

**Meeting of May 27, 2015
Town of Orangetown Planning Board**

MEMBERS PRESENT: Kevin Garvey, Chairman; Bruce Bond, Vice Chairman; Michael Mandel; Robert Dell; Stephen Sweeney; Thomas Warren and William Young

MEMBERS ABSENT: None

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

Kevin Garvey, 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:

Items:

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| 130 East Central Avenue Internal Commercial Subdivision Plan | PB #15-24 |
| Prepreliminary/ Preliminary/ Final Subdivision and SEQRA Review 68.20/2/6; CS zoning district | Final Approval Subject to Conditions Neg. Dec. |

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| One Ramland Road Internal Commercial Subdivision Plan - 2nd Floor | PB #15-25 |
| Prepreliminary/ Preliminary/ Final Subdivision and SEQRA Review 73.20/1/24; LIO zoning district | Final Approval Subject to Conditions Neg. Dec. |

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| Skae Palisades Internal Commercial Subdivision Plan – 2nd Floor | PB #15-26 |
| Prepreliminary/ Preliminary/ Final Subdivision Plan and SEQRA Review 78.09/1/26; R-80 zoning district | Final Approval Subject to Conditions Neg. Dec. |

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| Celtic Sheet Metal Site Plan | PB #15-27 |
| Prepreliminary/ Preliminary Site Plan and SEQRA Review Addition to Existing Building 73.20/1/32; LIO zoning district | Preliminary Site Plan Approval Subject to Conditions Neg. Dec. |

| | |
|---|---------------------|
| UOVO Site Plan Consultation Plan | PB #15-23 |
| 74.11/2/5; LIO/ R-40 zoning districts | Consultation |

Other Business:

1. The Board reviewed and approved the construction trailer location for "The Club at Pearl River" (also known as The Pointe at Lake Tappan). Section 73.10, Block 1, Lots 4, 5, 6.

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2. The Board reviewed and approved the construction trailer location for "Retro Fitness", to be located on the side of the building. Section 69.13, Block 1, Lot 3.
3. The Board reviewed a letter from Lauren Brooke and Maximilian Lucian, dated May 26, 2015 regarding use of a building located Section 78.18, Block 1, Lot 52, 1 Closter Road, Palisades.

The decisions of the May 13, 2015 Planning Board Meeting were 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, aye; Kevin Garvey, aye, Thomas Warren, aye, Robert Dell, aye; Bruce Bond, aye; Stephen Sweeney, aye 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 Robert Dell 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 June 10, 2015.

**DATED: May 27, 2015
Cheryl Coopersmith
Chief Clerk Boards and Commissions**

Cheryl Coopersmith

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

RE: 130 East Central Avenue Internal Commercial Subdivision Plan:
The application of John Bertussi, applicant, 130 East Central Corp., owner, (Donald Brenner, attorney for the applicant) for Prepreliminary/ Preliminary/ Final Internal Commercial Subdivision Plan Review, at a site to be known as "**130 East Central Avenue Internal Commercial 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 130 East Central Avenue, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.20, Block 2, Lot 6 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 27, 2015**, the Board made the following determinations:

John Bertussi, Tom Bertussi, Donald Brenner and Sarah Torrens appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated May 20, 2015.
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 May 21, 2015.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated May 21, 2015.
4. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated May 12, 2015.
5. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated May 26, 2015.
6. A letter from the Rockland County Sewer District No.1, signed by Rory Tinston, Engineer I, dated April 22, 2015.
7. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated April 21, 2015.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated April 15, 2015.
9. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated April 21, 2015.

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10. A Short Environmental Assessment Form, signed by John Bertussi, dated April 8, 2015.
11. Subdivision Plan prepared by Albert Dattoli Architect, dated February 27, 2015, Drawing 1 of 1
12. Survey of Property for 130 East Central Corp. prepared by Jay A. Greenwell, PLS, LLC, dated October 1, 2014.

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

Public Comment:

David Fernandez, 141 Franklin Avenue, an abutting property owner, raised concerns regarding possible noise being created at the site due to new uses in the building. He discussed a prior Zoning Board of Appeals Variance that was granted to the applicant requiring the maintenance of a stand of trees along the rear property line (ZBA #97-50, dated June 4, 1997). In addition, Mr. Fernandez noted that a trailer in the rear of the site encroaches on his property.

