

**Meeting of September 9, 2015
Town of Orangetown Planning Board**

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

MEMBERS ABSENT: William Young

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:

Virginia Homes Subdivision Plan	PB #15-43
Recommendation to the Town Board	Recommended
Establish the Value and Term	Value and Term of
of the Performance Bond	Performance Bond
Williams Street & Sparkill Avenue, Sparkill	to the Town Board
77.08/5/33.2 & 36; RG zoning district	

Ramsay Subdivision Plan	PB #15-44
Recommendation to the Town Board	Recommended
to Release the Performance Bond	Release of the
Williams Street & Sparkill Avenue, Sparkill	Performance
77.08/5/33; RG zoning district	Bond to the Town Board

Route 9W Golf Subdivision Plan	PB #15-45
Extension of Performance Bond Term	Two Year Extension
Kopac Lane, Palisades	Granted
78.14/1/2; R-40 zoning district	

Brightview Senior Living	PB #15-40
Lake Tappan Site Plan	Preliminary Site Plan
Prepreliminary/ Preliminary Site Plan	Approval Subject to
and SEQRA Review	Conditions/ Neg. Dec.
31 Hunt Road, Pearl River	
73.15/1/10; R-80 zoning district	

American Legion Site Plan	PB #15-41
Ancillary Parking Facility Plan	Preliminary Site Plan
Prepreliminary/ Preliminary Site Plan	Approval Subject to
and SEQRA Review	Conditions/ Neg. Dec.
61 Hunt Road, Pearl River	
73.15/1/2; R-80 zoning district	

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28 Route 303 Auto Site Plan
Prepreliminary/ Preliminary Site Plan
and SEQRA Review
28 Route 303, Tappan
Route 303 Overlay Zone
77.15/1/44; CS zoning district

PB #12-02

**Postponed to
October 14, 2015
Planning Board
Meeting**

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

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Robert Dell and seconded by Bruce Bond and agreed to by all in attendance. The meeting was adjourned at 9:20 p.m. The next Planning Board meeting is scheduled for Monday, September 21, 2015.

DATED: September 9, 2015
Cheryl Coopersmith
Chief Clerk Boards and Commissions
Town of Orangetown Planning Board

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PB#15-43: Virginia Homes Subdivision – Recommendation to the Town Board to Establish the Value and Term of the Performance Bond

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

RE: Virginia Homes Subdivision Plan: The application of Jay Greenwell, applicant, for a Recommendation to the Town Board to Establish the Value and Term of the Performance Bond, at a site to be known as “**Virginia Homes Subdivision Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located on the south side of William Street at the intersection of William Street and Sparkill Avenue, Sparkill, Town of Orangetown, Rockland County, New York, and shown on the Orangetown Tax Map as Section 77.08, Block 5, Lots 33.2 & 36 in the RG zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 9, 2015**, at which time the Board made the following determinations:

Jay Greenwell and Kevin Ramsay appeared and testified.

The Board received the following communications:

1. A Project Review Committee Report dated September 2, 2015.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 9, 2015.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 3, 2015.

The Board reviewed the submitted information. The hearing was then open to the Public.

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

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PB#15-43: Virginia Homes Subdivision – Recommendation to the Town Board to Establish the Value and Term of the Performance Bond

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RECOMMENDATION: In view of the foregoing, the Planning Board Recommended to the Orangetown Town Board the value and term of the Performance Bond in accordance with the Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 3, 2015.

The term of the Performance Bond shall not exceed two (2) years as set forth in Section 21A-10 of the Town of Orangetown Town Code, which shall be on or before September 9, 2017, and Subject to the Following Conditions:

<u>ITEM</u>	<u>COST</u>
Suburban Road	\$ 18,750.00
Monumentation	2,800.00
Iron Pins	3,150.00
As-Built Drawings	5,400.00
Soil Erosion & Sediment Control	59,000.00*
Sub-Total	\$ 89,100.00
Administrative Close-out (20% of Sub-Total)	\$ 17,820.00
Total Bond	\$ 106,920.00

No additional Inspection Fee required.

* It is the understanding of DEME that the \$59,000.00 for Soil Erosion & Sediment Control will be split equally among the seven undeveloped lots (\$8,428.58/ lot) and received and held as escrow by the Town of Orangetown Office of Building, Zoning, Planning Administration and Enforcement when each lot "comes on" for a building permit.

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PB#15-43: Virginia Homes Subdivision – Recommendation to the Town Board to Establish the Value and Term of the Performance Bond

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

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

Dated: September 9, 2015

Cheryl Coopersmith

Chief Clerk Boards and Commissions

Town of Orangetown Planning Board



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PB #15-44: Ramsay Subdivision Plan: Recommendation to the Town Board to Release the Performance Bond

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

RE: Ramsay Subdivision: The application of Kevin Ramsay, owner, for a Recommendation to the Town Board to Release the Performance Bond for a subdivision known as “**Ramsay Subdivision**”, 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 110 Sparkill Avenue, southeast corner of the intersection of Sparkill Avenue and William Street, Sparkill, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 77.08, Block 5, Lot 33 in the RG zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 9, 2015**, at which time the Board made the following determinations:

Jay Greenwell and Kevin Ramsay appeared and testified.
The Board received the following communications:

1. Project Review Committee Report dated September 2, 2015.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 9, 2015.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by James Dean, Superintendent of Highways and Joseph Moran, Commissioner, dated August 24 and September 9, 2015.
4. Copy of PB #11-01, 2nd 90 Day Extension to File the Subdivision Plan and Recommendation to the Town Board to Establish Value and Term of the Performance Bond, dated February 9, 2011.
5. A copy of an email from Kevin Ramsay dated August 20, 2015.

