

**Meeting of July 23, 2014**  
**Town of Orangetown Planning Board**

**MEMBERS PRESENT:** Kevin Garvey, Chairman; Michael Mandel; Robert Dell, and Thomas Warren

**MEMBERS ABSENT:** William Young and Bruce Bond

**ALSO PRESENT:** John Giardiello, Director, Department of Building, Zoning, Planning Administration and Enforcement; Richard Pakola, 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:

<b>Hillside Commercial Park Site Plan</b> Discussion 68.11 / 3 / 39 & 40; LI zoning district	<b>Postponed to August 13<sup>th</sup> Meeting</b>	<b>PB #14 - 27</b>
<b>Rockland Gaelic Athletic Association Clubhouse Site Plan</b> Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review 73.12 / 1 / 1; RPC-R & R-80 zoning districts	<b>Continued: Needs Drainage</b>	<b>PB #14 - 31</b>
<b>Stage Left Children's Theater Site Plan</b> <b>Tappan Reform Church</b> Consultation/Tappan Historic District; 77.10 / 2 / 18; R-15 & CS zoning districts	<b>Consultation</b>	<b>PB #14 - 32</b>
<b>Virginia Homes Subdivision Plan</b> Recommendation to the Town Board to Establish the Value and Term of the Performance Bond and Two 90 Day Extensions to File the Subdivision Plan with the Rockland County Clerk's Office 77.08 / 5 / 33.2 & 36; RG zoning district	<b>Recommend to the Town Board and Granted Two 90 Day Extensions</b>	<b>PB #14 - 33</b>
<b>Deans Subdivision Plan</b> 90 Day Extension to File the Subdivision Plan with the Rockland County Clerk's Office 77.07 / 2 / 26; R-15 zoning district	<b>Granted 1<sup>st</sup> 90 Day Extension</b>	<b>PB #14 - 34</b>
<b>Walther Subdivision Plan</b> 90 Day Extension to File the Subdivision Plan with the Rockland County Clerk's Office 78.17 / 2 / 20; R-40 zoning district	<b>Granted 1<sup>st</sup> 90 Day Extension</b>	<b>PB #14 - 35</b>

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**Other Business:**

**1. Green Infrastructure Presentation.**

Marcy Denker, the Project Coordinator, reviewed the proposed Green Infrastructure Committee.

**2. Orangeburg Commons Presentation;** Proposed development of an adjoining 1 acre parcel. The Board reviewed a referral from the Town Board; Amending Zoning Code Section 4.32 to create a "Mixed-Use Expansion" Special Permit, allowing development of a small lot adjoining a "Mixed-Use" development as part of the larger unified project. In addition, the Planning Board acted on a Lead Agency request from the Town Board on the proposed text amendment. The Board was in agreement with the presented comments of the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, John Giardiello, P.E., Director.

The decisions of the June 25, 2014 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Michael Mandel and seconded by Thomas Warren and carried as follows: William Young, absent; Kevin Garvey, aye, Thomas Warren, aye, Robert Dell, aye; Bruce Bond, absent and Michael Mandel, 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 Michael Mandel and agreed to by all in attendance. The meeting was adjourned at 9:05 p.m. The next Planning Board meeting is scheduled for September 10, 2014.

**DATED: July 23, 2014**

Cheryl Coopersmith  
Chief Clerk Boards and Commissions



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**PB #14-31: Stage Left Children's Theater, Inc. Site Plan: Consultation**

**Town of Orangetown Planning Board**

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**TO:** Jan Degenshein, 205 South Broadway, Nyack, New York 10960  
**FROM:** Orangetown Planning Board

**RE:** Stage Left Children's Theater, Inc. Site Plan: The application of Jan Degenshein, applicant, for the Tappan Reform Church, owners, for Consultation, at a site to be known as "**Stage Left Children's Theater, Inc. 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 32 Old Tappan Road, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.10, Block 2, Lot 18 in the R-15 and CS zoning districts.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 23, 2014**, the Board made the following determinations:

Francesco Lopez, Jan Degenshein and Robert Schelin appeared and testified. The Board received the following communications:

1. A Project Review Committee Report dated July 16, 2014.
2. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., July 17, 2014.
3. An Interdepartmental memorandum from the Bureau of Fire Prevention, signed by Michael Bettmann, Chief Fire Inspector, dated July 17, 2014.
4. Stage Left Children's Theater, Inc., Site Plans prepared by Degenshein Architects, dated July 8, 2014, revised July 17, 2014:
  - o Drawing A-000: Location/Zoning Map, General Notes, Drawing List
  - o Drawing A-100: Site Plan
  - o Drawing A-500: Proposed Exterior Elevations

The Board reviewed the plans.

