

**Meeting of September 10, 2014  
Town of Orangetown Planning Board**

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

**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:

**Continued Item from July 23, 2014 Meeting:**

**Rockland Gaelic Athletic Association  
Clubhouse Site Plan**

Prepreliminary/ Preliminary/  
Final Site Plan  
and SEQRA Review

73.12/1/1; RPC-R & R-80 zoning district

**PB #14-31**

**Preliminary Site Plan  
Approval Subject to  
Conditions/ Neg. Dec.**

**New Items:**

**Hayes Site Plan**

Final Site Plan Review

70.09/3/4/1.1; R-15 zoning district

**PB #14-36**

**Final Site Plan  
Approval Subject  
to Conditions**

**Anellotech, Inc. Site Plan**

Prepreliminary/ Preliminary Site Plan  
and SEQRA Review

68.08/1/1B; LI zoning district

**PB #14-37**

**Preliminary Site Plan  
Approval Subject to  
Conditions/ Neg. Dec.**

**5 Kopac Lane, LLC Subdivision Plan**

Consultation

65.15/1/10 & 12.1; R-80 zoning district

**PB #14-38**

**Consultation**

**Jay and Joe Construction**

LLC Subdivision Plan Prepreliminary/  
Preliminary Subdivision Plan

and SEQRA Review

69.17/1/76; RG zoning district

**PB #14-39**

**Postponed  
to October 8th  
Meeting**

**Skae Training Resubdivision Plan**

Prepreliminary/ Preliminary/ Final  
Resubdivision Plan and SEQRA Review

76.08/1/3 & 4; LIO zoning district

**PB #14-40**

**Continued: Submit  
Revised Plans**

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**September 10, 2014  
Planning Board Meeting**

**One Ramland Road Interior  
Commercial Subdivision Plan  
Preliminary/ Preliminary/  
Final Interior Commercial  
Subdivision Plan and SEQRA Review  
73.20/1/24; LIO zoning district (Orangeburg)**

**PB #14-41**

**Final Subdivision  
Plan Approval Subject  
to Conditions/ Neg. Dec.**

**Item Postponed from July 23, 2014 Meeting:**

**Hillside Commercial Park Site Plan**

Discussion

68.11/3/39 & 40; LI zoning district

**PB #14-27**

**Discussion**

A motion was made and moved to go into Executive Session for Settlement Discussions with Route 304, LLC, Index No. 1322-2013 at 8:27 PM by Bruce Bond and seconded by William Young and carried as follows: William Young, aye; Kevin Garvey, aye, Thomas Warren, aye, Robert Dell, aye; and Bruce Bond, aye.

A motion was made and moved to close the Executive Session 8:45 PM by Kevin Garvey and seconded by William Young and carried as follows: William Young, aye; Kevin Garvey, aye, Thomas Warren, aye, Robert Dell, aye; and Bruce Bond, 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 Bruce Bond and seconded by Michael Mandel and agreed to by all in attendance. The meeting was adjourned at 9: 10 PM. The next Planning Board meeting is scheduled for September 22, 2014.

**DATED: September 10, 2014  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions**



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**PB #14-31: Rockland Gaelic Athletic Association Clubhouse Site Plan – Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.**

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**TO:** Michael Healy, 10 Lois Lane, Pearl River, New York 10965  
**FROM:** Orangetown Planning Board

**RE:** Rockland Gaelic Athletic Association Clubhouse Site Plan: The application of Rockland Gaelic Athletic Association, Inc., owners, for Preliminary/ Preliminary/ Final Site Plan Review, at a site known as “**Rockland Gaelic Athletic Association Clubhouse 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 160 Old Orangeburg Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.12, Block 1, Lot 1 in the RPC-R and R-80 zoning districts.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, September 10 and July 23, 2014**, the Board made the following determinations:

**July 23, 2014**

Michael Healy and Paul Rowley, and Jessy Cokeley appeared and testified for the applicant.

The Board received the following communications:

1. A Project Review Committee Report dated July 16, 2014.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated July 23, 2014.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., July 17, 2014.
4. A letter from Brooker Engineering signed by Kenneth DeGennaro, dated July 14, 2014.
5. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated July 16, 2014.
6. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated July 7, 2014.
7. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated July 21, 2014.
8. A letter from the Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated July 7, 2014.
9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, dated July 2, 2014.