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

RECOMMENDATION: In view of the foregoing, the Planning Board **Recommended to the Town of Orangetown Town Board to Release the Performance Bond.**

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**PB #15-44: Ramsay Subdivision Plan: Recommendation to the Town Board
to Release the Performance Bond**

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

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

**Dated: September 9, 2015
Cheryl Coopersmith
Chief Clerk Boards and Commissions
Town of Orangetown Planning Board**



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**PB #15-45: Route 9W Golf Course Subdivision Performance Bond –
Granted Two Year Extension of the Term of Performance Bond**

Town of Orangetown Planning Board Decision

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TO: Wayne Wilcox, Lennar New York, 2465 Kuser Road, FI #3
Hamilton, New Jersey 08690

FROM: Town of Orangetown Planning Board

RE: Route 9W Golf Course Subdivision Performance Bond: The application of Lennar, New York, LLC, for an Extension of the Performance Bond Term at a site known as "**Route 9W Golf Course Subdivision**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located on Kopac Lane, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.14, Block 1, Lot 2 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 9, 2015**, at which time the Board made the following determinations:

Wayne Wilcox appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 2, 2015.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 9, 2015.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 3, 2015.
4. A letter from Lennar New York, LLC, signed by Wayne Wilcox, to John Giardiello, P.E., Director, Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, dated July 27, 2015, attachment.
5. A copy of an email from Theresa Johnson, Project Manager, Orange and Rockland Utilities, dated August 17, 2015, with an attachment.

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 second by Thomas Warren and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; William Young, absent; Robert Dell, aye, Michael Mandel, aye, Stephen Sweeney, aye and Thomas Warren, aye.

DECISION: In view of the foregoing, the Board granted a Two Year Extension of the Term of the Performance Bond until September 9, 2017, subject to the following conditions:

1. The applicant shall submit a subdivision street lighting plan within 60 days of the September 9, 2015 Planning Board meeting for review by the Town of Orangetown Office of Building, Zoning, Planning Administration and Enforcement.

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**PB #15-45: Route 9W Golf Course Subdivision Performance Bond –
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2. All previous conditions of subdivision approvals and performance bond requirements remain in effect.

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

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

Dated: September 9, 2015
Cheryl Coopersmith
Chief Clerk Boards and Commissions
Town of Orangetown Planning Board



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**PB #15-40: Brightview Senior Living Lake Tappan Plan: Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.
Town of Orangetown Planning Board Decision**

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

RE: Brightview Senior Living Lake Tappan Site Plan: The application of Shelter Development LLC, applicant for Hegarty Homes, owner, (Donald Brenner, attorney for the owner), for Prepreliminary/ Preliminary Site Plan Review, at a site to be known as "**Brightview Senior Living Lake Tappan 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 31 Hunt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 10; in the R-80 zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, July 22 and September 9, 2015**, the Board made the following determinations:

July 22, 2015

Donald Brenner, Diego Villareale, Erik Anderson and Michael Glynn appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated July 15, 2015.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated July 22, 2015.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated July 16, 2015.
4. A letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner, dated July 21, 2015.
5. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated July 15, 2015.
6. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated June 18 & 22, 2015.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated June 26, 2015.
8. Letters from the New York State Department of Environmental Conservation, Region 3, signed by Jean McAvoy, Division of Environmental Permits, dated July 10, 2015.

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9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated June 17, 2015.
10. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated July 14, 2015.
11. A Short Environmental Assessment Form, signed by Donald Brenner, dated June 11, 2015.
12. A Full Environmental Assessment Form, signed by Robert B. Peake, AICO, dated June 11, 2015.
13. A copy of PB#15-12, Consultation, dated February 25, 2015.
14. Site Plans prepared by JMC Site Development Consultants dated June 8, 2015:
 - PSP-1: Cover Sheet
 - PSP-2: Site Existing Conditions Plan
 - PSP-3: Preliminary Site Layout Plan
 - PSP-4: Preliminary Site Grading Plan
 - PSP-5: Preliminary Site Utility Plan
 - PSP-6: Preliminary Site Plan Erosion and Sediment Control Plan
 - PSP-7: Preliminary Site Landscaping Plan
 - PSP-8: Construction Details
 - PSP-9: Construction Details
 - PSP-10: Construction Details
 - PSP-11: Construction Details
 - PSP-12: Construction Details
 - PSP-13: Construction Details
15. Architectural Plans prepared by JAL Architecture and Engineering P.C., dated June 8, 2015:
 - First Floor Plan
 - Second Floor Plan
 - Third Floor Plan
 - Sheet 01: Exterior Elevation
 - Sheet 02: Exterior Elevation
 - Sheet 03: Exterior Elevation

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

Public Comment:

Dennis Scherer, 599 Orangeburg Road, Pearl River, requested information regarding the type of sound barriers to be used between the ball fields and the proposed development. He requested that Blue Spruce trees be planted to buffer the sound. Mr. Scherer wanted to know the type of security to be used on site and who would be responsible for maintaining the new parking spaces.

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Dominic Filippone, 86 South Reld Avenue, Pearl River, a member of the American Legion, and past member of the Zoning Board of Appeals, held that the proposed development would take away the scenic look of the playing fields. He discussed the current parking situation in the area around the project site.

Joan Bourke, President of the Pearl River Little League, requested information regarding the type and size of the proposed buffers to be placed between the parking area and the development. She discussed parking availability in the area around the ball fields.

Kira Burch, 73 and 67 Hunt Road, Pearl River, requested some type of barrier between the development and the neighborhood. She raised concerns regarding the impact of the development on water in the area, since all of the houses have septic tanks and wells. Ms Burch wanted to know if Corwick Realty had plans to develop its other property holdings in the area.

Bill Hurgudh, 49 Hunt Road, Pearl River, commented that he noticed that people park on Veterans Memorial Field and not on the site proposed for parking. Parking on the proposed roadway will create a bottle neck on the road and requested information regarding the parcel dimensions of the land. Mr. Hurgudh requested that a traffic study be completed for the site and a traffic signal be installed to control traffic.

