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TOWN OF ORANGETOWN PLANNING BOARD
MEETING OF FEBRUARY 28, 2007

DHS Site Plan Prepreliminary/Preliminary/Final Site Plan Amendment and SEQRA Review 74.11/2/5 LIO zone	Final Site Plan Approval Subject to Conditions Neg. Dec.	PB #07-09
Orangeburg Commons Site Plan Final Site Plan 74.15/1/21 LI zone	Continued	PB #07-19
Volunteer Fire Association of Tappan Site Plan Prepreliminary/Preliminary/Final Site Plan and SEQRA Review 77.11/3/4 CS zone	Final Site Plan Approval Subject to Conditions Neg. Dec.	PB #06-44

The decisions of the January 10, 2007 Planning Board Meeting was reviewed, edited and approved. The motion for adoption was made and moved by Kevin Garvey and seconded by Anthony Iurica and carried as follows: Bruce Bond, aye; Anthony Iurica, aye; Suzanne Barclay, aye; Robert Dell, aye; Kevin Garvey, aye, William Young, aye and John Foody, aye.

The decisions of the January 24, 2007 Planning Board Meeting was reviewed, edited and approved. The motion for adoption was made and moved by Kevin Garvey and seconded by Anthony Iurica and carried as follows: Bruce Bond, aye; Anthony Iurica, aye; Suzanne Barclay, aye; Robert Dell, aye; Kevin Garvey, aye, William Young, aye and John Foody, aye.

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

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Robert Dell, seconded by Anthony Iurica and agreed to by all in attendance. The meeting was adjourned at 11:50 P.M.

The next Planning Board meeting is scheduled for March 14, 2007.

DATED: February 28, 2007
Planning Board Town of Orangetown
Minnov07.doc.Distribution:3-4

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

Tappan Plaza Site Plan
Final Site Plan Approval Subject
To Conditions

PB #07-06
February 28, 2007

TO: Panagiotis Zacharakis
46 Route 303
Tappan, NY 10983

From: Town of Orangetown Planning Board

RE: The application of Panagiotis Zacharakis, applicant, for Orangetown Plaza, owner, for Final Site Plan Review for a Site Plan to be known as "**Tappan Plaza Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the code of the Town of Orangetown. The site is located at 37 Route 303, Tappan, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 77.15, Block 1 Lot 34 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held Wednesday, January 10 and February 28, 2007, at which time the Board made the following determinations:

January 10, 2007

Panagiotis Zacharakis appeared and testified

The Board received the following communications:

1. A Project Review Report dated January 3, 2007.
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 January 10, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated January 4, 2007.
4. A letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner, dated January 8, 2007.
5. Letters from the Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated January 5, 2007 and October 27, 2006.
6. An interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent, dated January 10, 2007.
7. A letter from the New York State Department of Transportation, signed by Mary Jo Russo, P.E., Rockland County Permit Engineer, dated December 11, 2006.

8. Copies of PB #06-83, Preliminary Site Plan Approval Subject to Conditions, dated November 8, 2006 and ACABOR #06-74, Approved with Condition, dated December 6, 2006.
9. Plans prepared by M-DIS Design Group, dated August 17, 2006:
 - Drawing A.001: Mechanical Plan, Details

The Board reviewed the plan.

The applicant requested a **CONTINUATION** in order to fulfill the requests of the Board.

February 28, 2007

Panagiotis Zacharakis, Ki Won chin, Jeffrey Liu, Anthony Bacharach's, Georgia Francis and Mitchell Zacharakis appeared and testified

The Board received the following communications:

1. A Project Review Report dated February 7, 2007.
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 February 14, 2007.
3. A letter from the New York State Department of Transportation, signed by Mary Jo Russo, P.E., Rockland County Permit Engineer, dated February 13, 2007.
4. Letters from the Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated February 26 & January 5, 2007.
5. A memorandum from M-DIS Design Group signed by Reza Khamcy, P.E., dated January 12, 2007.
6. Plans prepared by M-DIS Design Group, dated August 17, 2006, revised January 11, 2007
 - Drawing A.001: Site Plan
7. Submitted at the meeting by Anthony Zacharakis, a report entitled Tappan Plaza Site Plan, Exhibits.
8. A letter signed by Albert J. Kaiser, attorney representing Orangetown Plaza, Inc., with an attachment, dated February 21, 2007.