**CONSULTATION: In view of the foregoing and the testimony before the Board, the Board offered the following COMMENTS:**

1. The applicant shall reconsider the proposed entrance/ exit located at the southwestern corner of the property. Its proximity to the railroad tracks could be problematic for patrons heading east on Old Tappan Road. DEME is concerned that patrons who are attempting to turn left traveling east on Old Tappan Road into the site, could cause "stacking" on the railroad tracks, creating a dangerous situation. The applicant shall strongly consider alternate options. For example, moving the proposed entrance further east on Old Tappan Road or making the new proposed access an exit only.
2. Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer shall be submitted to DEME for review and approval. The applicant's engineer shall design onsite storage to achieve a zero increase in runoff from the proposed site.

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**PB #14-31: Stage Left Children's Theater, Inc. Site Plan: Consultation**

**Town of Orangetown Planning Board**

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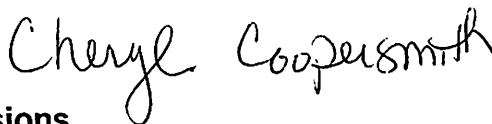
3. If the proposed area of disturbance will be greater than one acre, a SWPPP shall be prepared for this Site Plan and submitted to DEME for review and approval.
4. The existing and proposed sanitary sewer building connections, with connection details for all the buildings with sanitary facilities, shall be shown on the plan, including all inverts.
5. 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. The calculations shall also include the existing theater that is to remain active.
6. Intersections and driveway entrances along Old Tappan Road opposite this site shall be given on the Site Plan.
7. All existing and proposed utilities shall be shown on the Site Plan.
8. The Town of Orangetown Fire Prevention Bureau (Bureau) had the following comments:
  - An NFPA 13 Compliant Fire Sprinkler System with drawings submitted to the Bureau for approval prior to construction.
  - An NFPA 72 Compliant Fire Alarm system connected to Rockland County 44-Control, with amber and red strobes as per Orangetown Code, with drawings shall be submitted to the Bureau for approval prior to construction.
  - Emergency lighting as per NEC.
  - Portable Fire Extinguishers as required by NFPA 10.
  - Apply for and maintain a Certificate of Compliance Fire Safety with the Bureau.
  - Stabilize the gravel portion of the driveway to support 75,000 pound Emergency Apparatus.
  - Provide and maintain Fire Lane/Zone signage, "No Parking" signage and striping and show all signage and markings on the Final approved Site Plan.

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

**Dated: July 23, 2014**

**Cheryl Coopersmith**

**Chief Clerk Boards and Commissions**



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Tracking #14-07-77.08-5-33.2 & 36

**PB#14 - 33: Virginia Homes Subdivision – Granted Two 90 Day Extensions (180 Days) to File the Subdivision with the Rockland County Clerk’s Office and a Recommendation to the Town Board to Establish the Value and Term of the Performance Bond**

**Town of Orangetown Planning Board Decision  
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TO: Jay Greenwell, PLS, 85 Lafayette Avenue, Suffern,  
New York 10901  
FROM: Town of Orangetown Planning Board

RE: PB #14-33: Virginia Homes Subdivision Plan: The application of Kevin Ramsay, owner, for Recommendation to the Town Board to Establish the Value and Term of the Performance Bond and for Two 90 Day Extensions to File the Subdivision Plan with the Rockland County Clerk's Office, at a site to be known as “**Virginia Homes Subdivision Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located on the south side of Williams Street at the intersection of William Street and Sparkill Avenue, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.08, Block 5, Lots 33.2 & 36 in the RG zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 23, 2014**, at which time the Board made the following determinations:

Jay Greenwell appeared and testified for the applicant.

The Board received the following communications:

1. A Project Review Committee Report dated July 16, 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 July 23, 2014.
3. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated July 17 and July 8, 2014.
4. A copy of PB #13-43, Final Subdivision Plan Approval Subject to Conditions, dated October 16, 2013.

**DECISION:** In view of the foregoing, the Board **GRANTED Two 90 Day Extensions to File the Subdivision Plan with the Rockland County Clerk’s Office.**

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**PB#14 - 33: Virginia Homes Subdivision – Granted Two 90 Day Extensions (180 Days) to File the Subdivision with the Rockland County Clerk’s Office and a Recommendation to the Town Board to Establish the Value and Term of the Performance Bond**

**Town of Orangetown Planning Board Decision**  
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The foregoing Resolution was made and moved by Michael Mandel and seconded by Robert Dell and carried as follows: Kevin Garvey, aye; Bruce Bond, absent; Michael Mandel, aye; William Young, absent; Robert Dell, aye; and Thomas Warren, aye.