Grace Meyer, 49 Hunt Road, Pearl River, noted that there is existing traffic on Hunt Road and with the construction of additional parking spaces, traffic will increase.

The applicant requested a CONTINUATION.

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Donald Brenner, Diego Villareale and Michael Glynn appeared and testified. The Board received the following communications:

1. Project Review Committee Report dated September 2, 2015.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 9 and July 22, 2015.
3. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated September 8, 2015.

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

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Public Comment:

Kira Burch, 73 and 67 Hunt Road, Pearl River, raised concerns regarding traffic along Hunt Road and continued privacy and green space in the area. She was concerned about the impact of the development on water in the area, since all of the houses have septic tanks and wells. Ms Burch wanted to know who would be responsible for maintaining the roadway and if Corwick Realty had plans to develop its other property holdings in the area.

Grace Meyer, 49 Hunt Road, Pearl River, opposed the development stating that it was too large for the site. She requested that the applicant look into placing the project on the Rockland Psych property. Ms Meyer requested information regarding Chillers on the project site.

Dennis Scherer, 599 Orangeburg Road, Pearl River, requested information regarding the use of sound barriers on the American Legion site. He also questioned the cost of the water collection system and who would be responsible for maintaining the system.

Cathleen Neder, 37 Hunt, Pearl River, expressed concerns regarding the proposed entrances to the project site.

Joan Bourke, President of the Pearl River Little League, stated that it is the intention of the Pearl River Little League to make the roadway safe.

Dominic Filippone, 86 South Reld Avenue, Pearl River, a member of the American Legion, and past member of the Zoning Board of Appeals, noted that people currently park in various location around the project site.

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

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 Michael Mandel and seconded by Stephen Sweeney and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; William Young, absent; Robert Dell, aye; Stephen Sweeney, aye; Michael Mandel, aye and Thomas Warren, abstain, 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 JMC Site Development Consultants, 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 Highways, Rockland County Department of Health, Rockland County Sewer District No.1, New York State Department of Environmental Conservation, and having reviewed a proposed Site Plan prepared by JMC, 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;

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- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Stephen Sweeney and seconded by Bruce Bond and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; William Young, absent; Robert Dell, aye; Stephen Sweeney, aye; Michael Mandel, aye and Thomas Warren, abstain; 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 southern and easterly side of the project site shall be enhanced with additional evergreen plantings.

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4. The proposed use, "Institutions for the Aged" requires a special permit from the Town of Orangetown Zoning Board of Appeals.
5. Under the Special Permit requirements, "No building is located within 300 feet from any lot line", and the proposed building is 67 feet from the front lot line, 46 feet from the side lot line and 24 feet from the rear lot line. A variance needs to be sought from the Town of Orangetown Zoning Board of Appeals.
6. The Maximum Floor Area Ratio allowed is 0.10 and 0.67 is proposed. A variance needs to be sought from the Town of Orangetown Zoning Board of Appeals.
7. Please be advised before any Special Permit is granted, the applicant must secure approval of the proposed drainage structure the Town of Orangetown Town Engineer or the Consulting Engineer for the Town of Orangetown.
8. The parking required for this use falls under R-80, column 6, item 6 and requires 1 parking space for each is, plus 1 space per 25 square feet of outpatient area, if applicable. Please provide the required parking spaces in the Bulk Table. A variance may need to be sought from the Town of Orangetown Zoning Board of Appeals.
9. For institutions in the R-80 zoning district, the Zoning Board of Appeals may permit 1 sign not over 20 square feet in area, which may be illuminated and is located 25 feet from any lot line. Please provide the size of the proposed sign along Hunt Road. A variance needs to be sought from Town of Orangetown Zoning Board of Appeals for Zero Yard Setback, since the proposed sign is within the road right-of-way. Approval from the Town of Orangetown Highway Department is also required for the proposed sign location.
10. The proposed project shall be reviewed and approved by United Water, Inc.
11. The lowest floor elevation for the proposed building shall be provided on the Site Plan.
12. The maximum slope of the driveway is 10%. Please label the driveway's maximum slope on the Site Plan.
13. The plans shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.
14. The Planning Board requests that the applicant provide a Traffic Study for review.

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15. The Full Environmental Assessment Form appears to be in order.
16. Sanitary calculations for the proposed site, prepared and sealed by a New York State Licensed Professional Engineers, shall be submitted to DEME for review and approval.
17. The supplied SWPPP and related drainage calculations are currently review by DEME. A review of same will be sent to the applicant's engineer under separate cover. However, the total area of disturbance shall be listed in the SWPPP and on the drawings. Also, the stormwater design shall up the 24 hour rainfall amounts listed in the NYS Stormwater Management Design Manual (for example 100yr 24hr = 9.2 – 9.4 inches not 8.91).
18. The designed infiltration systems appear to have no overflow exhaust piping. The drawing will be modified to show overflow piping for the proposed infiltration systems. If overflow piping is not being implemented for this design, the applicant's engineer shall explain in the SWPPP and show by calculation what is to happen if the system(s) are to overflow (where will the overflow go, what will be the rate and volume of any overflows, etc.)
19. There are no drainage facilities shown along the proposed main entrance to the site from Hunt Road. Drainage facilities must be added along the main entrance as well as at the intersection with Hunt Road. The runoff this system collects must be collected and treated and be accounted for in the SWPPP.
20. The side slopes along the proposed main entrance are quite steep, appearing to be 2:1 on either side of the road. The applicant's engineer shall describe and depict on the drawings how these slopes are to be maintained during and after construction. It is critical that these slopes be stabilized during construction so as to minimize erosion.
21. The preliminary grading plan appears to show regrading right up to the property lines in a few locations, this is unacceptable. Regrading shall stop before any property lines.
22. The Limit of Disturbance shall be more clearly defined on the Soil Erosion and Sediment Control Plan.
23. Drawing PSP 5 shows a small section of the proposed sanitary main which just stops and has a note that states, "connect to existing sanitary sewer." The entire proposed sanitary sewer main beginning at SMH #1 to its final "tie in" to the existing main shall be shown on the drawings.