The Board reviewed the plan.

Public Comment:

George Dunn, Owner of "Wendy's Restaurant" located adjacent to the site, stated that the condition of the site needed an uplifting and that the elimination of the entryway closest to his restaurant would greatly impact his business.

**Final Site Plan Approval Subject
To Conditions**

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A motion was made to close the Public Hearing portion of the meeting by William Young, seconded by Kevin Garvey and carried as follows: Bruce Bond, aye, Kevin Garvey, aye, Anthony Iurica, aye, John Foody, aye, Robert Dell, aye, Suzanne Barclay, aye and William Young, aye.

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The "Title Block" shall identify the project by name and shall be placed in the lower right hand corner of the site plan.
4. The Orangetown Tax Map shall be used to create the "Vicinity Map" on the Site Plan.
5. The required parking for Building "A: should be a total of 90 spaces and 88 spaces are shown on the Site Plan. Clarify where the number of "128" for provided parking was obtained. The parking calculations shall be reviewed.
6. The dashed lot lines shown on the site plan do not correspond to the Orangetown Tax Map lots.
7. The New York State Department of Transportation had the following concerns:
 - The Plant List shall be provided on the Site Plan.
 - Provide driveway widths and radii on the Site Plans.
8. The Town shall be satisfied that any applicable portions of the Route 303 Overlay Zone requirements have been met.
9. The entire parking lot frontage along State Route 303 shall include low evergreen landscaping to help shield automobile headlights from entering the State right of way. Except for the portion of the frontage located in front of Wendy's restaurant, there are no evergreen shrubs to perform this function. The site plan submitted shows shrubbery to be installed along the entire Route 303 frontage, but no note is made as to whether these shrubs are to be evergreen or deciduous. Either the proposed Site Plan shall be revised to indicate the type of evergreen landscaping to be provided, or this information shall be provided on a separate landscape plan.

**Final Site Plan Approval Subject
To Conditions**

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10. Any additional signs that may be proposed shall conform to the Town's sign standards.

11. The direction in which the north arrow on the site plan is pointed shall be corrected.

12. A review shall be completed by the New York State Department of Transportation and any required permits obtained.

13. The Rockland County Drainage Agency (RCDA) had previously reviewed submittals by letter dated January 5, 2007 letter, requesting the following:

Typical Site Plan Note #2: Submit the approved paving plan referenced in this note for further review.

Typical Site Plan Note #11: The site plan provide does not appear to indicate the proposed yard drains to be installed. Submit to RCDA a site plan that indicates the proposed yard drains to be installed as referenced in this note for further review.

Submit to RCDA any and all site plans indicating proposed site improvements outside of the existing building footprint.

A February 26, 2007 letter from RCDA states that it has since received and reviewed information and offers the following notes and comments based on its review:

Typical Site Plan Note #2 has been deleted from the revised drawing provided to RCDA. A new Typical Site Plan Note No. 4 has been added to the revised "Establishment of Seafood Restaurant" Drawing No. 1 of 18, prepared by M-DIS Design Group, which reads as follows: "The proposed Seafood Restaurant establishment shall be commenced inside building. No work outside of building footprint will be commenced."

Typical Site Plan Note #11 has been deleted from the revised drawing provided to RCDA.

Although the drawings have been revised, and it appears that there will not be site improvements outside of the existing building footprint, a revision date has not been specified on the drawings as necessary. A revision date must be added to the drawings to distinguish them from the prior submittals.

Provide RCDA with a set of the revised drawings that include the revision date as to distinguish them from the prior submittals. RCDA will make a final determination once the requested information is received. RCDA is an interested and involved agency pursuant to SEQRA and that the RCDA has specific concerns with respect to the potential environmental impacts concerning the Sparkill Creek and affected floodplains.

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14. The applicant shall comply with all pertinent and applicable items in the Guide to the Preparation of Site Plans, prior to signing the final plans.
15. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the site plan.
16. 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.
17. 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.
18. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
19. 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).
20. Permanent vegetation cover of disturbed areas shall be established on the site within thirty (30) days of the completion of construction.
21. 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

**Final Site Plan Approval Subject
To Conditions**

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

23. The Board determined that the entrance ways to the site may remain as it presently exist, with the exception of the addition of the proposed landscaping as shown and proposed on the Site Plan. In the event there is congestion in some future time, then the applicant shall consider eliminating an entrance and reappear in front of the Planning Board for Site Plan review and approval.