There being no one else from the Public, a motion was made to close the Public Hearing portion of the meeting by Bruce Bond and seconded by Stephen Sweeney and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, 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 Bruce Bond and seconded by Thomas Warren and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, 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 Albert Dattoli and Jay Greenwell: and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The 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 Sewer District No.1, Rockland County Department of Health, and having reviewed proposed Internal Subdivision Plan by prepared by Albert Dattoli, R.A., a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

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

On motion by Bruce Bond and seconded by Thomas Warren and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye, the Board made a Negative Declaration pursuant to SEQRA.

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DECISION: In view of the foregoing and the testimony before the Board, the application was **GRANTED FINAL INTERIOR COMMERCIAL SUBDIVISION PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The applicant shall provide on the survey, the parking lot spaces including handicap spaces. Provide parking calculations to assure the number of parking spaces coincide with the proposed uses in the building.
2. The Short Environmental Assessment Form appears to be in order.
3. The existing sanitary sewer building connection(s) shall be shown on the plan, including all inverts.
4. The location of all bathroom facilities shall be added to the subdivision plan.
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.
6. A properly sized grease trap, designed by a New York State Licensed Professional Engineer, shall be shown (to be installed) on the drawings, for the Bagel Store.
7. The applicant is advised that the Town of Orangetown has a new F.O.G. (Fat, Oil and Grease) program, which must be complied. The applicant shall contact the Town's F.O.G. coordinator to determine if this criteria is applicable.
8. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
 - A review must be completed by the Rockland County Highway Department and any required permits obtained.
9. The Rockland County Department of Highways reviewed the plans and offered the following comments:
 - The applicant shall provide a statement the parking required and provided and off-site parking availability for the subdivision.
 - A traffic statement shall be provided by the designer to indicate that the adverse impact on the county roads from the subdivision will be at a minimum.
 - A Rockland County Highway Work Permit will be required for any proposed development prior to any construction.

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10. The Town of Orangetown Office of Building, Zoning, Planning Administration and Enforcement, shall investigate the claim of encroachment onto the abutting property as well as review the applicant's compliance with previous Zoning Variances.

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

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

13. The Town of Orangetown Bureau of Fire Prevention reviewed the plan and offered the following comments:

- Egress doors are shown opening in the wrong direction.
- Fire Alarm System must cover the entire area.
- Emergency lights and exit signs must be provided.
- Fire extinguishers must be installed.
- A Key Box for Fire Department access must be installed.
- Provide specifications on "new vertical platform lift."

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

- Town of Orangetown Zoning Board of Appeals
- Rockland County Sewer District No. 1
- Rockland County Department of Health

15. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plans prior to signing the final plans.

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

17. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §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.

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

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Continuation of Condition #18...

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

- One (1) foot radius from trunk per inch DBH
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

19. All landscaping shown on the site 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.

20. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

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

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22. If the applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant shall submit their recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Wetlands - U.S. Army Corps of Engineers).

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

24. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

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

The foregoing Resolution was made and moved by Bruce Bond, seconded by William Young and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel aye; William Young, aye; Stephen Sweeney, 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: May 27, 2015
Town of Orangetown Planning Board; attachment
attachment

Cheryl Cooper Smith

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**NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

**PB #15-24: 130 East Central Avenue: Final Interior Commercial Subdivision
Plan Approved with Conditions/ Neg. Dec.**

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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: 130 East Central Avenue: Final Interior Commercial
Subdivision Plan Approved with Conditions/ Neg. Dec.**

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

DESCRIPTION OF ACTION: Interior Commercial Subdivision Plan Review

LOCATION: The site is located at 130 East Central Avenue, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.20, Block 2, Lot 6 in the CS 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, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

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

RE: One Ramland Road Internal Commercial Subdivision Plan – 2nd Floor: The application of Ramland Holdings LLC, owner, (Donald Brenner, attorney for the applicant) for Prepreliminary/ Preliminary/ Final Internal Commercial Subdivision Plan Review, at a site to be known as “**One Ramland Road Internal Commercial Subdivision Plan - 2nd Floor**”, 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 1 Ramland Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.20, Block 1, Lot 24 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 27, 2015**, the Board made the following determinations:

Donald Brenner and Sarah Torrens appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated May 20, 2015.
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 May 21, 2015.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated May 21, 2015.
4. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated May 12, 2015.
5. A letter from the Rockland County Sewer District No.1, signed by Rory Tinston, Engineer I, dated April 22, 2015.
6. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated April 21, 2015.
7. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated May 6, 2015.
8. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated April 21, 2015.