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24. If the proposed sanitary sewer main is to be given to the Town of Orangetown for maintenance purposes, a 20 foot wide easement over the main, as well as an access easement, shall be depicted on the drawings. The applicant shall show legal to DEME, the Town Attorney's Office and the Planning Board, to obtain access/maintenance of the easements in all of the private properties that the main will be located on and the ability to transfer to the Town of Orangetown. Said easement(s) shall be submitted to DEME and the Town Attorney's Office for review and approval.

25. The applicant's engineer shall determine if any of the adjacent properties along the route of the proposed sanitary sewer main are currently connected to the Town's sanitary sewer system. If not, house connection spurs shall be installed along the main for all properties along the new sanitary main layout, for future connections for those properties.

26. Profiles for the roads, sanitary and storm sewer lines shall be provided with the plans.

27. Any work/ improvements to the existing 20 foot wide strip of land, located to the east of the American Legion property labeled as "N/F Nagy – PSP2), whether for the installation of the proposed sanitary sewer main, water main, etc., and/ or improvement to the road, will need to be included in the SWPPP (area of disturbance) and also may require drainage improvements along said access road.

28. 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.

29. The sentence in Note #2 on the Manhole A & B details, drawing PSP 9, which reads "The covers shall have vent holes", shall be removed. Also, the references to a manhole cover in these details shall be revised to state that the manhole cover shall be a Campbell Foundry Type 1012 B or equal (not an 1107B.) The Manhole frame cover with cover details, including Town name and date, shall be included on the drawings.

30. The applicant is advised that the Town of Orangetown has a new F.O.G. (Fat, Oil and Grease) program, which must be complied. The applicant shall contact the Town's F.O.G. Coordinator to determine how this criteria will be applicable for this application.

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31. The applicant is advised that because the facility is to have a functioning/ commercial kitchen to serve the residents, an appropriately sized grease trap will be required.

32. The proposed retaining walls along the main entrance road – drawing PSP #3, indicate retaining walls and fencing by others. The design of these walls and safety fencing needs to be a part of this application. The applicant shall supply said information for review and approval.

33. The soil and sediment control plans and details are under review by DEME.

34. All existing easements and dedications shall be shown on the plan, including page and liber or instrument number and ownership.

35. Copies of all correspondence, including any and all approvals, with the New York State Department of Environmental Conservation, U.S. Army Corps of Engineers, the Rockland County Drainage Agency, etc., in connection with this proposed site plan, shall be supplied to the Planning Board and DEME, prior to signing the map.

36. The Drainage Consultant to the Planning Board, Brooker Engineering reviewed the application and found that the application has provided support information to demonstrate mitigation of increases to peak stormwater runoff rates can be achieved and therefore recommends that the Brightview Senior Living Site Plan be approved for drainage subject to the following comments:

This is the first drainage review report to the Planning Board for this project. The project is for two separate applications; one for the American Legion parking improvements and one for the Brightview Senior Housing project. With respect to drainage, the two applications are potentially distinct in terms of constructability; however, since the drainage report and site plans were prepared in a combined manner the Drainage Consultant has prepared its drainage review response in a combined manner.

The Brightview development is located on a ridge southwest of the intersection of Hunt Road and Orangeburg Road and the majority of stormwater runoff from the site flows northwest toward Lake Tappan. There is a large well-draining natural depression along the ridge that, when combined with the dense woods and ground cover, results in nominal surface runoff from the site under existing conditions. The drainage report models this low surface runoff under existing conditions in a suitable manner which results in a conservative drainage design.

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Five different drainage design points of interest are analyzed with respect to potential impacts for drainage. Three of these design points utilize stormwater infiltration to provide no surface water runoff under proposed conditions. An overall net decrease in peak flow rates from the property are demonstrated by the stormwater management report.

Project Comments

1. While the overall site shows a reduction in peak runoff rates, Design Points 1 and 2 show a modest increase in peak runoff rates. The capacity of the downstream areas receiving this stormwater runoff shall demonstrate that an increase in peak runoff rates at these locations will not have any negative impact. Alternately, it appears that drainage subarea PDA-5 (which is a portion of the access road to the American Legion Field) can be easily diverted to the infiltration basin and the drainage area at this location can be reduced for proposed conditions.
2. The infiltration basins infiltrate the entire design storm. Peak stage in each basin shall be verified to ensure that no catch basins that feed the system are surcharged. It is recommended that an overflow area for each infiltration basin be identified and incorporated into the drainage design in the event the system is clogged.
3. Plan views of each of the infiltration basins shall be included in the detail sheet.
4. The drainage report shall demonstrate that the storm drainage system has the capacity to convey the peak flows to the infiltration basins.
5. The Site Plans shall note if the proposed building is slab on grade or if a basement is proposed. If a basement is proposed, the footing drain shall be added to the Site Plan.
6. Additional detail is needed for the access road to Hunt Road. The design calls for a cross slope to the north to direct runoff to a grassy swale north of the new road. A section shall be provided through this area, including the cross slope and grassy swale dimensions. The intent and function of this swale needs to be shown more clearly on the plan to ensure proper construction and avoid runoff from the road bypassing the swale and entering Hunt Road.
7. The catch basins shall use hoods over the outlet pipes prior to entering the underground infiltration basins.
8. Additional soil percolation tests shall be performed at the locations of the infiltration basins.
9. Additional detail is needed along the south side of the proposed parking lot at the American Legion Fields; the drainage report shows runoff from this parking expansion to be directed to the new storm drainage system. No curbs are proposed in this area and it appears that some areas of the new parking lot will bypass the storm drainage system. It also appears that stormwater runoff may be directed to the wood frame building with a FFE of 84.37; additional grading shall be provided in this area.