The foregoing Resolution was made and moved by Kevin Garvey, seconded by Anthony Iurica and carried as follows: Bruce Bond, aye, Kevin Garvey, aye, Robert Dell, aye, Anthony Iurica, aye, Suzanne Barclay, aye, William Young, aye and John Foody, 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: February 28, 2007 13 Nov13/pbds

Planning Board BY: _____ decd.
Planning Board OBZPAE RC Planning RC Drainage RC Highway
Env. Mgt. Eng. LMS Town Board Assessor Town Attorney
PRC Supervisor

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

**Saint Catharine's Church Site Plan
Final Approval Subject to Conditions**

**PB #07-33
May 9, 2007
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TO: Robert Hoene, RA
379 Piermont Avenue
Piermont, NY 10968

FROM: Orangetown Planning Board

RE: The application of Saint Catharine of Alexandria Church, owner for Final Site Plan Review at a site to be known as "**Saint Catharine's Church Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the code of the Town of Orangetown. The site is located at 523 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.18, Block 2, Lot 7.1 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, May 9, 2007, at which time the Board made the following determinations:

Robert Hoene and Gary Musciano appeared and testified.

The Board received the following communications:

1. A Project Review Report dated May 2, 2007.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated May 9, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, Town of Orangetown, signed by Bruce Peters, P.E., Director, dated May 3, 2007.
4. A letter from HDR/LMS Consulting Engineers, signed by Harvey Goldberg, P.E., dated April 25, 2007.
5. A letter from Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning dated May 2, 2007.
6. Drainage Calculations prepared by Robert Hoene, R. A., undated.
7. Plans prepared by Robert Hoene, RA, dated March 2006, revised April 3, 2007:
 - S-1: Site Plan
 - S-2: Erosion Control Fence Detail and Partial Site Plan
8. Board Decisions: ZBA #07-33, Approved with Conditions, dated April 12, 2007, ACABOR #07-21, Approved with Conditions, dated March 20, 2007 and PB #07-14, Preliminary Approval Subject to Conditions, dated February 28, 2007.

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

1. The applicant shall comply with all applicable previous Board decisions: ZBA #07-33, Approved with Conditions, dated April 12, 2007, ACABOR #07-21, Approved with Conditions, dated March 20, 2007 and PB #07-14, Preliminary Approval Subject to Conditions, dated February 28, 2007.
2. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
3. The following note shall be placed on the Site Plan:
Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
4. The Planning Board waives the requirement of having a Professional Land Surveyor Sign and Seal the Site Plan.
5. The Zoning Bulk Table shall be placed on the Site Plan.
6. Drainage Calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval. The applicant's engineers shall design onsite storage to achieve a zero increase in runoff from the proposed site.
7. The existing sanitary house connection location shall be shown on the Site Plan.
8. The applicant's Engineer shall specify whether the Perc Rate given in the supplied drainage calculations (dated – no date is assumed or based upon a field survey. If the per rate is assumed, a field Perc Test shall be administered prior to receiving final approval for site plan, to ensure adequacy of designed drainage system. The applicant's engineer shall provide a copy of the field Perc Test to DEME and the Building Department.

9. The Drainage Consultant to the Planning Board recommends acceptance in drainage subject to the following conditions:

Calculations for sizing the drywells must be provided to demonstrate that there will be a zero net increase in runoff rate from the developed site under a 24-hr, 100-yr Type III storm. The Westchester County Method for sizing the drywells must be used. A default value for the percolation rate of 30 min per in. may be used until actual rates are determined in the field. The plan and calculations should be signed and sealed by a NY State P.E.

The drywell detail must include all dimensions and information that will permit construction including top, bottom and invert elevations, wall thicknesses, etc.

This recommendation of acceptance for drainage is based on the Applicants stated intent that existing conditions (that affect drainage) will not change. This recommendation shall be void if additional impervious areas are created or existing drainage is impacted in any way.

Although drywell calculations and details have been provided, it is noted a number of deficiencies and inconsistencies in them. The calculations assume a 5-ft total depth and 4-ft effective depth for the drywells. The total and effective depths of the drywells are determined by the top, bottom and inlet invert elevations that must be shown on the detail. When revising the calculations, the storage volume component of the drywell must be a minimum of 80% of the required capacity.