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9. A Short Environmental Assessment Form, signed by Patrick Hynes, dated April 10, 2015.
10. Commercial Subdivision Plan prepared by Fifteenfortyseven Critical Systems Realty dated October 15, 2014, revised March 14, 2015.
11. Planning Board Decision PB #14-41, One Ramland Road Interior Commercial Subdivision plan; Final approval Subject to Conditions, dated September 10, 2014.

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

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

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Fifteenfortyseven Critical Systems Realty dated October 15, 2014, revised March 14, 2015, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The 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

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Orangetown Zoning Board of Appeals, Rockland County Sewer District No.1, Rockland County Department of Health, and having reviewed proposed Internal Subdivision Plan by prepared by namely Fifteenfortyseven Critical Systems Realty, 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.

On motion by Thomas Warren and seconded by Michael Mandel and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, 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 FINAL INTERIOR COMMERCIAL SUBDIVISION PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The applicant shall provide a copy of the exiting approved Site Plan and indicate on the Subdivision Plan that "no exterior changes are proposed as part of this commercial interior subdivision."
2. The Short Environmental Assessment Form appears to be in order.

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3. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
 - A review must be completed by the Rockland County Highway Department and any required permits obtained.
4. The Rockland County Health Department (RCDOH) reviewed the information provided and found that there are no RCDOH approvals needed for this application.
5. The Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and request no future correspondence for this site.
6. The Town of Orangetown Bureau of Fire Prevention reviewed the plan and offered the following comments:
 - Each tenant must apply for and maintain a Certificate of Compliance with the Town of Orangetown Bureau of Fire Prevention.
7. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
 - Town of Orangetown Zoning Board of Appeals
 - Rockland County Sewer District No. 1
8. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plans prior to signing the final plans.
9. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.
10. 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.

TOWN CLERKS OFFICE
2015 JUN 15 PM 1 11
TOWN OF ORANGETOWN

**PB#15-25: One Ramland Road Internal Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan Approved with Conditions/ Neg.
Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
Page 5 of 6**

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

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

12. 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.

13. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

TOWN CLERKS OFFICE

2015 JUN 15 PM 1 11

TOWN OF ORANGETOWN

**PB#15-25: One Ramland Road Internal Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan Approved with Conditions/ Neg.
Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
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14. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
15. 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).
16. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
17. 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
18. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

The foregoing Resolution was made and moved by Thomas Warren and seconded by Michael Mandel and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel aye; William Young, aye; Stephen Sweeney, 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: May 27, 2015
Town of Orangetown Planning Board
attachment



TOWN CLERKS OFFICE
2015 JUN 15 PM 1 11
TOWN OF ORANGETOWN

**PB#15-25: One Ramland Road Internal Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan Approved with Conditions
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

May 27, 2015

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: One Ramland Road Internal Commercial Subdivision Plan -
2nd Floor Final Interior Commercial Subdivision Plan**

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Interior Commercial Subdivision Plan Review

LOCATION: The site is located at 1 Ramland Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.20, Block 1, Lot 24 in the LIO 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, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

TOWN CLERKS OFFICE
2015 JUN 15 PM 1 11
TOWN OF ORANGETOWN

**PB#15-26: Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan Approved with Conditions/ Neg.
Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
Page 1 of 6**

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

RE: Skae Palisades Internal Commercial Subdivision Plan – 2nd Floor:
The application of Peter Skae, owner, (Donald Brenner, attorney for the applicant) for Prepreliminary/ Preliminary/ Final Internal Commercial Subdivision Plan Review, at a site to be known as **“Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor”**, 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 348 Route 9W, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.09, Block 1, Lot 26 in the R-80 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 27, 2015**, the Board made the following determinations:

Donald Brenner and Sarah Torrens appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated May 20, 2015.
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 May 21, 2015.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated May 21, 2015.
4. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated May 12, 2015.
5. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated May 26, 2015.
6. A letter from the Rockland County Sewer District No.1, signed by Rory Tinston, Engineer I, dated April 22, 2015.
7. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated April 21, 2015.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated May 6, 2015.
9. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated April 21, 2015.

TOWN CLERKS OFFICE
2015 JUN 15 PM 1 11
TOWN OF ORANGETOWN

**PB#15-26: Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan Approved with Conditions/ Neg.
Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
Page 2 of 6**

10. A Short Environmental Assessment Form, signed by Peter Skae, dated April 15, 2015.
11. Skae Palisades Second Floor Plan Internal Commercial Subdivision Plan prepared by Kier B. Levesque, R.A., dated May 15, 2014, Sheet No. A-1.