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

1. The comments and conditions in the two July 15, 2015 letters (Brightview Senior Living Lake Tappan and American Legion Parking) from the County of Rockland Department of Highway must be met. A work permit must be obtained prior to any construction work is done on site.
2. A review shall be done by the Rockland County Department of Public Transportation to determine that there is sufficient maneuverability on site for them to pick-up or discharge residents who might want to use the service. In addition, a minimum height of 11 feet of must be provided under the portico to ensure that there is sufficient height for the TRIPS buses to serve the facility.
3. The comments in the June 22, 2015 letters from the Rockland county Department of Health must be met (Brightview Senior Living Lake Tappan & American Legion Parking).
4. Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. In any public water supply improvements are required; engineering plans and specification or these improvement shall be reviewed and approved by the Rockland County Department of Health prior to construction in order to ensure compliance with Article 11, Drinking Water Supplies of the Rockland County Sanitary Code and Part 5 of the New York State Sanitary Code.
5. For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction.
6. The fire zones must be clearly marked on the Site Plan. Access to the fire zones shall be unimpeded by other parking areas and maneuverability on the site feasible.
7. The fire department connections shall be designated on the Site Plan and kept clear for easy access by the emergency response vehicles.
8. A review must be completed by the local fire department and the County of Rockland Office of Fire and Emergency Services to ensure that there is sufficient maneuverability on-site for emergency vehicles.

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9. Plans illustrating turning movements for fire apparatus must be provided. It must be demonstrated that there is sufficient maneuverability on site.
10. Parking calculations must be provided on the Site Plan. Based on the minimum off-street parking requirement of one spaced needed for each is, plus one space per 250 square feet of outpatient area, it seems that the 92 spaces proposed is deficient. It must also be determined if the four handicapped parking spaces are sufficient to serve this complex.
11. As required in Section 6.52, any part of any off-street parking area with five or more spaces and any loading berth located in or within 50 feet of any R district or R district use shall have a screen between the same and all lots within such R district, including those, if any, located across a residential street. The Planning Board must determine if the proposed landscaping is sufficient to provide this screening.
12. Areas dedicated for snow piles must be clearly delineated on the site plan so that the plow drives will know where to place the snow piles. This will help to protect the landscaping, located throughout the site, from being broken from the weight of the snow and from causing salt intrusion to the plant. This is particularly important if there is an inadequate amount of parking proposed for the use.
13. Currently tax parcel 73.15-1-1 gets its access by the driveway serving the ball fields from Hunt Road. It is not clear if the unpaved driveway serving this parcel will still have access from the proposed cul-de-sac. To avoid land locking this parcel, a driveway access must still be available from the proposed paved cul-de-sac.
14. The proposed monument sign is shown to be located within the right of way of the road, and not on the applicant's property. The sign must be relocated so that it is located completely on site. In addition, the sign must meet all of the Town of Orangetown's standards for signs, including sign area, setbacks, height, etc. Details must be provided regarding the proposed sign.

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15. Backup generators should be provided for the proposed long-term care facility so that in the event of power outages due to storm related incidents or other events, the residents will still have electricity. The location(s) of where the generators will be located must be designed on the site plan.
16. The plantings on the landscaping plan must be labeled so that the specific types of species proposed can be determined. Evergreen shrubs must be planted along the parking spaces facing the ball fields on the adjacent property as well, to eliminate headlights of parked cars from shining into the ball fields during plat time at nights.
17. A lighting plan must be provided that shows fields of illumination. Since the proposal is closer than the required 300 feet to a residential use, it must be demonstrated that no glare of lights will shine into or towards the contiguous residential lots, as required in Section 6.52 of the Town of Orangetown Zoning Ordinance.
18. The Table of Land Use on Drawing No. SP-1 indicates that the proposed front yard is 67 feet. The measurement shown on Drawing No. PSP-3 shows that it is 68 feet. The incorrect measurement must be corrected on the plans.
19. A separate Site Plan must be provided for the proposed parking lot extension for tax parcel #73.15-1-2
20. 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.
21. There shall be no net increase in the peak rate of discharge from the site at all design points.

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38. Rockland County Department of Highways reviewed the plans and information provided and offered the following remarks for consideration:

1. Access landing with a minimum 50 feet in length and having a maximum vertical grade no greater than 2% shall be provided.
2. The access driveway has an average 10% grade. The maximum preferred slope shall be kept at 8%.
3. The available sight distance on both side of access on Hunt Road shall be shown on the drawings.
4. Traffic impact study for this site and the American Legion shite shall be prepared and submitted for review. The cumulative effect this project will have when combined with other large scale development project at the vicinity of Hunt Road and Orangeburg Road should be discussed.
5. Rockland County Department of Highways requires a copy of the drainage study with calculations prepared for this project be forwarded for additional review.
6. Rockland County Department of Highways is concerned with the use of underground detention system being employed as means of controlling drainage from the site. Initially these systems will perform as designed; however rigorous maintenance will be required to ensure continued proper operation. As the system silts up over time, its effectiveness diminishes and the run off will eventually overflow and run overland. This is counterproductive because it impacts the areas it was designed to protect. Some type of maintenance program needs to be developed which requires landowners to be held responsible for the long term proper operation and maintenance of onsite drainage systems.
7. It is recommended bio-swales to be provided along the access driveway to enhance water infiltration and surface runoff. Similarly, some bio-retention system should be considered at the site for better storm water management.
8. A Rockland County Highway Work Permit will be required prior to any proposed construction on site.

