 and March 17, 2014.
7. Plans prepared by Sparaco & Youngblood, PLLC, dated November 15, 2013, revised March 14, 2014, unless noted:
  - Drawing 1 of 12: Planimetric Plan, revised March 26, 2014
  - Drawing 2 of 12: Grading, Utility & Erosion Control Plan
  - Drawing 3 of 12: Overall Grading, Utility & Erosion Control Plan
  - Drawing 4 of 12: Planting & Lighting
  - Drawing 5 of 12: Proposed Sewer Plan & Profile
  - Drawing 6 of 12: Stormwater Pollution Prevention Plan
  - Drawing 7 of 12: Existing Conditions
  - Drawing 8 of 12: Details
  - Drawing 9 of 12: Details
  - Drawing 10 of 12: Details
  - Drawing 11 of 12: Details
  - Drawing 12 of 12: Details

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8. Copies of the following Board Decisions: ZBA#14-20, Approved, dated March 19, 2014; ACABOR #14-07, Approved with Conditions, dated March 20, 2014 and PB #13-52, Preliminary Site Plan Approval Subject to Conditions, dated December 11, 2013.

The Board reviewed the plan. The Hearing was 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 seconded by Thomas Warren and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, absent; Robert Dell, aye; John Foody, aye; and Thomas Warren, aye.

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall comply with all permanent and applicable conditions of all previous Board Decisions: ZBA#14-20, Approved, dated March 19, 2014; ACABOR #14-07, Approved with Conditions, dated March 20, 2014 and PB #13-52, Preliminary Site Plan Approval Subject to Conditions, dated December 11, 2013.
4. The applicant shall submit a complete set of updated plans, reflecting the current proposed use.
5. A Conditional Use Permit would be required for the use as an "Individual Fitness and Training Center." At this time, the Town of Orangetown Town Board has not approved the new language for an "Individual Fitness and Training Center" in the LIO zone district. The anticipated date for the Town Board to take action and provide the change was April 8, 2014. Therefore, this application is for site plan review and approval of the building and site layout. The use of the building will need to obtain a Conditional Use Permit Approval in the future when the Town Code is changed.

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6. The Site Plan that was granted Preliminary Site Plan Approval had shown less disturbance to the wetlands by having the proposed drainage facility on the south side of the building. The new submission has the drainage facility being proposed at the rear of the building, which is disturbing a much greater area of the wetlands. The applicant shall provide the amount, in acres, of wetlands disturbance on the Site Plan. This new submission will have to be approved by the Army Corp of Engineers and the proper permits obtained.
7. The applicant is required to have 40 parking spaces under the conditional use requirements for an “individual fitness and training center” and is seeking to land bank 15 parking spaces.
8. The property currently contains a pre-existing nonconforming residence. Please clarify the intended outcome of the residence such as “to be removed”; variances will be sought, etc. The Site Plan needs to indicate exactly what the fate of this structure will be.
9. Sanitary calculations for the proposed site, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval.
10. To reduce the amount of impervious surfaces, the applicant shall consider altering the two driveway openings by narrowing the opening and defining a one way in (at the north opening) and one way out (at the south opening). This will also improve traffic flow through the site.
11. The manhole cover detail, sheet 7 of 9, shall reflect a Campbell Foundry model #1012b frame cover with cover detail, including town name “Town of Orangetown Sewer Department”.
12. The supplied SWPPP, dated March 14, 2014, is under review by DEME.
13. The catch basins at the southern entrance to the site MUST be tied into the proposed stormwater quality basin. Also, basins must be added to the northern exist as well, which also must be tied into the stormwater system.
14. The drainage calculations/SWPPP plan must describe the type of fill and its origin that is to be used to construct the proposed detention basin that is located within the wetlands.
15. Only 1/10<sup>th</sup> of an acre of Army Corp of Engineer (ACOE) wetlands can be disturbed/ filled without an ACOE permit. It appears that the Site Plan has over ½ acre of wetlands is to be disturbed/ filled. The applicant must secure a ACOE General Permit prior to the signing of the Site Plan, as the proposed stormwater quality basin is almost completely located in the wetlands (i.e.: if approval is not given, the site/basin would need to be redesigned). It should be noted that the prior plan which received Preliminary approval, depicted underground storage not located in the wetlands, and therefore the disturbance of the wetlands on the Preliminary Plan was far less.