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

There being no one from 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: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, 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 William Youngblood and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye, the Board declared itself Lead Agency.

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Kier B. Levesque, R.A., dated May 15, 2014; and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The 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 Sewer District No.1, Rockland County Department of Health, and having reviewed proposed Subdivision Plans by prepared by Kier B. Levesque, R.A., a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

TOWN CLERKS OFFICE
2015 JUN 15 PM 1 11
TOWN OF ORANGETOWN

**PB#15-26: Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan Approved with Conditions/ Neg.
Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
Page 3 of 6**

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

On motion by Thomas Warren and seconded by Bruce Bond and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, 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 FINAL INTERIOR COMMERCIAL SUBDIVISION PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The applicant shall provide a copy of the existing approved Site Plan and indicate on the plan that "no exterior changes are proposed as part of the commercial interior subdivision."
2. The Short Environmental Assessment Form appears to be in order.

TOWN CLERKS OFFICE
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**PB#15-26: Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan Approved with Conditions/ Neg.
Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
Page 4 of 6**

3. Based on the plans and information provided for the project, the Rockland County Highway Department found that the requested action will have minimum foreseeable adverse impact upon county roads in the area. A Rockland County Highway Department Work Permit will not be required for the proposed development.
4. The Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and request no future correspondence for this site.
5. The Rockland County Health Department (RCDOH) reviewed the information provided and found that this site is served by an existing subsurface disposal system. If the internal subdivision will result in an increase of employees, the system will need to be expanded. The applicant or their professionals are to address this issue.
6. The Town of Orangetown Bureau of Fire Prevention reviewed the plan and offered the following comments:
 - Each tenant must apply for and maintain a Certificate of Compliance with the Town of Orangetown Bureau of Fire Prevention.
7. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
 - Town of Orangetown Zoning Board of Appeals
 - Rockland County Sewer District No. 1
 - Rockland County Department of Health
8. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plans prior to signing the final plans.
9. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.
10. 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.

TOWN CLERKS OFFICE
2015 JUN 15 PM 1 11
TOWN OF ORANGETOWN

**PB#15-26: Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan Approved with Conditions/ Neg.
Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
Page 5 of 6**

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

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

12. 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.

TOWN CLERKS OFFICE
2015 JUN 15 PM 1 11
TOWN OF ORANGETOWN

**PB#15-26: Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor
Final Interior Commercial Subdivision Plan Approved with Conditions/ Neg.
Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
Page 6 of 6**

13. 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.

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

15. 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).

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

17. 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

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

The foregoing Resolution was made and moved by Bruce Bond, seconded by William Young and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel aye; William Young, aye; Stephen Sweeney, 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: May 27, 2015
Town of Orangetown Planning Board, attachment
attachment

Cheryl Cooper

TOWN CLERKS OFFICE
2015 JUN 15 PM 1 11
TOWN OF ORANGETOWN

PB#15-26: Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor Final Interior Commercial Subdivision Plan Approved with Conditions/ Neg. Dec.

May 27, 2015

Town of Orangetown Planning Board; attachment

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

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: Skae Palisades Internal Commercial Subdivision Plan - 2nd Floor Final Interior Commercial Subdivision Plan

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

DESCRIPTION OF ACTION: Interior Commercial Subdivision Plan Review

LOCATION: The site is located at 348 Route 9W, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.09, Block 1, Lot 26 in the R-80 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

TOWN CLERKS OFFICE

2015 JUN 15 PM 1 11

TOWN OF ORANGETOWN

**PB #15-27: Celtic Sheet Metal Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
Page 1 of 14**

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

RE: Celtic Sheet Metal Site Plan: The application of Celtic Sheet Metal, applicant, for Olympus of Americas, owner, (Donald Brenner, attorney for the applicant) for Prepreliminary/ Preliminary Site Plan Review for an addition to an existing building at a site to be known as **“Celtic Sheet Metal 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 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 1 Corporate Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.20, Block 1, Lot 32 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 27, 2015**, the Board made the following determinations:

Steven Grogg, Michael Cunney, Sarah Torrens, and Donald Brenner appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated May 20, 2015.
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 May 27, 2015.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated May 21, 2015.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated May 21, 2015.
5. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated May 15, 2015.
6. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated May 27, 2015.
7. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated May 7, 2014.
8. A letter from the Rockland County Department Sewer District No. 1, signed by Rory Tinston, Engineer I, dated April 29, 2015.
9. Email from the Borough of Old Tappan, Tom Skrable, Municipal Engineer, dated May 19, 2015.
10. Letter from New York State Department of Environmental Conservation, Division of Environmental Permits, Region 3, signed by Jonathan Stercho, dated May 18, 2015.
11. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated May 21, 2015.