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10. A letter from the New York State Department of Environmental Conservation, Division of Environmental Permits, Region 3, signed by Joseph R. Murray, Environmental Analyst, dated July 21, 2014.
11. A copy of the Short Environmental Assessment Form, signed by Thomas Emmett Wood dated June 30, 2014.
12. A Narrative Summary prepared by Maser Consulting dated July 1, 2014.
13. Site Plan, prepared by Maser Consulting, dated June 24, 2014.
14. A copy of a letter from Maser Consulting John Giardiello, P.E., Director, Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, dated June 24, 2014.
15. Submitted at the meeting by the applicant, architectural renderings of the proposed structure.

The Board reviewed the Plans.

The applicant requested a **CONTINUATION**.

**September 10, 2014**

Michael Healy, Paul Rowley, and Jessy Cokeley appeared and testified for the applicant.

The Board received the following communications:

1. A Project Review Committee Report dated September 3, 2014.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 10, 2014.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., September 5, 2014.
4. A letter from Brooker Engineering signed by Kenneth DeGennaro, P.E., dated September 10, 2014.
5. Stormwater Management Report prepared by Maser Consulting, dated August 8, 2014.
6. Engineer's Sewer Report prepared by Maser Consulting, dated August 8, 2014.
7. A from Maser Consulting signed by Jesse Cokeley, P.E., dated August 8, 2014.
8. Site Plans, prepared by Maser Consulting, dated June 24, 2014, last revision date of August 8, 2014:
  - Sheet 1 of 8: Overall Site Plan
  - Sheet 2 of 8: Dimension Plan
  - Sheet 3 of 8: Grading, Drainage, & Utility Plan
  - Sheet 4 of 8: Erosion Control Plan
  - Sheet 5 of 8: Landscaping Plan
  - Sheet 6 of 8: Lighting Plan
  - Sheet 7 of 8: Construction Details
  - Sheet 8 of 8: Construction Details

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

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

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

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 Maser Consulting and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Sewer District No.1, New York State Department of Environmental Conservation, and having reviewed proposed Site Plans by prepared by Maser Consulting, 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 drainage;
- Will not significantly affect existing ground water quality or quantity;

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

**DECISION: In view of the foregoing and the testimony before the Board, the application was granted a PRELIMINARY SITE PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations
3. The plans shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.

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4. The engineer's stormwater management report is under review by DEME. However, a post construction stormwater maintenance agreement for the proposed stormwater system shall be submitted to DEME and the 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.
5. The proposed sanitary calculations are under review by DEME.
6. The soil erosion and sediment control plans and details are under review by DEME.
7. The Drainage Consultant to the Planning Board, Brooker Engineering, found the application demonstrates that increases in stormwater runoff can be mitigated and therefore recommends that the Rockland Gaelic Athletic Association Clubhouse be approved for drainage subject to the following Project Comments.

**Project Description**

This is the Drainage Consultant's second drainage review report to the Planning Board for this project; the last review was dated July 14, 2014. The project includes the construction of a clubhouse with 7200 square feet building footprint and patios, and sidewalks. The proposed clubhouse is located just north of the Gaelic football field, in an embankment that slopes downhill to the north. A full set of site plans, including a drainage report, have been included for this Planning Board submission.

The engineering report shows land disturbance of just under one acre and provides an underground stormwater detention facility to mitigate against increases in surface runoff due to new impervious area.

**Project Comments**

1. A drainage subbasin map shall be included in the drainage report that clearly shows the watersheds and the area that is intended to be diverted to the detention system. For ease of construction and inspection, include the delineation of the subbasin that is intended to be directed to the detention basin on the Grading Plan.
2. The drainage design shall include an orifice and control structure to regulate flows leaving the detention system. Based on the design inflow and outflow at the system, it appears the 12-inch pipe has capacity for the water runoff and the detention will not be achieved without a control structure. Include the stage versus discharge curve for the detention system in the drainage report.