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16. The exhaust from the proposed outlet structure shall be extended to be at the toe of the slope of the basin.
17. The location of the emergency spillway for the proposed basin shall be reinforced from the top of the basin to the bottom past the toe of the slope, to prevent scouring of the basin walls in the event of an overflow.
18. Drawing 12 of 12 depicts the proposed sanitary pumping station to be at least 13 feet deep. Because its location is so close to the wetlands (and well below the wetlands surface elevations), the applicant's engineer shall demonstrate in the required calculations, how the basin will not be adversely impacted (i.e. float, separation of forced main piping immediately outside the wet well/ etc.) by either a high ground water table/ poor soil conditions, etc. soil testing must also be done in this specific location, with the results being sent to DEME for review and approval.
19. 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.
20. The drawing shall clearly indicate that the proposed sanitary pumping station and forced main is to be private and that the sole responsibility for each shall be with the land owner.
21. The SWPPP shall include the area that is to be disturbed for the installation of the proposed forced main.
22. The SESC plans shall include the provisions required to provide erosion and sediment control for the installation of the proposed forced main.
23. Detailed information regarding the proposed storage pond/ basin shall be supplied (i.e. storage capacity at certain elevations, berm reinforcing, etc.).
24. A Jurisdictional Determination letter from the United States Army Corp. of Engineers (ACOE) needs to be submitted.
25. The Drainage Consultant to the Planning Board, Brooker Engineering, reviewed the plans and submitted information and found the following:  
The application shows that potential significant adverse impacts with respect to drainage can be mitigated. Therefore, the Drainage Consultant recommends that the Skae Site Plan be approved for drainage subject to the following Project Comments.

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**Continuation of Condition #25...**

**Project Description**

This is the Planning Board Drainage Consultant's second drainage review report to the Planning Board for this project; the first report was dated December 3, 2013. The property is located on the east side of Blaisdell Road, just north of the border with New Jersey. The site is heavily wooded and slopes downhill in an easterly manner. The site is heavily encumbered by wetlands and a portion of wetlands are proposed to be filled by the proposed construction activity. A stormwater detention facility with a permanent pool (NYSDEC type P-5) is proposed to intercept runoff from the new parking lot and building and provide stormwater mitigation. Construction activity on the site has begun.

**Project Comments**

1. A jurisdictional determination by the Army Corps of Engineers regarding the proposed filling of the wetlands shall be obtained and noted on the Site Plan. The limits of the wetland shall be flagged on the site; construction fence as per the Sediment and Erosion Control Plan shall be installed.
2. Erosion control inspections shall be performed. The SWPPP documentation shall be available on site.
3. The pipe system for the off-site drainage subarea that enters the site and is diverted around the detention facility has the capacity for a 25-year design storm. The system shall have a 100-year capacity, or else the detention basin shall have capacity to receive surcharges from this branch of the piped drainage system.
4. Figure B in the Drainage Report contains the delineation of the proposed drainage subarea that is conveyed to the detention basin (subarea "Site-1"). The delineation shall be adjusted to not include the grass area north of the parking lot and the swale west of the parking lot. Off-site runoff that enters the northern driveway shall be included in this subarea. The curve number calculations shall be adjusted accordingly.
5. Label the proposed swale along the southern property line.
6. Show the proposed means of access for maintenance of the detention basin. The engineer shall consider moving the outlet structure from the northeast corner of the detention basin to the northwest corner of the detention basin to facilitate easier access for maintenance.

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26. The Rockland County Department of Highways and the following comments:

1. The area between the existing Right of Way and the Designated Street Line along Blaisdell Road shall be shown as dedicated to the County of Rockland at the area under consideration.
  2. The available sight distance at the proposed access points shall be shown on the drawings.
  3. The applicant shall prepare a traffic impact and access assessment statement to determine what impact if any of the proposed development may have upon the county roads. More shall be shown on the New Jersey side to reveal the neighboring access and the extent of the next road intersection. An auto diagram shall be prepared to show there is enough room for the truck to move around in the site.
  4. A copy of the drainage report for this development shall be submitted to Rockland County Department of Highways for review and approval.
  5. The new sanitary sewer line is shown to go through Blaisdell Road from New Jersey border of the subject property to an existing manhole past the Blaisdell Road and Ramland Road intersection. Rockland County Department of Highways will require a full curb to curb restoration for the pavement that is disturbed within the county roadway.
  6. Rockland County Highway Department typical trench detail in paved area shall be followed for the removal and restoration of existing pavement. No road closing will be allowed at any time during the construction.
  7. The traffic loops, line striping, pavement marking, crosswalks and other similar disrupted traffic signal items near the intersection of Blaisdell Road and Ramland Road shall be restored to its original condition.
  8. A Rockland County Highway Department Work Permit will be required for the proposed construction and must be secured prior to the start of any excavation or construction activities on site.
  9. A separate Rockland County Highway Department Road Opening Permit will be required for the proposed utility connection with Blaisdell Road.
27. The Rockland County Department of Health (RCDOH) reviewed the plans and offered the following comments:
- Application is to be made to the RCDOH for review and approval of the Sanitary sewer extension system.
  - Application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code.