TOWN CLERKS OFFICE

2015 JUN 15 PM 1 11

TOWN OF ORANGETOWN

**PB #15-27: Celtic Sheet Metal Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
Page 2 of 14**

12. A letter from the Town of Orangetown Zoning Board of Appeals signed by Dan Sullivan, Chairman, dated May 6, 2015.
 13. A Short Environmental Assessment Form signed by Michael Cunney, dated April 15, 2015.
 14. Stormwater Pollution Prevention Plan prepared by McLaren Engineering Group, dated April 2015.
 15. Copies of the following Board Decisions for Existing Structure on Site "KeyMed Site Plan"; PB #02-16, Final Site Plan Approval Subject to Conditions, dated February 13, 2002; ACABOR #01-81, Approved Subject to Conditions, dated January 22, 2002; ZBA #01-114, Building Height and Loading Berth Variances dated January 2, 2002 and PB #01-159, Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec, dated November 28, 2001.
 16. Site Plans prepared by McLaren Engineering Group dated March 17, 2015:
 - C-001: Cover Sheet
 - C-100: Overall Site Plan
 - C-101: Site Layout Plan
 - C-201: Site Grading Plan
 - C-301: Site Utility Plan
 - C-401: Soil Erosion and Sediment Control Plan
 - C-501: Soil Erosion and Sediment Control Details
 - C-502: Details (Sheet 1 of 2)
 - C-503: Details (Sheet 2 of 2)
- 2119 Survey of Property for Celtic Sheet Metal – Jay Greenwell, PLS, dated April 8, 2015, revised April 14, 2015.

The Board reviewed the submitted plans.

The hearing was then opened to the Public.

Public Comments:

Mike Policastro, 4 Lone Cedar Way, Old Tappan, New Jersey: raised concerns regarding the noise from the machinery inside the building, noting that the noises would be a disturbance to him in the use of his property, the business would operate 16 hours a day. He requested information regarding the process of the machinery and fumes of manufacturing. Mr. Policastro wanted to know what would happen when the applicant moves out of the building and a new tenant moves in. He held that he was losing the privacy of this property and that the use was a fire hazard. He raised concerns regarding the movement of trucks to the back entrance of the building, an access which has always been a limited entrance.

TOWN CLERKS OFFICE
2015 JUN 15 PM 1 11
TOWN OF ORANGETOWN

**PB #15-27: Celtic Sheet Metal Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
May 27, 2015
Page 3 of 14**

Thomas Scoble, Borough Engineer for the Borough of Old Tappan, stated that the application is of real concern to the Borough and residents of Old Tappan. The application proposes cutting the vegetative buffer in half, making substantial site improvements and bringing activities closer to a residential neighborhood: such as increased lighting, traffic, noise, and drainage. The proposed use is manufacturing and would have a great impact to Borough.

Robin Policastro, 4 Lone Cedar Way, Old Tappan, New Jersey; expressed concerns regarding trucks using the access behind the building, the idling of truck motors and related environmental and health concerns.

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

A motion was made by Michael Mandel to request the applicant to submit a Full Environmental Assessment Form in place of the submitted Short Environmental Assessment Form dated April 15, 2015. There was no second to the motion.

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 William Youngblood and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye, the Board declared itself Lead Agency.

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the

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applicant, the applicant's professional representatives, namely McLaren Engineering Group dated March 17, 2015; and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The 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 Sewer District No.1, Rockland County Department of Health, New York State Department of Environmental Conservation, and having reviewed proposed Site Plans by prepared by McLaren Engineering Group, 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.