The drywell detail indicates a 3-ft wide stone layer surrounding the drywell, however, the calculations indicate "a 6-ft min. envelope of $\frac{3}{4}$ -in crushed stone with filter fabric." This shall be revised to 3-ft.

The drywell detail is difficult to read and may not be legible when reproduced for filing; it must be clear and legible. When revising the calculations, the storage volume component of the drywell must be a minimum of 80% of the required capacity.

The location of the drywells must be shown on plan Sheet S-1. The top and invert elevation of each drywell must also be shown. The plan on Sheet S-2 shows a wye configuration where the single roof drain connects to the two drywells. A junction chamber must be provided instead of the wye, or alternately, the roof drain may connect to only one drywell with a 12-in equalizing pipe between the two drywells at the bottom (a junction chamber will not be required).

The plan and calculation must be signed and sealed by a New York State Professional Engineer.

- 10.** All required permit must be obtained from the Rockland County Department of Highway prior to the start of construction.
- 11.** Prior to any grading or construction on site, a Soil and Erosion Control Plan shall be developed that meets the NYS Guidelines for Urban Erosion and Sediment Control.
- 12.** Note #3 on Sheet S-1 shall be revised to refer to Section 239 L & M of the New York State General Municipal Law.
- 13.** Based upon the Rockland County Drainage Agency's (RCDA) evaluation of available mapping and the information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is not requested based upon its review of the information provided.
- 14.** The applicant shall comply with all pertinent and applicable items in the Guide to the Preparation of Site Plans, prior to signing the final plans.
- 15.** All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.
- 16.** 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.
- 17.** 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.
- 18.** The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
- 19.** 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).

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

**Saint Catharine's Church Site Plan
Preliminary Approval Subject to Conditions
Neg. Dec.**

**PB #07-14
February 28, 2007
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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: **Saint Catharine's Church 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 523 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.18, Block 2, Lot 7.1 in the R-40 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

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

**Saint Catharine's Church Site Plan
Preliminary Approval Subject to Conditions
Neg. Dec.**

**PB #07-14
February 28, 2007
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TO: Robert Hoene, RA
379 Piermont Avenue
Piermont, NY 10968

FROM: Orangetown Planning Board

RE: The application of Saint Catharine of Alexandria Church, owner for Prepreliminary/Preliminary Site Plan Review at a site to be known as "**Saint Catharine's Church Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the code of the Town of Orangetown. The site is located at 523 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.18, Block 2, Lot 7.1 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, February 28, 2007, at which time the Board made the following determinations:

Robert Hoene and appeared and testified.

The Board received the following communications:

1. A Project Review Report dated February 7, 2007.
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 February 14, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, Town of Orangetown, signed by Bruce Peters, P.E., Director, dated February 8, 2007.
4. A letter from HDR/LMS Consulting Engineers, signed by Harvey Goldberg, P.E., dated February 2, 2007.
5. Letters from Rockland County Department of Planning, signed by Eileen Miller, dated February 7, 2007 and Salvatore Corallo, Commissioner of Planning dated February 8, 2007.
6. A letter from Rockland County Highway Department, signed by Joseph Arena, Principal Engineering Technician, dated February 5, 2007.
7. A letter from Rockland County Drainage Agency, Division of the Highway Department, signed by Edward Devine, Executive Director dated January 30, 2007.

8. A letter from the Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated January 31, 2007.
9. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., dated January 16, 2007.
10. A letter signed by William Mowerson, Zoning Board of Appeals, Town of Orangetown, dated January 11, 2007.
11. A Short Environmental Assessment Form, signed by Robert Hoene, RA. dated January 4, 2007.
12. A Project Description dated January 2, 2007 prepared by Robert Hoene, R.A. and Plans prepared by Robert Hoene, RA., Robert Torgersen, LA, Thomas Rarisi, P.E and John Gilson, P.E., dated March 2006, revised as noted:
 - S-1: Site Plan and Details, revised November 28, 2006
 - A-1: Front and Right Side Elevations, revised November 28, 2006
 - A-2: Left Side and Rear Elevations, revised March 28, 2006
 - A-3: Foundation Plan and First Floor Plan, revised March 28, 2006
 - A-4: Second Floor Plan and Details, revised March 28, 2006
 - A-5: Attic Roof Plan and details, revised October 16, 2006
 - A-6: Wall Section and Cross Section, Elevator Detail revised October 16, 2006
 - A-7: General Notes revised October 16, 2006

The Board reviewed the plan.