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**Continuation of Condition #7...**

3. Include the 2-, 10-, 25, and 50-year design storms in the drainage design.
4. Provide more detail of the grading on the south side of the building. An additional proposed contour of elevation 106 is needed along the south side of the building. Clarify if the surface runoff from the field south of the building is intended to be diverted around the detention basin. Provide a typical swale detail for this area.
5. Provide more detail along the east side of the building to demonstrate that runoff from the handicap ramp will not be directed to the building.
6. Provide a plan view detail with dimensions of the detention basin pipe system. Add invert and top of pipe elevations to the StormTech Typical Section Detail.
7. Add a sump in the Catch Basin Detail with a hood over the outlet pipe.
8. Include a maintenance plan for the detention system on the Site Plan.

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 Psychiatric Center and any comments or concerns addressed.
- A review must be completed by the New York State Office of Mental Health, and any comments or concerns addressed.
- The comments raised in the July 7, 2014 letter from the Rockland County Department of Health must be met.
- Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.
- There shall be no net increase in the peak rate of discharge from the site at all design points.

9. Rockland County Department of Highway reviewed the plans and information provided and found that the action will have minimum foreseeable adverse impact upon county roads in the area other than the area should be part of the comprehensive Veteran Memorial Drive/ Orangeburg Road generic traffic study. A Rockland County Highway Department Work Permit will NOT be required for the proposed development.

10. Based on the information provided, the Rockland County Department of Health (RCDOH) held should the Board require additional stormwater management measures, application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.

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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. Based upon the circulated documents, the New York State Department of Environmental Conservation (NYSDEC - Department) holds that the project will require NYSDEC permits as indicated below:
  - State-Listed Species: According to Department records, the following state-listed species have been recorded within or near the project site: Bald Eagle, *Haliaeetus leucocephalus* (Linnaeus, 1766); and Kentucky Warbler, Geothlypis Formosa (Wilson, 1811). The potential impacts of the proposed project on these species should be fully evaluated during the review of the project pursuant to SEQR.

The Department recommends that loud noises be avoided as stated in the National Bald Eagle Management Guidelines

(<http://www.fws.gov/northeast/ecologicalservices/eaglenationalguide.html>).

Blasting and other activities that produce extremely loud noises should be avoided within ½ mile of active nests, unless greater tolerance to the activity (or similar activity) has been demonstrated by the eagles in the nesting area.

- Cultural Resources: The Department has reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicated that the project is located within an area considered to be sensitive with regard to archaeological resources. Contact NYS office of Historic Preservation website at <http://nysparks.state.ny.us/>.

- (SPDES) Stormwater Construction: If project activities will involve land disturbances of over 1 acre, the project sponsor is required to obtain a State Pollution Discharge Elimination System General Permit (GP-0-10-001) for Stormwater Discharge for Construction Activities. Since this site is within an MS4 area (Municipal Separate Storm Sewer System), the SWPPP must be reviewed and accepted by the municipality and the MS4 Acceptance Form must be submitted to the Department. Authorization for coverage under the SPDES General Permit is not granted until the Department issues any other necessary DEC permits.

13. 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.

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14. 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 No. 1
  - Town of Orangetown Zoning Board of Appeals
  - New York State Department of Environmental Conservation
15. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.
16. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans prior to signing the final Site Plan.
17. **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:
    - o One (1) foot radius from trunk per inch DBH
    - o 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:
      - o 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.
      - o Light Impacts Only – Installation of ¼ inch of plywood or boards, or equal over the area to be protected.
      - o The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

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18. All landscaping shown on the Site plans shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.
19. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.
20. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
21. If the applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant shall submit their recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's Recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Wetlands - U.S. Army Corps of Engineers).
22. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
23. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications
24. The Planning Board shall retain jurisdiction over lighting, landscaping, and signs and refuse control.

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PB #14-31: Rockland Gaelic Athletic Association Clubhouse Site Plan –  
Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.

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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; 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: September 10, 2014  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions  
attachment



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

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: Rockland Gaelic Athletic Association Clubhouse Site Plan – Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.**

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

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

**LOCATION:** The site is located at 160 Old Orangeburg Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.12, Block 1, Lot 1 in the RPC-R and R-80 zoning districts.