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28. The Town of Orangetown Fire Prevention Bureau had the following comments:
- Install an NFPA 13 compliant Fire Sprinkler system. Maintain the sprinkler system according to NFPA 25.
  - Install and maintain an NFPA 72 compliant Fire Alarm System. Connected to Rockland County 44-Control, with amber and red strobes as per Orangetown code.
  - Install and maintain portable fire extinguishers as required by NFPA 10.
  - Install Emergency lighting as per NEC.
  - Provide Key Box.
  - Apply for and maintain Certificate of Compliance Fire Safety with the Bureau of Fire Prevention.
  - Provide and maintain Fire Lane/Zone signage and striping and show all signage and markings on the final approved Site Plan.
  - If lightweight trusses are used, a sign must be placed on the exterior of the building facing main entrance.
29. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans prior to signing the final plans.
30. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.
31. 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.
32. 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.

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Continuation of Condition #32

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.

33. 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.

34. 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.

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

36. 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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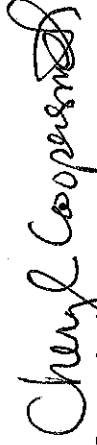
37. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
38. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a 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
39. 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 Thomas Warren and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; William Young, absent; John Foody, aye; Michael Mandel, aye; Robert Dell, aye and Thomas Warren, aye.

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

Dated: April 9, 2014

Cheryl Coopersmith  
Chief Clerk Boards and Commissions



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**PB #14-22: Lewis Avenue Minor Subdivision; Preliminary Subdivision Plan  
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**TO:** Donald Brenner, P.E., LL.B., 4 Independence Avenue, Tappan,  
New York 10983

**FROM:** Orangetown Planning Board

**RE:** Lewis Avenue Subdivision Plan: The application of EMMD, LLC, owner, (Donald Brenner, attorney for the owner), for Prepreliminary/ Preliminary/ Final Subdivision Plan Review, at a site to be known as “**Lewis Avenue 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 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 227 Main Street, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.12, Block 1, Lot 51 in the RG zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, April 9, 2014**, the Board made the following determinations:

Donald Brenner, Jay Greenwell, and Sarah Torrens appeared and testified. The Board received the following communications:

1. Project Review Committee Report dated April 2, 2014.
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 9, 2014.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., April 3, 2014.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated April 1, 2014.
5. A letter from Rockland County Department of Planning, from Arlene Miller, Deputy Commissioner, dated March 24, 2014.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated March 31, 2014.
7. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated March 26, 2014.
8. A letter from the Rockland County Drainage Agency, signed by Vincent Altieri, Executive Director, dated April 9, 2014.

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9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel W. Sullivan, Chairman, dated April 2, 2014.

10. Subdivision Plan prepared by Jay Greenwell, PLS, dated January 15, 2014:

Sheet 1 of 2: Subdivision of Property

Sheet 2 of 2: Grading, Drainage & Utility Plan with Erosion Control

11. A Short Environmental Assessment Form signed by Edmund Lane, undated.

12. Lewis Avenue Subdivision Hydraulic Analysis and Stormwater Design

Calculations, dated February 2, 2014, signed and sealed by

Paul Ddanski, P.E.

**Public Comment:**

Dante Albertie, 20 West Lewis Avenue, raised concerns regarding the proposed development of the site and its impact on drainage to his property.

Cathy McGovern, 32 West Lewis Avenue, requested information regarding the use of the existing dwelling on the property.

Kevin McGovern, 32 West Lewis Avenue, expressed concerns with drainage and flooding to the neighborhood as a result of the development of the lot.

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

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Thomas Warren and seconded by John Foody and carried as follows: Bruce Bond, aye; Michael Mandel, aye; William Young, absent; Robert Dell, aye; John Foody, aye; Thomas Warren, aye 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.

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After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Jay Greenwell, PLS 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, and having reviewed a proposed Subdivision plan by prepared by Jay Greenwell, PLS a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

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

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On motion by Thomas Warren and seconded by John Foody and carried as follows: Bruce Bond, aye; Michael Mandel, aye; Robert Dell, aye; John Foody, aye; William Young, absent; Thomas Warren, aye 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 Preliminary Approval Subject to the Following Conditions:**

1. The following note shall be placed on the subdivision plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The Short Environmental Assessment Form appears to be in order. The applicant needs to fill in the "date" of the form.
4. The structure on Lot #1 shall be removed prior to the signing of the Subdivision Plan by the Clerk to the Planning Board.
5. It appears that Lot #2 requires a variance from the Town of Orangetown Zoning Board of Appeals for building height based on 1'-4" height/foot from the property line. A maximum height allowed is 13.4 feet and 20 feet exists.
6. The Site and Landscaping Plans shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review at the time it is proposed for a specific dwelling plan, under Site Plan Review.
7. The existing and proposed sanitary sewer house connections, with connection detail, shall be shown on the subdivision plan, including all inverts.
8. A trench drain shall be added to the driveway at the property line and connected to the proposed drywell.