**RECOMMENDATION:** In view of the foregoing, the Planning Board **RECOMMENDS To the Town of Orangetown Town Board** that the value of the Performance Bond be established in accordance with the Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated July 8, 2014.

The term of the Performance Bond shall not exceed two (2) years as set forth in Section 21A-10 of the Town of Orangetown Town Code, which shall be on or before July 23, 2016, and Subject to the Following Conditions:

<u>ITEM</u>	<u>COST</u>
Suburban Road	\$ 90,000.00
Concrete Curbing	\$ 26,250.00
Street Sign	500.00
Monumentation	2,800.00
Iron Pins	3,150.00
As-Built Drawings	5,400.00
Storm Drainage	\$158,950.00
Soil Erosion and Sediment Control	59,000.00
Sanitary System	65,025.00
Sub-Total	\$ 411,075.00
Administrative Close-out (20% of Sub-Total)	\$ 82,215.00
Total Bond	\$ 493,290.00

Inspection Fee (3% of Sub-Total) \$ 12,332.25  
to be submitted to DEME prior to the onset of construction.  
All Bonds are to conform to current town regulations.

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**PB#14 - 33: Virginia Homes Subdivision – Granted Two 90 Day Extensions (180 Days) to File the Subdivision with the Rockland County Clerk's Office and a Recommendation to the Town Board to Establish the Value and Term of the Performance Bond**

**Town of Orangetown Planning Board Decision  
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The foregoing Resolution was made and moved by Michael Mandel and seconded by Thomas Warren and carried as follows: Kevin Garvey, aye; Bruce Bond, absent; Michael Mandel, aye; William Young, absent; Robert Dell, aye; and Thomas Warren, aye.

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

**Dated: July 23, 2014  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions**

*Cheryl Coopersmith*

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**PB#14 - 34: Deans Subdivision – Granted 1<sup>st</sup> 90 Day Extension to File the Subdivision with the Rockland County Clerk's Office**

**Town of Orangetown Planning Board Decision**

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TO: Jay Greenwell, PLS, 85 Lafayette Avenue, Suffern,  
New York 10901  
FROM: Town of Orangetown Planning Board

RE: Deans Subdivision Plan: The application of Jennifer and Allison Deans, owners, for the 1<sup>st</sup> 90 Day Extension to File the Subdivision Plan with the Rockland County Clerk's Office at a site to be known as "**Deans Subdivision Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located at 30 Pine Tree Lane, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.07, Block 2, Lot 26 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 23, 2014**, at which time the Board made the following determinations:

Jay Greenwell appeared and testified for the applicant.

The Board received the following communications:

1. A Project Review Committee Report dated July 16, 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 July 23, 2014.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated July 17, 2014.
4. Copy of PB #14-09, Final Subdivision Plan Approval Subject to Conditions, dated January 29, 2014.

**DECISION:** In view of the foregoing, the Board **GRANTED 1<sup>st</sup> 90 Day Extension to File the Subdivision Plan with the Rockland County Clerk's Office.**

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

The Clerk of 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 this Office of the Planning Board.

**Dated: July 23, 2014**  
**Cheryl Coopersmith**  
**Chief Clerk Boards and Commissions**



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**PB#14- 35: Walther Subdivision – Granted 90 Day Extension to File the Subdivision with the Rockland County Clerk’s Office**

**Town of Orangetown Planning Board Decision**  
**July 23, 2014**  
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TO: Jay Greenwell, PLS, 85 Lafayette Avenue, Suffern,  
New York 10901  
FROM: Town of Orangetown Planning Board

RE: Walther Subdivision: The application of Sue Walther, owner, for a 90 Day Extension to File the Subdivision Plan with the Rockland County Clerk’s Office at a site to be known as “**Walther Subdivision Plan**”, located in the Palisades Historic District, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located at 694 Oak Tree Road, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.17, Block 2, Lot 20 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 23, 2014**, at which time the Board made the following determinations:

Donald Brenner appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report dated July 16, 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 July 23, 2014.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated July 17, 2014.
4. Copy of PB #14-08, Final Subdivision Plan Approval Subject to Conditions, dated January 29, 2014.

**DECISION:** In view of the foregoing, the Board **GRANTED 90 Day Extension to File the Subdivision Plan with the Rockland County Clerk’s Office.**

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

The Clerk of 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 this Office of the Planning Board.

**Dated: July 23, 2014**  
**Cheryl Coopersmith**  
**Chief Clerk Boards and Commissions**



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