**REASONS SUPPORTING THIS DETERMINATION:**

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

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

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

For Further Information contact:

John Giardiello, P.E., Director, Office of Building, Zoning and Planning Administration and Enforcement; Town of Orangetown; 20 Greenbush Road Orangeburg, NY 10962; Telephone Number: 845-359-5100

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC, - Town Supervisor, Applicant - Involved Agencies

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**PB #14-36: Hayes Jr. Site Plan: Final Site Plan Approval Subject to Conditions**

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

**RE:** William J. Hayes, Jr. Site Plan: The application of William J. Hayes, Jr., owner, (Donald Brenner, attorney for the applicant) for Final Site Plan Review, at a site to be known as "**William J. Hayes, Jr. Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 626 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.09, Block 3, Lot 41.1 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 10, 2014**, the Board made the following determinations:

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

1. Project Review Committee Report dated September 3, 2014.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 10, 2014.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., September 4, 2014.
4. A letter from Brooker Engineering signed by Kenneth DeGennaro, P.E., dated September 11, 2014.
5. A letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated September 10, 2014.
6. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated September 9, 2014.
7. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated August 21, 2014.
8. Site Plan prepared by Gdanski Consultants Inc., dated July 10, 2013, last revised August 5, 2014.
9. Copies of PB #13-25, Preliminary Site Plan Approval subject to Conditions/ Neg. Dec., dated September 18, 2013, ZBA #13-87, Approved Street Frontage Variance, dated December 4, 2013 and ACABOR #14-08, Approved Subject to Conditions, dated April 3, 2014.

There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by William Young and second by Bruce Bond and carried as follows: Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Kevin Garvey, aye.

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**DECISION: In view of the foregoing and the testimony before the Board, the applicant was granted a FINAL SITE PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The applicant shall comply with all pertinent and applicable conditions of all previous Board Decisions: PB #13-25, Preliminary Site Plan Approval subject to Conditions/ Neg. Dec., dated September 18, 2013, ZBA #13-87, Approved Street Frontage Variance, dated December 4, 2013 and ACABOR #14-08, Approved Subject to Conditions, dated April 3, 2014.
2. 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".
3. The following note shall be placed on the Site Plan: "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."
4. The right of way between Burrows Lane and the property shall be shown on the Site Plan.
5. The footing drain shall be connected to the subsurface drainage system.
6. The proposed footing drain shall be pumped to be proposed drywells, not to daylight at the property corner.
7. The driveway profile indicates a slope of 5.4% from the garage heading down the driveway, but the Site Plan states that the slope is only 5%, this shall be corrected.
8. The sanitary building connection depicts the new house sewer "tying into" the main via a spur, but the Site Plan shows the new house connection going directly into the manhole. The Site Plan shall be altered to match the connection detail (the house connection shall tie into the main, not the manhole.)
9. Because the Perc Test is assumed, a field Perc Test shall be administered prior to receiving final approval for site plan to ensure adequacy of the designed drainage system. The applicant's engineer shall provide a copy of the field Perc Test to DEME and the Building Department.

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**PB #14-36: Hayes Jr. Site Plan: Final Site Plan Approval Subject to Conditions**

**Town of Orangetown Planning Board Decision  
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10. The detail for the proposed drywells shows the drywell to be approximately 11.5 feet deep (from cover to bottom of stone surround), however the label for the drywells indicates that they are 12.55 deep, from top to bottom of stone surround. This shall be corrected.
11. The Drainage calculations are currently under review by DEME. A larger full size copy of the drainage calculations shall be supplied to DEME for review and approval.
12. The soil erosion and sediment control plans and details are under review by DEME.
13. The adjoining property lines/ right of way lines shall be labeled on the Site Plan.
14. The Drainage Consultant to the Planning Board, Brooker Engineering, reviewed the information and found that all of its previous drainage comments have been addressed and therefore recommend that the **Hayes Site Plan be approved for drainage subject to no conditions.**
15. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
  - As per the condition in the August 21, 2014 letter from the Rockland County Department of Health (RCDOH), an application must be submitted to RCDOH to ensure compliance with the County Mosquito Code.
  - A review must be completed by the County of Rockland Department of Highways and any required permits obtained.
  - Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.
  - There shall be not net increase in the peak rate of discharge from the site at all design points.
16. Based upon 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 be required prior to any proposed construction on site.
17. Application is to be made to the Rockland County Department of Health (RCDOH), for review of the Stormwater Management system for compliance with the County Mosquito Code.