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9. A detail for the proposed driveway shall be added to the plans.
10. The proposed sump pump shall be connected to the drywell. This and the required driveway trench may increase the size of the drywell.
11. The datum for the contours shall be given on the plan. A note shall be added to the plan indicating the source benchmark for the referenced datum, including the BM elevation.
12. The Drainage Consultant to the Planning Board, Brooker Engineering reviewed the application and found the application has provided sufficient drainage design to demonstrate that potential significant adverse impacts with respect to drainage can be mitigated. The consultant therefore recommends that the Lewis Subdivision be approved for drainage subject to the following comments:

**Project Description**

This is the first drainage review report to the Planning Board for this project. The project consists of a two lot subdivision located on the corner of Main Street and Lewis Avenue. Stormwater runoff flows downhill in a westerly direction. The site has a moderate slope and contains mainly grass ground cover beyond the existing impervious area. The existing dwelling to remain is located on proposed Lot 2, which is the uphill lot. Proposed Lot 1 contains the new dwelling, which for this application is 50' x 30'. There is an existing garage and driveway located near the west (downhill) property line. The Drainage Consultant, Brooker Engineering, notes that stormwater runoff from the existing garage to be removed flows directly to the property to the west. The proposed subdivision will mitigate against increases in stormwater by providing a drywell detention system. The calculations show 1372 square feet of existing impervious area on Lot 1, 2705 SF of proposed impervious area on Lot 1, and a net increase of 1333 SF of impervious area. The project mitigates against increases in runoff by diverting stormwater runoff from the 1500 SF proposed dwelling to the drywell system.

**Project Comments**

1. A maintenance plan for the drywell shall be provided on the Site Plan.
2. It is recommended that a minimum pipe diameter of six inches be used for the proposed drainage pipes. The drywell detail shall delete the reference to "12 inch ADS N-12 inflow pipe".
3. Add a detail for a riprap pad at the sump outlet pipe.

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Continuation of Condition #12....

4. The project assumes a building size of 1500 SF that is diverted to the drywell. No proposed impervious areas are shown in the backyard. If the project is ultimately constructed with additional impervious areas beyond what is shown on the current subdivision plan, then additional stormwater mitigation measures will have to be designed and provided. This design, if needed, shall also demonstrate how the additional impervious areas are directed to the stormwater detention system.
13. 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.
14. The Rockland County Department of Health (RCDOH) reviewed the plans and found that application is to RCDOH for review of the Stormwater Management system for compliance with the County Mosquito Code.
15. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, the site has been determined to be outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act would not be requested for any proposed construction at this site. The Rockland County Stream Control Act, Chapter 846, requires that all subdivision maps must be signed by the Chairman of the Rockland County Drainage Agency before the Rockland County Clerk will accept same for filing.
16. 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
  - Rockland County Department of Health
  - Town of Orangetown Zoning Board of Appeals
17. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats prior to signing the final plans.
18. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.
19. Where a reservation of land for recreation purposes has been deemed by the Planning Board to be inadequate, Money in Lieu of Land for recreation purposes must be collected in accordance with Section 21-20 of the Land Development Regulations (\$9,000.00 for every vacant new residential lot). In addition, for every new vacant residential lot, \$80.00 will be collected for the Stream Maintenance Fund.

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20. 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.

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

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

- One (1) foot radius from trunk per inch DBH
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
  - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
  - Light Impacts Only – Installation of ¼ inch of plywood or boards, or equal over the area to be protected.The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

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22. All landscaping shown on the subdivision plan shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.
23. 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.
24. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
25. 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).
26. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
27. 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
28. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

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

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

**Dated: April 9, 2014**  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions  
attachment



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

**Lewis Avenue Minor Subdivision; Preliminary Subdivision Plan Subject to  
Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision  
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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: Lewis Avenue Minor Subdivision**

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

**DESCRIPTION OF ACTION: Lewis Avenue Minor Subdivision- Preliminary  
Subdivision Plan subject to Conditions/ Neg. Dec.**

**LOCATION:** The site is located at 227 Main Street, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.12, Block 1, Lot 51 in the RG 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

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