On motion by Stephen Sweeney and seconded by William Young and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, 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 SITE PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

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1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The roadway located at the southwest corner of the building shall be moved a minimum of five feet in a northerly direction, further away from the property line in order to save the existing trees. In addition, the applicant shall consider planting evergreen trees or erecting a fence along the property line in order to shield the residential properties from vehicle headlights.
4. The Site Plan shall be revised to note the location of the houses on the abutting properties.
5. The applicant will have to appear at the Town of Orangetown Zoning Board of Appeals for Performance Standards review regarding the business operation.
6. The following variances shall be sought from the Town of Orangetown Zoning Board of Appeals:

| <u>Variance</u> | <u>Proposed</u> |
|--|------------------------|
| a) Minimum Side Yard Required is 100 (Two Side Yards) | 60.49 ft. 42.91 ft. |
| b) Minimum Rear Yard Required is 100 ft. | 54.04 ft. |
| c) Maximum Height Allowed is 10.73 ft. (42.91 x 0.25 = 10.73) | 30 ft. |
| d) Total Number of Loading Berths Required is 7 | 6 |

- e) All Loading Berth shall be within completely enclosed buildings (LO District, "Table of General Use Regulations, Column 7, Item #2)

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7. No shipping or receiving of goods shall be carried on between 11:00 p.m. and 6:00 a.m. (LO District, Column 7, Item #2c)
8. Parking in the yards needs to be approved by the Town of Orangetown Planning Board. (L) District, Column 7, Item #3)
9. A Conditional Use approval needs to be sought and approved from the Town of Orangetown Planning Board (LIO.District, "Table of General Use Regulations", Column 4, Item #4)
10. Building façade Plans, landscaping and lighting plans shall be submitted and reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.
11. The Short Environmental Assessment Form appears to be in order.
12. The Storm Water pollution Prevention Plan is under review by DEME. However, it appears that some of the rainfall intensity values are a little low. For example, in the new/ updated NYSDEC Stormwater Management Design Manual, the rainfall intensity for the 100 yr. storm for this area is approx. 9.4. A formal review will be mailed to the applicant's engineer under a separate cover.
13. Drainage maps and proposed stormwater facilities details shall be added to the SWPPP.
14. Details for the proposed expansion underground stormwater basin outlet structure shall be added to the drawings and included in the SWPPP.
15. 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.
16. The applicant engineer shall submit information on the proposed sanitary use for this project.
17. The soil erosion and sediment control plans and details are under review by DEME. However, erosion control measures appear to be missing in spots along the southern property lines, this shall be corrected.

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18. A detail for the proposed retaining wall at the southeastern corner of the property shall be provided on the plans.

19. Catch basins protection shall be depicted at the entrance on Blaisdell Road.

20. The datum for the contours shall be given on the plans.

21. Drainage Review Recommendation: The application has provided sufficient information to demonstrate that the existing stormwater management basin can be modified against increase to peak stormwater runoff rates as a result of the project. Brooker Engineering, therefore recommends that the Celtic Site Plan be approved for drainage subject to the following comments.

This is the first drainage review report for this project. The project consists of the expansion of the site at One Corporate Drive. A 55,692 square feet building addition (approximately 233' x 239') is proposed along the south side of the existing building. A loop road is proposed along the south and west side of the new building to connect the existing parking areas. The area is currently contains mostly grass cover, with some pavement just south of the building and wooded area along the southern property line.

Stormwater runoff flows to the east towards the existing detention pond along Blaisdell Road and north towards Corporate Drive. The drainage report includes these two points of interest in the calculations for potential impacts. The drainage calculations also conservatively utilize the 24-hour rainfall totals in place at the time of the original approval for existing conditions and current 24-hour rainfall totals in place today for proposed conditions. This is a conservative approach in that the existing conditions peak flow rates are lower than what would be calculated by today's standards, and the routing calculations demonstrate the facility can mitigate to the lower standard.

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Continuation of Condition #21...

Project Comments

The Drainage Consultant had the following drainage comments for the Planning Board:

1. Revise the proposed contours along the new driveway south of the building addition; it appears there may be a low point at proposed contour elevation 86 or some contour intervals are missing.
2. Show if the building addition is slab on grade or if it has a basement. If there is a basement, include details for a foundation drain.
3. Verify the delineation of the west subarea used in the drainage report. The area lower in elevation than existing catch basin with a top of catch basin curb piece elevation of 86.03 bypasses the detention basin and should not be included in the subarea that gets routed through the basin.
4. Verify if off-site runoff from the west flows east onto the site and enters the detention system; if so, the drainage calculations should be updated to reflect this.
5. Verify the subarea used for the "North" hydrologic subarea. The delineation shows two catch basins along Corporate Drive as intercepting runoff and conveying the runoff to the north underground detention system. One of these catch basins is the overflow catch basin from the west detention system and bypasses the north detention system.
6. Clarify the subbasins used in the hydrologic models shown on Figures 4 and 5 of the drainage report and add the Points of Interest to these Figures.
7. The Point of Interest from the "East" subarea (the subarea with the detention pond that discharges directly to Blaisdell Road) has a slight increase in 100-year peak flows. This discharges to an existing storm drain pipe in Blaisdell Road. Show that the existing pipe has capacity for the proposed flow, including off-site runoff contributions. Alternately, revise the outlet configuration to demonstrate that no increases in 100-year flows will occur at this point of interest.
8. Provide details for the three outlet structures. Provide details for the new 48" detention pipes for the west and north Points of Interest.
9. Details for the proposed wall along the southern property line shall be provided to demonstrate the wall does not encroach into the existing drainage and sanitary sewer easement.