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**PB #14-36: Hayes Jr. Site Plan: Final Site Plan Approval Subject to Conditions**

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18. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans prior to signing the final plans.
19. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.
20. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and/or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §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.
21. **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.

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- 22.** 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.
- 23.** Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.
- 24.** The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
- 25.** If the applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant shall submit their recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Wetlands - U.S. Army Corps of Engineers).
- 26.** Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
- 27.** Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications
- 28.** The Planning Board shall retain jurisdiction over lighting, landscaping, and signs and refuse control.

TOWN CLERK'S OFFICE

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

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

Dated: September 10, 2014  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions



TOWN CLERKS OFFICE

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PB #14-37: Anellotech Site Plan – Preliminary Approval Subject to  
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TO: Marc Schneidkraut, 401 Middletown Road, Pearl River,  
New York 10965

FROM: Orangetown Planning Board

RE: Anellotech, Inc. Site Plan: The application of Anellotech, Inc.,  
applicant, for Pfizer, Inc. owner, (Donald Brenner, attorney for the applicant) for  
Prepreliminary/ Preliminary Site Plan Review, at a site known as  
“**Anellotech, Inc. Site Plan**”, in accordance with Article 16 of the Town Law of  
the State of New York, the Land Development Regulations of the Town of  
Orangetown, Chapter 21A of the Code of the Town of Orangetown 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 401 N. Middletown Road, Pearl River, Town of Orangetown,  
Rockland County, New York, and as shown on the Orangetown Tax Map as  
Section 68.08, Block 1, Lot 1B in the LI zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held  
**Wednesday, September 10, 2014**, the Board made the following  
determinations:

Marc Schneidkraut, Rachel Barese, Matthew Oscar, Jeff Whiting and  
Donald Brenner appeared and testified for the applicant.

The Board received the following communications:

1. A Project Review Committee Report dated September 3, 2014.
2. An interdepartmental memorandum from the Office of Building, Zoning,  
Planning Administration and Enforcement, Town of Orangetown, signed by  
John Giardiello, P.E., Director, dated September 10, 2014.
3. An Interdepartmental memorandum from the Department of Environmental  
Management and Engineering (DEME), Town of Orangetown, signed by  
Bruce Peters, P.E., September 4, 2014.
4. A letter from Brooker Engineering, signed by Kenneth DeGenarro, P.E., dated  
September 8, 2014.
5. Letters from Rockland County Department of Planning; signed by  
Arlene Miller, Deputy Commissioner, dated August 4, 2014 and a letter signed by  
Douglas Schuetz, Acting Commissioner of Planning dated August 12, 2014.
6. Letters from the Rockland County Department of Health, signed by  
Scott McKane, P.E., Senior Public Health Engineer, dated  
July 22 & 23, 2014.
7. A letter from the Rockland County Department of Highways, signed by  
Sonny Lin, P.E., dated September 5, 2014.
8. A letter from the Rockland County Drainage Agency, signed by  
Vincent Altieri, Executive Director, dated August 27, 2014.
9. A letter from the Rockland County Sewer District No. 1, signed by  
Joseph LaFiandra, Engineer II, dated August 13, 2014.
10. An Interdepartmental memorandum from the Bureau of Fire Prevention,  
Town of Orangetown, signed by Michael Bettmann, Chief, dated  
August 28, 2014.

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11. A letter from the Town of Clarkstown Planning Board, signed by Rudolph Yacyshyn, Vice Chairman, dated July 28, 2014.
12. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated July 16, 2014.
13. Site Plan prepared by Civil Tec Engineering & Surveying PC, dated June 17, 2014, last revision date of July 11, 2014
14. A Short Environmental Assessment Form, dated July 10, 2014, signed by David Sudosky.
15. A copy of PB #14-29, Pfizer Subdivision, Final Approval Subdivision to Conditions, dated June 25, 2014.

