

**Meeting of September 22, 2014
Town of Orangetown Planning Board**

MEMBERS PRESENT: Bruce Bond, Vice-Chairman; William Young; Michael Mandel; and Thomas Warren

MEMBERS ABSENT: Kevin Garvey, Chairman and Robert Dell

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

Mr. Bond, Vice - Chairman, called the meeting to order at 7:30 p.m.
Mr. Bond read the agenda. Hearings as listed on this meeting's agenda which are made a part of these minutes were held as noted below:

BNM Properties Site Plan	PB #14 - 41
Final Site Plan	
76.08 / 1 / 6; LIO zoning district	
Final Site Plan	
Approval Subject	

Quinn Sheet Metal, Inc.	PB #14 - 42
Conditional Use Permit	
Preliminary/ Preliminary/ Final Review	
77.16/1/32; LIO zoning district	
Withdrew Application	

Other Business: The Planning Board reviewed a referral from the Town of Orangetown Town Board regarding a change to an Amendment to the Town of Orangetown Zoning Ordinance; Signage for Mixed-use Developments in the LI Zoning District.

The Board had no issues with the proposed signage amendments, however recommended the following:

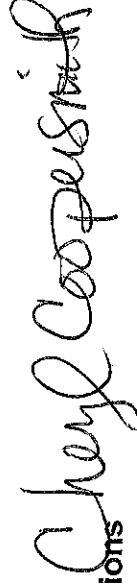
- Mixed-use developments should only be allowed to receive one Special Permit expansion for each project site.

The decision of the September 10, 2014 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Thomas Warren and seconded by Michael Mandel and carried as follows: William Young, aye; Kevin Garvey, absent, Thomas Warren, aye, Robert Dell, absent; Bruce Bond, 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 Michael Mandel and seconded by Thomas Warren and agreed to by all in attendance. The meeting was adjourned at 7:50 PM. The next Planning Board meeting is scheduled for October 8, 2014.

DATED: September 22, 2014
Cheryl Coopersmith
Chief Clerk Boards and Commissions



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2014 OCT 9 AM 12:06

TOWN OF ORANGETOWN

PB #14-41: BNM Properties Site Plan: Final Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision

September 22, 2014

Page 1 of 8

TO: John Piccininni, 37 Ramland Road, Orangeburg, New York
FROM: Orangetown Planning Board

RE: BNM Properties Site Plan: The application of John Piccininni, applicant, for BNM Properties, owner, for Final Site Plan Review, at a site known as **“BNM Properties Site Plan”** in accordance with Article 16 of the Town of 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 37 Ramland Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 76.08, Block 1, Lot 6 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Monday, September 22, 2014**, the Board made the following determinations:

John Piccininni, Richard Piccininni and Kathleen Hennessy appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 17, 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 22, 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 18, 2014.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated September 19, 2014.
5. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated September 18, 2014.
6. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated August 11, 2014.
7. Plans prepared, signed and sealed by Hennessy Design Consultants, dated December 1, 2013, last revision date of July 31, 2014:
 - o A0.00: Cover Sheet
 - o A1.00: Site Plan
 - o S1.00: Site Plan
 - o S1.01: Area of Disturbance Plan
 - o S2.00: Site Details
 - o S2.01: Site Details
8. Copies of Town of Orangetown Board Decisions: ZBA #14-56, Front Yard, Side Yard, Building Height, Off-Street Loading Berths and Parking Variances Approved, dated July 16, 2014 and PB #14-11, Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec., dated June 11, 2014.

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TOWN OF ORANGETOWN

PB #14-41: BNM Properties Site Plan: Final Site Plan Approval Subject to Conditions

**Town of Orangetown Planning Board Decision
September 22, 2014
Page 2 of 8**

The Board reviewed the plans.

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall comply with all pertinent and applicable conditions of previous Board decisions: ZBA #14-56, Front Yard, Side Yard, Building Height, Off-Street Loading Berths and Parking Variances Approved, dated July 16, 2014 and PB #14-11, Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec., dated June 11, 2014.
4. The final total number of internal units in the existing building and proposed addition shall be labeled on the Site Plan.
5. Indicate on the plans where the existing and proposed uses are within the building to accurately coincide with the parking analysis.
6. All variances granted for this project shall be listed on the plans. In addition, the Zoning Bulk Table on the "Cover Sheet" needs to be completed.