39. Rockland County Department of Health (RCDOH) reviewed the plans and offered the following comments:

- Approval by RCDOH will be needed for the sanitary sewer system. Downstream sewer capacity analysis is to be included in the submission.
- Application is to be made to the RCDOH for a water main extension. This Application is to be made through United Water New York.
- Application is to be made to RCDOH for review of the Storm Water Management System for compliance with the County Mosquito Code.

40. 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.

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41. The Town of Orangetown Fire Prevention Bureau (Bureau) had the following comments:

- All roadways, bridges, etc. must be capable of supporting at least 75,000 lbs.
- All roadways must accommodate a turning radius for a fire department aerial ladder with a wheel base of 261 inches minimum.
- The long driveway which appears to be in excess of 1350 feet must have a Turnaround that is approved by the Bureau for emergency vehicles.
- All roadways with fire hydrants must have a minimum width of 26 feet; to accommodate aerial apparatus.
- All areas other than the designated marked parking spaces on the Site Plan, dated June 8, 2014, will be designed as Fire Lanes and must be Signed and Striped, as required by the Bureau.
- Private Fire Hydrants are requested in the area of the Main Entrance, Northeast corner of the building and by the entrance to the rear service area. Exact locations to be determined.
- Clarify the type of construction to be proposed for the 3 story structure.
- Clarify the location of the Sprinkler Riser and Fire Department Connection.
- Fire Department aerial ladder access must be provided as follows: Front entrance driveway and along the entire east side of the building. At least one of the required access routes meeting these criteria shall be located within a minimum of 15 feet and a maximum of 30 feet from the building. All access roads must be 26 feet wide.
- No road shall exceed a 10% grade.
- Any dead ends in excess of 151 feet must be provided with a turnaround approved by the Bureau.
- Roadway gates shall be approved by the Bureau.
- Asphalt or maintained grass crete shall be provided in the rear of the building at a minimum width of 26 feet for emergency access only
- Prior to Final Site Plan Approval, an engineered drawing showing all of the above conditions shall be noted on 1 sheet and provided to the Bureau for review and approval.

42. The New York State Department of Environmental Conservation reviewed the plans and offered the following:

- The site is located within or near state listed species: Bald eagle, impact of project on wintering Bald eagle should be evaluated during review of project pursuant to SEQR
- SPDES Stormwater Permit is required
- Other permits may be required for the project now or in the future. Applicant should contact NYSDEC.

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

- Town of Orangetown Zoning Board of Appeals
- Rockland County Department of Health
- Rockland County Sewer District No. 1
- Rockland County Department of Highways
- New York State Department of Environmental Conservation

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

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

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

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

- One (1) foot radius from trunk per inch DBH.
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - 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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47. 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.

48. 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.

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

50. 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).

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

52. 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

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

54. 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.

Override

The Board made a motion to override the Disapproval Narrative on Page 1 of the July 21, 2015 letter from Rockland County Department of Planning, signed by Douglas J. Schuetz, Acting Commissioner of Planning, for the following reasons:

Disapproval Narrative on Page 1: "We are not opposed to the proposed type of use for the site. However, the Town of Orangetown Zoning Ordinance permits this use as a special permit use, and requires specific bulk standards, particularly when adjacent to residential zones. Special permit uses, are by definition, subject to a higher standard of review than as-of-right uses. The proposed long term care facility requires numerous variances in order to be constructed as planned. The floor area ratio permitted is .10 yet, .67 is proposed; resulting in a proposal that is 570% over what is allowed in the zoning ordinance. In addition, the front, side and rear yards are all required to be 300 feet, and only 67 feet, 46 feet, and 24 feet respectively are being proposed. The yard variances range from being 78% to 92% deficient. These bulk variances are significant and indicate that the proposal is oversized for the site, and not in keeping with the intent that the Town of Orangetown had for this use. The proposal must be scaled back so that the extent of the variances can be reduced."

The Board held that although the density is greater than the acreage allows, the proposed use generates very little traffic and should not have an impact on the existing roadway system. The Board also held that the site would have landscaping that would enhance the site as well as mitigate the effect of the development on the contiguous neighborhood. The Board noted that the applicant revised the project plans reducing its effect on the neighborhood.

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A motion to override the Disapproval Narrative was made and moved by Michael Mandel and seconded by Bruce Bond and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; William Young, absent; Robert Dell, aye; Stephen Sweeney, aye; Michael Mandel, aye and Thomas Warren, abstain.

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

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 9, 2015
Cheryl Coopersmith
Chief Clerk Boards and Commissions
Town of Orangetown Planning Board
attachment**



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**NEGATIVE DECLARATION
Notice of Determination of Non-Significance
Town of Orangetown Planning Board Decision**

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This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION: Brightview Senior Living Lake Tappan Site Plan

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

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 31 Hunt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 10; in the R-80 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

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**PB #15-41: American Legion Site Plan (Ancillary Parking): Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.
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TO: Donald Brenner, 4 Independence Avenue, Tappan,
New York 10983
FROM: Orangetown Planning Board

RE: American Legion Parking Site Plan – Ancillary Parking Facilities (Shelter Development LLC - Brightview Senior Living Tappan Site Plan): The application of Shelter Development LLC, applicant for American Legion Post #1199, owner, (Donald Brenner, attorney for the owner), for Prepreliminary/ Preliminary Site Plan Review, at a site to be known as “**American Legion Parking 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 61 Hunt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 2; in the R-80 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 22 and September 9, 2015**, the Board made the following determinations:

July 22, 2015

Donald Brenner, Diego Villareale, Erik Anderson and Michael Glynn appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated July 15, 2015.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated July 22, 2015.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated July 16, 2015.
4. A letter from Rockland County Department of Planning from Arlene Miller, Principal Planner, dated June 23, 2015.
5. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated July 15, 2015.
6. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated June 18 & 22, 2015.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated June 26, 2015.
8. Letters from the New York State Department of Environmental Conservation, Region 3, signed by Joseph R. Murray, Environmental Analyst, Division of Environmental Permits, dated July 10, 2015.