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

**Public Comment:**

Ken Cully, 21 Nanuet Avenue, Nanuet: raised concerns regarding the use of dangerous chemicals on the site. He brought up issues of odor coming from the project site and wanted to know if there would be monitors to measure the emissions.

Tracy Hancock, 48 George Avenue Pearl River: requested clarification regarding the Rockland County Department of Health correspondence.

Joanne Lozenzo, 12 Moore Avenue, Pearl River: questioned the location of the slope on the site in relation to the proposed construction. She also wanted to know if all of the products are to be stored inside the building.

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

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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 Civil Tec Engineering & Surveying PC and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering, Bureau of Fire Protection, and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Sewer District #1, Rockland County Drainage Agency, Rockland County Department of Highways, Rockland County Department of Planning, and having reviewed a proposed Site Plan by prepared by Civil Tec Engineering & Surveying a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

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

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

**DECISION: In view of the foregoing and the testimony before the Board, the application was granted a PRELIMINARY SITE PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The following note shall be placed on the Site: "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 Bulk Table needs to show the actual setbacks for the building addition being proposed. This is required in order to determine the maximum height allowed. A revised Bulk Table was emailed on September 8, 2014, however a "> 50" side yard and a "> 50" rear yard does not allow for an actual maximum height calculation. The maximum height allowed for a 50 foot setback is 25 feet.
4. The application shall be reviewed by the Town of Orangetown Zoning Board of Appeals for Performance Standards.
5. The application shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.
6. The Short Environmental Assessment Form appears to be in order.
7. A SWPPP, including drainage calculations, shall be prepared for this Site Plan and submitted to DEME for review and approval.
8. The applicant shall consult with the Town of Orangetown's Industrial Wastewater Permit Coordinator to see if any modification to the applicant's industrial wastewater permit is required.
9. Sanitary calculations for the proposed site, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval.

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10. The existing sanitary building connection shall be shown on the plan.
11. The drawing shall show how the runoff from the proposed impervious areas shall “enter” the proposed stormwater facilities.
12. The applicant’s engineer shall check the proposed regrading along the new building extension, there appears to be an error.
13. The drawings shall indicate as to whether the rip rap swale depicted on the drawings is existing or proposed.
14. The Drainage Consultant to the Planning Board, Brooker Engineering, found the application shows potential significant impacts with respect to stormwater runoff can be mitigated. **The consultant therefore recommends that the Anelotech Site Plan be approved for drainage subject to the following project comments.**

**Project Description**

This is the first drainage review report to the Planning Board for this project. The project consists of the construction of a 46’ x 49’ building extension and paved driveway and loading area. The area slopes downhill in a westerly direction and there is an existing riprap swale along the downhill limit of land disturbance. The applicant is proposing two drywells to provide stormwater mitigation.

**Project Comments**

1. The storage volume calculations shall use the inside diameter of the drywell when calculating the volume of the drywell. The volume of the stone under the drywell shall not be included as part of the available volume calculations.
2. Provide a connector pipe between the drywells.
3. Show the frame and grate on the drywell detail. Remove the overflow pipe from the drywell detail. Note on the plan the runoff pattern of overflows from the drywell.
4. Provide spot grades on the “fork lift and empty palette area” that demonstrate that runoff is directed away from the building.
5. Add a map note that clearly shows which rooftops are to be directed to the drywells; the calculations are based on 0.18 acre of land disturbance. The new driveway and fork lift area appear to bypass the drywells.
6. Add a map note indicating the maintenance plan for the drywells. Include in the plan that the receiving field inlet is to be cleaned as well.
7. Add a map note that a soil test pit should be performed that demonstrates groundwater will not affect the stormwater design.