The hearing was then opened to the Public. There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by John Foody seconded by Anthony Iurica and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, John Foody, aye, William Young, aye, Robert Dell, aye, Suzanne Barclay, aye, and Kevin Garvey, 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 Kevin Garvey, seconded by Bruce Bond and carried as follows: Bruce Bond, aye, John Foody, aye, Kevin Garvey, aye, William Young, aye, Robert Dell, aye, Anthony Iurica, aye and Suzanne Barclay, aye, the Board declared itself as Lead Agency.

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:

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

On motion by Kevin Garvey, seconded by Bruce Bond and carried as follows: Bruce Bond, aye, John Foody, aye, Kevin Garvey, aye, William Young, aye, Robert Dell, aye, Anthony Iurica, aye and Suzanne Barclay, aye, the Board made a Negative Declaration.

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 Site Plan shall be signed and sealed by both a Professional Land Surveyor and a Professional Engineer or a Professional Architect.
2. A Zoning Bulk Table shall be placed on the Site Plan.
3. The Town of Orangetown Zoning Board of Appeals has recently made the decision that all pre-existing bulk requirements for a property undergoing a change, needs review and approval of the existing nonconforming bulk requirements. The following items need Zoning Board of Appeals approval:

<u>Variance</u>	<u>Required Ft.</u>	<u>Existing Ft.</u>	<u>Proposed Ft.</u>
Minimum Front Yard (Group F, Column 8)	50	19	
Minimum Side Yard (Group F, Column 9)	30	12.7	13

The Maximum Height allowed is 8' feet from the property line. Therefore, 8.67 feet is allowed and (?) is proposed. The architect needs to supply the dimensions for each elevation view in order to determine the proposed height. (Group F, Column 12)

The Rockland County Department of Planning requests the opportunity to review any variances that may be requested from the Orangetown Zoning Board of Appeals in order to implement this Site Plan

4. Drainage Calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval. The applicant's engineers shall design onsite storage to achieve a zero increase in runoff from the proposed site.

5. The existing sanitary house connection location shall be shown on the Site Plan.

6. The datum for the contours shall be given on the Site Plan. Also, a note shall be added to the Site Plan, indicating the source benchmark for the referenced datum, including the BM elevation.

7. The Drainage Consultant to the Planning Board recommends acceptance in drainage subject to the following conditions:

Calculations for sizing the drywells must be provided to demonstrate that there will be a zero net increase in runoff rate from the developed site under a 24-hr, 100-yr Type III storm. The Westchester County Method for sizing the drywells must be used. A default value for the percolation rate of 30 min per in. may be used until actual rates are determined in the field. The plan and calculations should be signed and sealed by a NY State P.E.

The drywell detail must include all dimensions and information that will permit construction including top, bottom and invert elevations, wall thicknesses, etc.

This recommendation of acceptance for drainage is based on the Applicants stated intent that existing conditions (that affect drainage) will not change. This recommendation shall be void if additional impervious areas are created or existing drainage is impacted in any way.

8. Prior to any grading or construction on site, a Soil and Erosion Control Plan shall be developed that meets the NYS Guidelines for Urban Erosion and Sediment Control.

9. Note #3 on Sheet S-1 shall be revised to refer to Section 239 L & M of the New York State General Municipal Law.

10. The Rockland County Department of Highway reviewed the plans and offered the following comments:

The Site Plan shall clearly demonstrate the Designated Street Line and Existing right of way along Western Highway. The applicant shall consider an offer of gratuitous Dedication to the County of Rockland for any area that exists between the Designated Street Line and right of way along Western Highway.

The Site Plan shall indicate the details and location for a temporary construction entrance to prevent the tracking of mud and debris into the county roadway.

In compliance with Highway Law Section 136 and General Municipal Law Section 239K, a Rockland County Highway Department Work Permit will be required for the proposed construction within 500 feet of the County right of way, and must be secured prior to the start of any excavation or construction on site.

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

12. Based upon the Rockland County Drainage Agency's (RCDA) evaluation of available mapping and the information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is not requested based upon its review of the information provided.

13. Rockland County Department of Health approval is not needed for this project.

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

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

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

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

17. 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.

18. 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.