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9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated June 17, 2015.
10. A Short Environmental Assessment Form, signed by Donald Brenner, dated June 17, 2015.
11. Site Plans prepared by JMC Site Development Consultants dated June 8, 2015:
 - PSP-1: Cover Sheet
 - PSP-2: Site Existing Conditions Plan
 - PSP-3: Preliminary Site Layout Plan
 - PSP-4: Preliminary Site Grading Plan
 - PSP-5: Preliminary Site Utility Plan
 - PSP-6: Preliminary Site Plan Erosion and Sediment Control Plan
 - PSP-7: Preliminary Site Landscaping Plan
 - PSP-8: Construction Details
 - PSP-9: Construction Details
 - PSP-10: Construction Details
 - PSP-11: Construction Details
 - PSP-12: Construction Details
 - PSP-13: Construction Details

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

Public Comment:

Dennis Scherer, 599 Orangeburg Road, Pearl River, requested information regarding the type of sound barriers to be used between the ball fields and the proposed development. He requested that Blue Spruce trees be planted to buffer the sound. Mr. Scherer wanted to know the type of security to be used on site and who would be responsible for maintaining the new parking spaces.

Dominic Filippone, 86 South Reld Avenue, Pearl River, a member of the American Legion, and past member of the Zoning Board of Appeals, held that the proposed development would take away the scenic look of the playing fields. He discussed the current parking situation in the area around the project site.

Joan Bourke, President of the Pearl River Little League, requested information regarding the type and size of the proposed buffers to be placed between the parking area and the development. She discussed parking availability in the area around the ball fields.

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Kira Burch, 73 and 67 Hunt Road, Pearl River, requested some type of barrier between the development and the neighborhood. She raised concerns regarding the impact of the development on water in the area, since all of the houses have septic tanks and wells. Ms Burch wanted to know if Corwick Realty had plans to develop its other property holdings in the area.

Bill Hurgudh, 49 Hunt Road, Pearl River, commented that he noticed that people park on Veterans Memorial Field and not on the site proposed for parking. Parking on the proposed roadway will create a bottle neck on the road and requested information regarding the parcel dimensions of the land. Mr. Hurgudh requested that a traffic study be completed for the site and a traffic signal be installed to control traffic.

Grace Meyer, 49 Hunt Road, Pearl River, noted that there is existing traffic on Hunt Road and with the construction of additional parking spaces, traffic will increase.

The applicant requested a CONTINUATION.

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Donald Brenner, Diego Villareale and Michael Glynn appeared and testified. The Board received the following communications:

1. Project Review Committee Report dated September 2, 2015.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 9 and July 22, 2015.
3. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated September 8, 2015.

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

Public Comment:

Kira Burch, 73 and 67 Hunt Road, Pearl River, raised concerns regarding traffic along Hunt Road and continued privacy and green space in the area. She was concerned about the impact of the development on water in the area, since all of the houses have septic tanks and wells. Ms Burch wanted to know who would be responsible for maintaining the roadway and if Corwick Realty had plans to develop its other property holdings in the area.

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Grace Meyer, 49 Hunt Road, Pearl River, opposed the development stating that it was too large for the site. She requested that the applicant look into placing the project on the Rockland Psych property. Ms Meyer requested information regarding Chillers on the project site.

Dennis Scherer, 599 Orangeburg Road, Pearl River, requested information regarding the use of sound barriers on the American Legion site. He also questioned the cost of the water collection system and who would be responsible for maintaining the system.

Cathleen Neder, 37 Hunt, Pearl River, expressed concerns regarding the proposed entrances to the project site.

Joan Bourke, President of the Pearl River Little League, stated that it is the intention of the Pearl River Little League to make the roadway safe.

Dominic Filippone, 86 South Reld Avenue, Pearl River, a member of the American Legion, and past member of the Zoning Board of Appeals, noted that people currently park in various location around the project site.

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

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

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 Stephen Sweeney and seconded by Bruce Bond and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; William Young, absent; Robert Dell, aye; Stephen Sweeney, aye; Michael Mandel, aye and Thomas Warren, abstain, 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 JMC Site Development Consultants, 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 Highways, Rockland County Department of Health, Rockland County Sewer District No.1, New York State Department of Environmental Conservation, and having reviewed a proposed Site Plan prepared by JMC, 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;

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- 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 Stephen Sweeney and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; William Young, absent; Robert Dell, aye; Stephen Sweeney, aye; Michael Mandel, aye and Thomas Warren, abstain; 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.

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3. The applicant shall submit a separate Site Plan for this application. It is suggested that perhaps drawings similar to drawings PSP 3 –PSP 7 of the Brightview Senior Living application, depicting the existing and proposed conditions of this specific section of the American Legion Site be supplied for this Site Plan application.
4. The applicant shall submit a separate Site Plan for the American Legion Parking Site before applying back to any Land Use Board for review.
5. The requested drawings shall depict the current amount of available parking for this site.
6. The driveway shall be built to a minimum thickness of the Town of Orangetown Rural Road Standards.
7. The driveway shall contain “Pull Offs” on each side of the drive enabling cars to safely pass each other.
8. Provide handicap parking spaces on the Site Plan for the ancillary parking facility.
9. Clarify if any lighting will be provided for the ancillary parking facility.
10. The Short Environmental Assessment Form appears to be in order.
11. It is understood that the SWPPP/ drainage design is being supplied through “Brightview” application. However, the applicant’s engineer is advised that required owners certification forms that are part of the SWPPP will be needed from the owner of the site and the Brightview site.
12. A post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for the proposed stormwater systems shall be submitted to DEME and the Town of Orangetown Town Attorney's office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contact person with telephone number, yearly report to be submitted to DEME, etc.