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15. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
- A review must be completed by the County of Rockland Department of Highways and all required permits obtained.
  - A review must be completed by the County of Rockland Drainage Agency and all required permits obtained.
  - A review must be completed by the New York State Department of Transportation and any required permits obtained.
  - If the proposed Liquid N2 tank will contain 1,000 gallons or more, a review must be completed by the County of Rockland Department of Health and all required permits obtained. In addition, a listing of all proposed chemicals to be stored on site must be provided to them.
  - A listing of all chemicals to be stored on site must be provided to both the Rockland County Office of Fire and Emergency Services and the Pearl River Fire Department so that they can better serve the facility if an emergency were to arise.
  - 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 peak rate of discharge from the site at all design points.
16. Based upon the plans and information received, the Rockland County Highway Department finds that the proposed action should have a minimum adverse impact upon county roads in the area. A Rockland County Highway Department Work Permit will be required for the proposed development and must be secured prior to the construction on site.
17. Based on the information provided, the Rockland County Department of Health held that no department approvals are needed for this project.
18. 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.
19. The Town of Clarkstown reviewed the referral for this project and found the matter to be for Town of Orangetown determination, offering no comments.
20. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, the site has been determined to be within the jurisdiction of the RCDA. Accordingly, a permit from the RCDA pursuant to the Rockland County Stream Control Act is required. The applicant must immediately submit an application to RCDA.

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21. The Town of Orangetown Bureau of Fire Prevention reviewed the plans and offered the following comments.

- Extend Fire Sprinkler coverage from the main building to the addition.
- Extend Fire Alarm coverage from the main building to the addition.
- Provide a description of operations to include:
  - Hazardous material storage and use, processes, etc

Please note that further comments from the Bureau of Fire Prevention cannot be made without the above information.

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

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

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

25. 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.

26. TREE PROTECTION: The following note shall be placed on the Subdivision Plan:

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

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

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Continuation of Condition #26...

- 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.

27. 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.
28. 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.
29. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
30. 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 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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31. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
32. 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
33. The Planning Board shall retain jurisdiction over lighting, landscaping, and signs and refuse control.

The foregoing Resolution was made and moved 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 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: September 10, 2014  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions  
attachment



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TOWN CLERKS OFFICE

**PB #14-37: Anellotech Site Plan – Preliminary Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision  
September 10, 2014**

**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: Anellotech Site Plan – Preliminary Approval Subject to Conditions/ Neg. Dec.**

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

**DESCRIPTION OF ACTION: Site Plan Review**

**LOCATION:** The site is located at 401 Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.01, Block 1, Lot 1 in the LI & LIO zoning districts.

**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  
2014 SEP 23 AM 10 57  
TOWN OF ORANGETOWN

PB #14-38: 5 Kopac Lane, LLC Subdivision Plan: Consultation  
Town of Orangetown Planning Board  
September 10, 2014  
Page 1 of 2

**TO:** John Atzl, Atzl, Nasher & Zigler, 234 N. Main St. New City, NY  
New York 10954

**FROM:** Orangetown Planning Board

**RE:** 5 Kopac Lane, LLC Subdivision Plan: The application of Glen Orecchio, 5 Kopac Lane, LLC, owner, (Donald Tracy, attorney for the applicant) for Consultation for a 4 lot Subdivision at a site to be known as “5 Kopac Lane, LLC Subdivision Plan”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located at 42 and 62 Schuyler Road, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.15, Block 1, Lots 10 & 12.1 in the R-80 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 10, 2013**, the Board made the following determinations:

John Atzl, Donald Tracey and Glen Orecchio appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 3, 2014.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 10, 2014.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 4, 2014.
4. Proposed Subdivision Plan, Drawing No. 1 of 2 prepared by Atzl, Naser & Zigler, dated July 1, 2014.
5. Filed Minor Subdivision for Schuyler Hills, prepared by William Youngblood Associates, dated October 5, 2000, last revision date of January 22, 2003; Filed at the Rockland County Clerk's Office on October 31, 2003.
6. Narrative Summary, prepared by Atzl, Nasher & Zigler, dated July 14, 2014.
7. Copies of PB #07-39, Approved Amendment to Schuyler Subdivision, dated June 13, 2007 and PB #02-104, Final Approval of Schuyler Subdivision, dated September 25, 2002.