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

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

**Saint Catharine's Church Site Plan
Preliminary Approval Subject to Conditions
Neg. Dec.**

**PB #07-14
February 28, 2007
Page 7 of 7**

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: **Saint Catharine's Church 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 523 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.18, Block 2, Lot 7.1 in the R-40 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
- Applicant
- Town Supervisor
- Involved Agencies

PLANNING BOARD DECISION

**The Church of Saint Aedan Site Plan
Final Site Plan Approval Subject**

**PB #07-15
February 28, 2007**

TO: Brian Aitchison
DCAK Architecture
10 South Broadway
Nyack, NY 10960

From: Town of Orangetown Planning Board

RE: The application of Brian Aitchison, applicant, for Church of Saint Aedan, owner, for Final Site Plan Review for the construction of classroom addition to an existing parish center at a site known as "**The Church of Saint Aedan Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the code of the Town of Orangetown. The site is located at 23 Reld Drive, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 69.09, Block 4 Lot 7 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, February 28, 2007, at which time the Board made the following determinations:

Drazen Cackovic and Steven Gamelsky appeared and testified

The Board received the following communications:

1. A Project Review Report dated February 7, 2007.
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 February 7, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated February 8, 2007.
4. A letter from HDR/LMS, signed by Harvey Goldberg, P.E., dated February 1, 2007.
5. A letter from the Rockland County Department of Highways, signed by Peter Euler, Senior Engineering Technician, dated January 29, 2007.
7. Copy of ACABOR #06-75, Approved with Conditions, dated December 5, 2006 and PB #06-82, Preliminary Site Plan Approval Subject to Conditions, dated November 8, 2006.
8. A letter from the GEA Group signed by Steven Gamelsky, NYSPE, President, dated December 18, 2006.
9. Plans prepared by the GEA Group, dated July 28, 2006, revised January 3, 2007:
 - Site Plan
 - Stormwater Management, Utility Grading and Erosion Control Plan
 - Stormwater Management & Erosion Control Plan

The Board reviewed the plan.

The hearing was then opened to the Public. There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by John Foody seconded by Anthony Iurica and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, John Foody, aye, William Young, aye, Robert Dell, aye, Suzanne Barclay, aye, and Kevin Garvey, aye.

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

1. The Site Plan shall be signed and sealed by **both** a Professional Land Surveyor and a Professional Engineer.
2. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
3. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
4. The drainage calculations are currently under review by DEME.
5. A maintenance agreement for the proposed stormwater system shall be submitted to DEME and the Town Attorney's office for review and approval in substance and form. 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.
6. The Drainage Consultant to the Planning Board recommends acceptance for drainage subject to the following condition:
The inlet pipes between the 36" piped detention system and the roof drains have been increased in size to 12 -in diameter. However, the plan contains a label that indicates a 6-in HDPE pipe instead of 12-in at the northwest corner of the proposed building addition. This inconsistency must be corrected.
7. The Rockland County Department of Highways has reviewed the plans and information and found that the proposed action would have no foreseeable adverse effect upon county roads in the area.

To Conditions

8. Based upon the Rockland County Drainage Agency's (RCDA) evaluation of available mapping and the information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is not requested based upon its review of the information provided. However, the Town of Orangetown land use board(s) should carefully review the proposal for its potential off-site impacts due to the close proximity of the site to a tributary (Brunard Ditch) to the Nauraushaun Brook and the designated flood plain.

9. The following note shall be placed on the Site Plan:

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

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

One (1) foot radius from trunk per inch DBH

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

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

10. 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.

11. 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.

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

13. 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).

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

15. 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

16. The Planning Board shall retain continuing jurisdiction over on site parking, lighting, landscaping, signs.

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

18. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the site plan.

The foregoing Resolution was made and moved by Kevin Garvey seconded by John Foody and carried as follows: Bruce Bond, aye, Kevin Garvey, aye, Robert Dell, aye, Anthony Iurica, aye, Suzanne Barclay, aye, William Young, aye and John Foody, 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: February 28, 2007 1-5 feb 28/pbds

Planning Board BY: _____ decd.
Planning Board OBZPAE RC Planning RC Drainage RC Highway
Env. Mgt. Eng. LMS Town Board Assessor Town Attorney
PRC Supervisor

TO: Justin Lim, P.E.
Leonard Jackson Associates
26 Firemens Memorial Drive
Pomona, NY 10970

FROM: Orangetown Planning Board
RE: The application of Reverend Moses Yang, applicant for Chinese Evangelical Church, Inc., owner for Prepreliminary/Preliminary Site Plan Amendment Review at a site to be known as "**Chinese Evangelical Church Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the code of the Town of Orangetown. The site is located at 456 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 69.05, Block 1, Lot 2 in the CO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, February 28, 2007, at which time the Board made the following determinations:

Justin Lim and appeared and testified.