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13. Drawing PSP 5 of the Brightview application shows a small section of the proposed sanitary main which just stops and has a note that states, "connect to existing sanitary sewer." The entire proposed sanitary sewer main (from beginning – SMH #1 to its final "tie in" to the existing main) shall be shown on the drawings.

14. If the proposed sanitary sewer main is to be given to the Town of Orangetown for maintenance purposes, a 20 foot wide easement over the main, as well as an access easement, shall be depicted on the drawings. The applicant will show legal ability to DEME, the Town Attorney's Office and the Planning Board to obtain access/ maintenance easements in all of the private properties that the main will be located on and ability to transfer to the Town. Said easement(s) will be submitted to DEME and the Town Attorney's for review and approval.

15. The applicant's engineer will determine if any of the adjacent properties along the route of the proposed sanitary sewer main are currently connected to the Town's sanitary sewer system. If not, house connection spurs shall be installed along the main for all properties along the new sanitary mains layout for future connection for those properties.

16. A profile for the new sanitary sewer main shall be provided with the drawings.

17. Any work/ improvements to the existing 20 feet wide strip of land located to the east of the American Legion property, labeled as "N/F Nagey – PSP2", whether for the installation of the proposed sanitary sewer main, water main, etc. and /or improvement to the road itself, will need to be included in the SWPPP (area of disturbance) and also may require drainage improvements along said access road.

18. The Drainage Consultant to the Planning Board, Brooker Engineering reviewed the application and found that the application has provided support information to demonstrate mitigation of increases to peak stormwater runoff rates can be achieved and therefore recommends that the Brightview Senior Living Site Plan be approved for drainage subject to the following comments:

This is the first drainage review report to the Planning Board for this project. The project is for two separate applications; one for the American Legion parking improvements and one for the Brightview Senior Housing project. With respect to drainage, the two applications are potentially distinct in terms of constructability; however, since the drainage report and site plans were prepared in a combined manner the Drainage Consultant has prepared its drainage review response in a combined manner.

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Continuation of Condition #18...

The Brightview development is located on a ridge southwest of the intersection of Hunt Road and Orangeburg Road and the majority of stormwater runoff from the site flows northwest toward Lake Tappan. There is a large well-draining natural depression along the ridge that, when combined with the dense woods and ground cover, results in nominal surface runoff from the site under existing conditions. The drainage report models this low surface runoff under existing conditions in a suitable manner which results in a conservative drainage design.

Five different drainage design points of interest are analyzed with respect to potential impacts for drainage. Three of these design points utilize stormwater infiltration to provide no surface water runoff under proposed conditions. An overall net decrease in peak flow rates from the property are demonstrated by the stormwater management report.

Project Comments

1. While the overall site shows a reduction in peak runoff rates, Design Points 1 and 2 show a modest increase in peak runoff rates. The capacity of the downstream areas receiving this stormwater runoff shall demonstrate that an increase in peak runoff rates at these locations will not have any negative impact. Alternately, it appears that drainage subarea PDA-5 (which is a portion of the access road to the American Legion Field) can be easily diverted to the infiltration basin and the drainage area at this location can be reduced for proposed conditions.
2. The infiltration basins infiltrate the entire design storm. Peak stage in each basin shall be verified to ensure that no catch basins that feed the system are surcharged. It is recommended that an overflow area for each infiltration basin be identified and incorporated into the drainage design in the event the system is clogged.
3. Plan views of each of the infiltration basins shall be included in the detail sheet.
4. The drainage report shall demonstrate that the storm drainage system has the capacity to convey the peak flows to the infiltration basins.
5. The Site Plans shall note if the proposed building is slab on grade or if a basement is proposed. If a basement is proposed, the footing drain shall be added to the Site Plan.
6. Additional detail is needed for the access road to Hunt Road. The design calls for a cross slope to the north to direct runoff to a grassy swale north of the new road. A section shall be provided through this area, including the cross slope and grassy swale dimensions. The intent and function of this swale needs to be shown more clearly on the plan to ensure proper construction and avoid runoff from the road bypassing the swale and entering Hunt Road.

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Continuation of Condition #18...

7. The catch basins shall use hoods over the outlet pipes prior to entering the underground infiltration basins.
8. Additional soil percolation tests shall be performed at the locations of the infiltration basins.
9. Additional detail is needed along the south side of the proposed parking lot at the American Legion Fields; the drainage report shows runoff from this parking expansion to be directed to the new storm drainage system. No curbs are proposed in this area and it appears that some areas of the new parking lot will bypass the storm drainage system. It also appears that stormwater runoff may be directed to the wood frame building with a FFE of 84.37; additional grading shall be provided in this area.

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

- A separate layout shall be prepared and attached to the Brightview application for consideration aside from what is shown. Details and Partial Plans could be cross-referenced. This project is considered as a separate entity with a project name of its own. The major considerations in common with the Senior living project are the access driveway and the traffic impact.
- A Rockland County work permit is required for the proposed development and must be obtained prior to any construction on site.

20. Rockland County Department of Health (RCDOH) reviewed the plans and offered the following comment:

- Application is to be made to RCDOH for review of the Storm Water Management System for compliance with the County Mosquito Code.

21. 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.

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

- Town of Orangetown Zoning Board of Appeals
- Rockland County Department of Health
- Rockland County Sewer District No. 1
- Rockland County Department of Highways
- New York State Department of Environmental Conservation

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

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

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

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

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

26. 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.

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27. 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.

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

29. 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).

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

31. 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

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

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33. 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.

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

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 9, 2015
Cheryl Coopersmith
Chief Clerk Boards and Commissions
Town of Orangetown Planning Board
attachment



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

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This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION: American Legion Site Plan –Parking Plan

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

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 61 Hunt Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 2; in the R-80 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

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