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

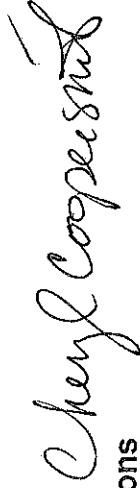
1. The applicant wants to relocate the north property line of Lot #3 of the Schuyler Hills Subdivision to provide additional lot area for an adjoining property, however note #23 of the Schuyler Hills filed map states; “no lot in this subdivision may be further subdivided”. The applicant is seeking relief of that restriction from the Planning Board. **The Board suggested that the applicant submit a proposed Development Plan.**

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PB #14-38: 5 Kopac Lane, LLC Subdivision Plan: Consultation  
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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: September 10, 2014  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions



TOWN OF ORANGETOWN  
2014 SEP 23 AM 10 58  
TOWN CLERK'S OFFICE

**PB #14-41: One Ramland Road Interior Commercial Subdivision Plan: Final Approval Subject to Conditions**

**Town of Orangetown Planning Board Decision**

**September 10, 2014**

**Page 1 of 5**

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

**RE:** One Ramland Road Interior Commercial Subdivision Plan: The application of Ramland Holdings, LLC, owner, (Donald Brenner, attorney for the owner), for a Preliminary/ Preliminary/ Final Interior Commercial Subdivision Plan Review at a site known to be known as “**One Ramland Road Interior 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 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, September 10, 2014**, 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 September 3, 2014.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 10, 2014, with attachment.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 5, 2014.
4. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated September 8.
5. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated August 25, 2014.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated September 2, 2014.
7. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief, dated August 27, 2014.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated September 3, 2014.
9. A Short Environmental Assessment Form, dated August 19, 2014, signed by Patrick Hynes.
10. Commercial Subdivision Plan prepared by Fifteenfortyseven Critical Systems Realty, dated July 1, 2014.

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There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Bruce Bond and seconded by William Young and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; William Young, aye; Robert Dell, aye; Michael Mandel, aye and Thomas Warren, 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 William Young and seconded by Thomas Warren and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; and Thomas Warren, 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 and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering, Bureau of Fire Protection, and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Sewer District #1, Rockland County Department of Highways, and having reviewed a proposed Commercial Subdivision Plan by prepared by 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;

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

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

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

1. The following note shall be placed on the Subdivision Plan: " At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. The Commercial Subdivision shall indicate the number of spaces or units being proposed. From the submitted plans, based on the various colors, it appears to be 4 units. Please verify the number of units at this time.
3. The Short Environmental Assessment Form appears to be in order.
4. Based upon the submitted information, there are no Rockland County Health Department approvals needed for this application.

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**PB #14-41: One Ramland Road Interior Commercial Subdivision Plan: Final Approval Subject to Conditions**

**Town of Orangetown Planning Board Decision  
September 10, 2014  
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5. Based upon the plans and information provided, the Rockland County Department of Highways have no objection to the interior subdivision as shown on the submitted plans. A Rockland County Highway Department Work Permit will be required prior to any construction on site.
6. 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.
7. The Town of Orangetown Bureau of Fire Prevention had the following comments in regards to the proposed Commercial Subdivision:
  - The plan only shows one dimension of rentable square footage. The plan shall show how much square footage per unit.
  - Each new tenant would have to have the Fire Sprinkler system reconfigured to protect each tenant space.
  - The Fire Alarm must be reprogrammed to show each space and each space shall be protected even when not occupied yet.
  - Portable Fire Extinguishers shall be provided in occupied spaces, and each tenant must apply for and maintain a Certificate of Compliance Fire Safety with the Bureau of Fire Prevention.
8. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats 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.

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

- Rockland County Sewer District #1
- Rockland County Health Department
- Rockland County Department of Highways
- Town of Orangetown Zoning Board of Appeals

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.

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

Dated: September 10, 2014  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions



attachment

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2014 SEP 23 PM 10:58  
TOWN OF ORANGETOWN

**PB #14-41: One Ramland Road Interior Commercial Subdivision Plan: Final Approval Subject to Conditions**

**Town of Orangetown Planning Board Decision  
September 10, 2014**

**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: One Ramland Road Interior Commercial Subdivision  
Plan: Final Approval Subject to Conditions**

SEQR STATUS: Type I            Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes        No XXXXXX

**DESCRIPTION OF ACTION: 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

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