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2014 OCT 9 PM 12:06
TOWN OF ORANGETOWN

7. 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.
8. The metes and bounds of the proposed right of way for Ramland Road South shall be shown on the drawings.
9. All existing easements/ dedications shall be shown on the plan, including page and liber or instrument number and ownership.
10. The datum for the contours shall be given. Also, a note shall be added to the Site Plan indicating the source benchmark for the referenced datum, including the BM elevation.
11. A clear drainage plan, prepared by the applicant's engineer, shall be added to the drawing set. It is hard to distinguish how the runoff from the proposed impervious area and entering the proposed Cultec systems. Profiles shall also be added to the plans.
12. It is unclear from the drawings, if overflows are provided for the proposed cultic recharge systems, this shall be spelled out in the drainage report and depicted on the required drainage plan.
13. The drainage calculations are currently under review by DEME.
14. The soil erosion and sediment control plans and details are under review by DEME. However, the erosion control plans and details shall be modified to reflect a "stone-filter" system around the on-site on existing and proposed catch basins, in the area of construction, for keeping out silt and foreign material. A detail for same shall be provided.
15. The applicant shall execute all documents necessary in order for the Town to accept dedication of the portion of Ramland Road South that currently runs through the applicant's property. The applicant shall submit a deed with Schedule "A" describing the metes and bounds of the proposed dedication to DEME and the Town of Orangetown Town Attorney's Office for review and final approval prior to the map being signed. As part of the approval, the applicant shall provide recording fees for the deed.
16. **Drainage Review Recommendation:** The application has provided underground stormwater detention units to mitigate potential significant adverse impacts with respect to drainage and the Drainage Consultant, Brooker Engineering, therefore recommends that BNM Properties, LLC Site Plan be approved for drainage subject to the following comments.

TOWN CLERKS OFFICE
2014 OCT 9 AM 12:06
TOWN OF ORANGETOWN

PB #14-41: BNM Properties Site Plan: Final Site Plan Approval Subject to Conditions

**Town of Orangetown Planning Board Decision
September 22, 2014
Page 4 of 8**

Continuation of Condition #16....

Project Description

This is the third drainage review report to the Planning Board for this project; the last drainage report was dated May 2, 2014. The property is located on the east side of Ramland Road and has a moderate westerly downhill slope. The site contains an existing LIO building and associated parking. A 158' x 70' building addition is proposed along the west side of the building; this is located in an area with grass ground cover. New parking is proposed along an existing driving lane on the north side of the building; this is located along a wooded area. Approximately 20,000 square feet of impervious area is being added. For this submission, the applicant has demonstrated that land disturbance will be less than one acre; therefore post construction water quality measures are not required. Four separate areas of underground detention have been provided to store the entire 24-hour 100 –year rainfall over the disturbed areas.

Project Comments

1. As per the February 3, 2014 and May 27, 2014 reports, proposed grading along the new row of parking along the north property line shall be provided. Spot grades at the curb shall be added to show the directions of stormwater runoff. The existing conditions topography in this area shall be verified; it appeared during our site visit that a wooded embankment several feet high exists along the row of new parking. Construction of this parking would require excavation and retaining walls along the property line. It shall be demonstrated that the plan is feasible to construct without requiring grading off the property. Alternately, a construction easement from the neighbor may be obtained.
2. As per the February 3, 2014 and May 27, 2014 reports, spot grades and grading shall be added at the new curb lines for the four new parking spaces near the north face of the building additions.
3. As per the May 27, 2014 report, a maintenance plan for the detention system shall be added to the site plan. A general detail has been provided for the Cultec units; specific details showing plan and profile views at each "Recharger Location" with the number of units, dimensions, and elevations shall be provided.
4. Proposed contours shall be labeled and identified in a legend.
5. Portions of recharger bed #4 extend into the right-of-way. This shall be reconfigured.