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

- An updated review must be completed by the Rockland County Highway Department and all required permits obtained.
- The comments in the May 7, 2015 letter from the Rockland County Health Department shall be met.
- The Borough of Old Tappan, New Jersey must be given the opportunity to review the proposed site plan, and provide their comments or concerns. Any raised concerns must be addressed.
- The fire zones must be clearly marked on the Site Plan. Access to the fire zones shall be unimpeded by other parking areas and maneuverability on the site feasible.
- The fire department connections shall be designated on the site plan and kept clear for easy access by emergency response vehicles.
- It shall be demonstrated that there is adequate turning radii and maneuverability on site for fire apparatus.
- A landscaping plan shall be submitted for Rockland County Planning Department review. Supplemental evergreen landscaping must be provided along the property line that is adjacent to the residential area in the Borough of Old Tappan, New Jersey to help buffer the intensified use, especially since the existing vegetation will be removed, extensive regrading done and the proposed drive will only be located 15 feet from the property line.
- A lighting plan must be provided that shows fields of illumination. No lighting shall shine into the County roadway or spill into the adjacent residential area located in the Borough of Old Tappan, New Jersey.
- The site plan legend shows a symbol for light duty pavement. Elsewhere on the site plan, one of the parking areas has this label as porous pavement. Are all of the parking spaces that have this shading a light duty pavement that is porous, or only the three parking spaced located in the northwest corner of the site, and the new spaced by the main entrance? This must be clarified.

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Continuation of Condition #22....

- 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.
- A stormwater pollution prevention plan (SWPPP) was not provided. The SWPPP, if required shall conform to the current regulations, including the New York state Stormwater Management and Design Manual (January 2015) and local ordinance.
- The Rockland County Department of Planning requests the opportunity to review any variances which may be necessary to implement the proposed site plan.

23. The Rockland County Department of Highways reviewed the plans and offered the following comments:

- The available sight distance along both sides of Blaisdell Road at the access shall be shown on the drawings.
- Drainage calculations shall be prepared to show zero net increase in the peak rate of discharge for storm sewer toward Blaisdell Road.
- A parking impact study shall be provided for review and approval to Rockland county Department of Highways.
- A Rockland County Highway Work Permit will be required for the proposed development prior to the start of any construction on site.
- Separate additional Rockland County Highway Department Road Opening Permits will be required for any sewer, utility or drainage improvements that may be necessary which require disruption to the paved roadway surface within Blaisdell Road.

24. The Rockland County Department of Health (RCDOH) reviewed the plan and offered the following comments:

1. Application is to be made to the Rockland County Department of Health for the extension of the private sanitary sewer main.
2. 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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25. The Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and request no future correspondence for this site.

26. The Town of Orangetown Fire Prevention Bureau had the following comments in regard to the addition of 55,000+ Building:

- Engineer and extend the existing Fire Sprinkler NFPA compliant Fire Sprinkler system. Maintain according to NFPA 25.
- The proposed Fire Sprinkler system addition must be designed to protect the hazard. The Fire Sprinkler system must be submitted to the Bureau for approval before work commences.
- Extend the existing Fire Alarm system. The proposed Fire Alarm plans shall be submitted to the Bureau for approval prior to the commencement of work.
- Install and maintain Portable Fire Extinguishers as per NFPA 10.
- Install and maintain Emergency lighting as per NEC.
- Apply for and maintain Certificate of Compliance Fire Safety with the Bureau of Fire Prevention.
- Show Fire Zones/ Fire Lanes and show all Fire Apparatus access on Final Approved Site Plan. Show required signage and maintain all signs.

