

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

Members Present: Kevin Garvey, Chairman; William Young; Michael Mandel; Robert Dell; Bruce Bond and Thomas Warren

Member Absent: None

Also Present: John Giardiello, P.E., Director, Office 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:

Walgreens Resubdivision Plan **PB #14 - 46**
Prepreliminary/ Preliminary/ Final **Continued: Revise**
Resubdivision Plan and SEQRA Review **Traffic Study**
Route 303 Overlay Zone
77.15 / 1 / 24 & 25; CS & CO zoning districts

Continued from the May 14, 2014 Meeting:
Walgreens Site Plan **PB #14 - 24**
Prepreliminary/ Preliminary Site Plan **Continued: Revise**
and SEQRA Review **Traffic Study**
Route 303 Overlay Zone
77.15 / 1 / 24 & 25; CS & CO zoning districts

Continued item from September 10, 2014 Meeting
Skae Training Resubdivision Plan **PB #14 - 40**
Prepreliminary/ Preliminary/ Final **Preliminary**
Resubdivision Plan and SEQRA Review **Approval Subject**
76.08/ 1 / 3 & 4; LIO zoning district **to Conditions/ Neg. Dec.**

The decisions of the October 8, 2014 Planning Board Meeting were reviewed, edited, and approved. The motion for adoption was made and moved by Michael Mandel and seconded by Bruce Bond and carried as follows: William Young, aye; Kevin Garvey, aye, Thomas Warren, aye, Robert Dell, aye; Bruce Bond, aye; and Michael Mandel, aye.

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

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by and Bruce Bond and seconded by Michael Mandel and agreed to by all in attendance. The meeting was adjourned at 8:50 PM. The next Planning Board meeting is scheduled for November 12, 2014.

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

Cheryl Coopersmith
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PB #14-40: Skae Training Resubdivision Plan – Preliminary Resubdivision 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: Skae Training Resubdivision Plan: The application of Peter Skae, owner, (Donald Brenner, attorney for the owner), for a Prepreliminary/ Preliminary/ Final Resubdivision Plan Review at a site known to be known as “**Skae Training Resubdivision Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 337 – 339 Blaisdell Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 76.08, Block 1, Lot 3 & 4 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held, **Wednesday, September 10 and October 22, 2014**, at which time the Board made the following determinations:

September 10, 2014

Donald Brenner appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report, dated September 3, 2014.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 10, 2014.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 4, 2014.
4. Letters from Rockland County Department of Planning; signed by Arlene Miller, Deputy Commissioner dated August 11, 2014, and signed by Douglas Schuetz, Acting Commissioner of Planning dated August 13, 2014.
5. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated September 9, 2014.
6. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated August 6, 2014.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated August 13, 2014.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated September 3, 2014.
9. A Short Environmental Assessment Form, signed by Catherine M. Skae dated July 29, 2014.
10. Survey for Skae Training prepared by Sparaco & Youngblood, PLLC dated July 21, 2014.
11. Copies of the following decisions: PB #14-30, Conditional Use Permit Granted and Final Approval Subject to Conditions/ Neg. Dec., dated June 25, 2014 and PB #14-21, Final Site Plan Approval Subject to Conditions, dated April 9, 2014.

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The applicant requested a **CONTINUATION**.

October 22, 2014

Donald Brenner appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report, dated October 15, 2014.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated October 22, 2014.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 16, 2014.
4. A letter from Rockland County Department of Planning dated October 21, 2014 signed by Douglas Schuetz, Acting Commissioner of Planning.
5. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated October 21, 2014.
6. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated September 25, 2014.
7. Survey for Skae Training prepared by Sparaco & Youngblood, PLLC dated September 12, 2014.

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

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Bruce Bond and seconded by Michael Mandel and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; and Thomas Warren, aye, the Board declared itself Lead Agency.

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

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After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely Sparaco and Youngblood and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Sewer District No.1, Rockland County Department of Planning, Rockland County Department of Highways and having reviewed proposed Site Plans by prepared by Sparaco and Youngblood, a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

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

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

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DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED A PRELIMINARY RESUBDIVISION PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. The following note shall be placed on the Subdivision Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting".
2. The following note shall be placed on the Subdivision Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall remove the non-conforming residence at the south end of the property or proceed to the Town of Orangetown Zoning Board of Appeals for a Variance to keep the structure prior to the Clerk signing the Resubdivision map.
4. The Short Environmental Assessment Form (EAF) appears to be in order.
5. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
 1. As required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
 2. A review must be completed by the County of Rockland Department of Highways and all required permits obtained.
6. The Rockland County Department of Health (RCDOH) reviewed the plans and found that no RCDOH approvals are needed for this application.
7. 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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8. The Rockland County Department of Highways recommends an enlarged view on the eastern end of property be developed to clearly identify the extent of each item such as the stone wall, fence, right of ways, monument location and easement information, etc. Address of the subject property shall be shown on the drawing.

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

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

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

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

12. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Plan Approval pursuant to Town Code §21 and §6A.

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

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

Dated: October 22, 2014

Cheryl Coopersmith

Chief Clerk Boards and Commissions

attachment



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

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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: Skae Training Resubdivision Plan – Preliminary Resubdivision Plan Approval Subject to Conditions

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

DESCRIPTION OF ACTION: Resubdivision Plan

LOCATION: The site is located at 337 – 339 Blaisdell Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 76.08, Block 1, Lot 3 & 4 in the LIO zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

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