TOWN CLERK'S OFFICE
2014 OCT 9 AM 12:06
TOWN OF ORANGETOWN

PB #14-41: BNM Properties Site Plan: Final Site Plan Approval Subject to Conditions

**Town of Orangetown Planning Board Decision
September 22, 2014
Page 5 of 8**

Continuation of Condition #16....

6. The drainage report describes a two inch lip in the pavement to keep runoff from the existing pavement from entering the area of the new pavement and therefore the detention area. This shall be labeled on the Site Plan and details provided. Alternately, since the detention units have been conservatively designed to store the entire 100-year runoff volume, the Drainage Consultant has no objection to portions of the existing areas entering the new detention basins.
7. The "invert out" elevations for the outlet structure for each recharger bed shall be set at the top of stone elevations for each recharger bed in order to take advantage of the full amount of available storage.
8. Provide supporting calculations for the volume for each recharger bed.
9. Show proposed grading of the new sidewalk on the west face of the building; demonstrate on the Grading Plan that runoff from this area will enter the detention area and not bypass the detention area.
10. The elevation of recharger bed #2 conflicts with an existing storm drainage pipe. Either the existing pipe shall be relocated or the recharger bed shall be reconfigured.
11. The "Catch-Basin (C-Type)" Detail shall be modified to show the pipe to the recharger bed. Provide a hood over this pipe and a sump between the invert of this pipe and the bottom of the basin. Allow an opening in the sump to allow groundwater to infiltrate from the basin and prevent standing water in the basin.
12. Test pits shall be performed at each recharger location. The test pits shall verify that seasonal groundwater will not impact the detention.

17. The Rockland County Department of Health reviewed and found that should the Board require stormwater remediation for the increase in impervious coverage, application is to be made to the Rockland County Department of Health for review of the stormwater management system for compliance with the County Mosquito Code.

18. The Rockland County Department of Highway reviewed the plans and information and found that the proposed Site Plan should have a minimum adverse impact upon County Roads in the area.

19. The Town of Orangetown Bureau of Fire Prevention reviewed the information and offered the following comments:

- Extend the Fire Sprinkler System and design to protect the hazard of the use.
- Upgrade the entire Fire Alarm system to transmit in Contact ID Format as per NFPA72.
- Add Emergency lighting as per NEC.
- Add Portable Fire Extinguishers as required.
- Each or any new tenant must apply for and maintain a Certificate of Compliance Fire Safety with the Bureau of Fire Prevention.

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PB #14-41: BNM Properties Site Plan: Final Site Plan Approval Subject to Conditions

**Town of Orangetown Planning Board Decision
September 22, 2014
Page 6 of 8**

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

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

22. 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.

23. 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 $\frac{3}{4}$ 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.

TOWN CLERKS OFFICE

2014 OCT 9 PM 12:06

TOWN OF ORANGETOWN

PB #14-41: BNM Properties Site Plan: Final Site Plan Approval Subject to Conditions

**Town of Orangetown Planning Board Decision
September 22, 2014
Page 7 of 8**

- 24.** 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.
- 25.** 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.
- 26.** The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
- 27.** 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).
- 28.** Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
- 29.** 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
- 30.** The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

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2014 OCT 9 AM 12:08

TOWN OF ORANGETOWN

PB #14-41: BNM Properties Site Plan: Final Site Plan Approval Subject to Conditions

**Town of Orangetown Planning Board Decision
September 22, 2014
Page 8 of 8**

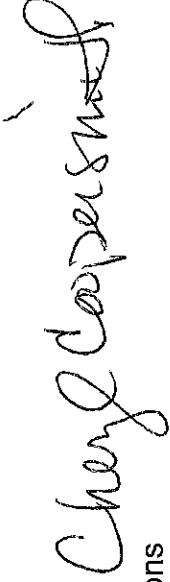
The foregoing Resolution was made and moved by Thomas Warren and seconded Michael Mandel by and carried as follows: William Young, aye; Kevin Garvey, absent, Thomas Warren, aye, Robert Dell, absent; Bruce Bond, aye; Michael Mandel, aye.

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 22, 2014

Cheryl Coopersmith

Chief Clerk Boards and Commissions



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