27. The Borough of Old Tappan letter of May 19, 2015 shall be reviewed and any issues raised must be addressed.

28. New York State Department of Environmental Conservation (DEC) reviewed the submitted information and provided the following comments:

- State-Listed Species: Dec has reviewed the State's Natural Heritage records and determined that the site is located within or near record(s) of the state-listed species Bald Eagles (*Haliaeetus Liucocephalus*) The potential impacts of the project on these species shall be fully evaluated during the review of the project pursuant to SEQRA.
- Protection of Waters: There are no water bodies that appear on its regulatory maps.
- Freshwater Wetlands: This project site is not within a New York State protect4d Freshwater Wetland.
- Cultural Resources: Site is located within an area considered to be sensitive with regard to archaeological resources.

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

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

30. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans prior to signing the final plans.

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

32. 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.

33. 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 preserve and protect existing trees to remain are as follows:

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

- One (1) foot radius from trunk per inch DBH.
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:

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Continuation of Condition #33...

- 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.

34. 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.

35. 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.

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

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

39. 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 DEMA 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

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

The foregoing Resolution was made and moved by Thomas Warren and seconded by Michael Mandel and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; William Young, aye; Robert Dell, aye, Michael Mandel, aye, Stephen Sweeney, 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: May 27, 2015

Town of Orangetown Planning Board
attachment



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**NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

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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: Celtic Sheet Metal Site Plan

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

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 1 Corporate Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.20, Block 1, Lot 32 in the LIO 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, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

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**PB #15-23: UOVO Site Plan: Consultation
Town of Orangetown Planning Board Decision**

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

RE: UOVO Site Plan Consultation: The application of Daniel Alvarez, applicant for Uovo Kings Highway LLC, owner, (Donald Brenner, attorney for the applicant) for Site Plan Consultation, at a site to be known as "**UOVO Site Plan Consultation**", 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 33 Kings Highway, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.11, Block 2, Lot 5 in the LIO/R-40 zoning districts.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 27, 2015**, the Board made the following determinations:

Donald Brenner and Daniel Alvarez appeared and testified.
The Board received the following communications:

1. Project Review Committee Report dated May 20, 2015.
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 May 27, 2015.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated May 21, 2015.
4. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated April 23, 2015.
5. A concept Plan of UOVO 33 Plus Site Plan, prepared by Butz Wilbern, undated.
6. A Project Summary dated May 27, 2015.

The Board reviewed the submitted information plan.

CONSULTATION: In view of the foregoing and the testimony before the Board, the following comments were provided to the Applicant:

1. The Concept Plan provided is a sketch only, so this review is very limited.
2. A property site plan that conforms to Section 21 of the Town of Orangetown Code Book – Land Development regulations shall be provided for review.
3. The proposed building addition will require variances from the Town of Orangetown Zoning Board of Appeals.

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4. The property contains a district boundary line that runs along the front of the property. That line divides the LIO and R-40 zone districts. The front yard setback shall be taken from the zone district line.
5. All yard setbacks shall be shown on the Site Plan.
6. All wetlands shall be shown on the Site Plan.
7. Parking spaces and calculations need to be provided on the Site Plan.
8. The floodplain elevation needs to be provided on the Site Plan.
9. A SWPPP, including drainage calculations, prepared by a New York State licensed Professional Engineer, in accordance with the new/ updated NSDEC Stormwater Management Design Manual (January 2015) shall be prepared for this site plan, and 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.
10. The location of the 100yr flood line shall be clearly shown on the drawings.
11. Soil erosion and sediment control plans and details shall be submitted to DEME for review and approval.
12. Existing and proposed grading shall be added to the plans.
13. The existing and proposed, if applicable sanitary sewer building connections shall be shown on the plan, including all inverts.
14. All existing and proposed drainage facilities shall be shown on the Site Plan.
15. All existing streams/ drainage ditches shall be shown and labeled on the plans, including NYSDEC stream number if applicable.
16. All existing and proposed easements and dedications shall be shown on the plan, including page and liber or instrument number and ownership.
17. A vicinity map shall be added to the plans.

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18. The Town of Orangetown Fire Prevention Bureau had the following comments in regard to an addition or new building of 56,000 square feet:

- The addition shall have an NFPA 13 Compliant Fire Sprinkler system, maintained according to NFPA 25. Hydraulic calculations for Fire Sprinkler expansion.
- The Fire Alarm shall be extended into the new addition and connected to Rockland County 44-Control.
- Portable Fire Extinguishers shall be Installed and maintained as required by NFPA 10.
- Emergency lighting shall be Installed and maintained as per NED.
- Plans for the Sprinkler expansion and Fire Alarm extension shall be given to the Bureau for approval before the work has started.

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: May 27, 2015
Town of Orangetown Planning Board



TOWN OF ORANGETOWN
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