The Board received the following communications:

1. A Project Review Report dated February 7, 2007.
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 February 14, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, Town of Orangetown, signed by Bruce Peters, P.E., Director, dated February 8, 2007.
4. A letter from HDR/LMS Consulting Engineers, signed by Harvey Goldberg, P.E., dated February 1, 2007.
5. Letters from Rockland County Department of Planning, signed by Eileen Miller, and Salvatore Corallo, Commissioner of Planning dated January 10, 2007.
6. A letter from Rockland County Highway Department, signed by Joseph Arena, Principal Engineering Technician, dated February 5, 2007.
7. A letter from Rockland County Drainage Agency, Division of the Highway Department, signed by Edward Devine, Executive Director dated December 29, 2006.

8. A letter from the Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated January 31, 2007.
9. A letter from the Rockland County Department of Health, signed by Scott McKane, P.E., dated December 26, 2006.
10. A letter signed by William Mowerson, Zoning Board of Appeals, Town of Orangetown, dated January 11, 2007.
11. A Short Environmental Assessment Form, signed by Justin Lim, PE. dated December 11, 2006.
12. A Project Description dated December 12, 2006 prepared by Leonard Jackson Associates.
13. Drainage Analysis prepared by Leonard Jackson Associates dated December 12, 2006.
14. Plans prepared by Leonard Jackson Associates dated October 30, 2006:
 - 1 of 4: Layout Plan
 - 2 of 4: Grading, Drainage and Utility Plan
 - 3 of 4: Erosion Control, Landscaping and Lighting Plan
 - 4 of 4: Construction Details

The Board reviewed the plan.

The hearing was then opened to the Public. There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by John Foody seconded by Anthony Iurica and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, John Foody, aye, William Young, aye, Robert Dell, aye, Suzanne Barclay, aye, and Kevin Garvey, 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 Kevin Garvey, seconded by Bruce Bond and carried as follows: Bruce Bond, aye, John Foody, aye, Kevin Garvey, aye, William Young, aye, Robert Dell, aye, Anthony Iurica, aye and Suzanne Barclay, aye, the Board declared itself as Lead Agency.

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:

Neg. Dec.

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

On motion by Kevin Garvey, seconded by Bruce Bond and carried as follows: Bruce Bond, aye, John Foody, aye, Kevin Garvey, aye, William Young, aye, Robert Dell, aye, Anthony Iurica, aye and Suzanne Barclay, aye, the Board made a Negative Declaration.

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 Site Plan shall be signed and sealed by both a Professional Land Surveyor and a Professional Engineer or a Professional Architect.
2. The applicant is proposing a new parking lot layout. The existing building is not being expanded. At the PRC meeting, the applicant indicated that 100 seats exist at the church; therefore, the minimum number of parking spaces required is 100 seats divided by 5 seats which equal 20 parking spaces. Therefore, the total number of required parking spaces should be changed on the plans to reflect 20 parking spaces.
3. The Town of Orangetown Architecture and Community Appearance Board of Review shall review the new parking plan for lighting and landscaping.
4. The Short Environmental Assessment Form appears to be in order.
5. The applicant shall consider having a single entrance into and a single exit out of the site along Sergeant Amory Avenue.
6. Both driveways appear to be too wide. The driveway shall be reduced to 20 feet wide.
7. Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval.
8. The proposed grading around the new parking area, along the property line of Lot #69.05/1/10 appears to go right along the property line itself. The applicant's engineer shall consider "pulling" the regarding in off o f the property line or proposing a small retaining wall, to avoid the regarding all together for that area.

Neg. Dec.

9. The Drainage Consultant recommends acceptance for drainage subject to the following conditions:

Provide a total of six 8-ft diameter by 10-ft deep drywells instead of four with a 3-ft stone surround instead of 1-ft. The drywells shall all be interconnected with a 15-in minimum equalizing pipe. The last drywell shall have an overflow pipe discharging to the existing storm drain in North Middletown Road.

Calculations for sizing the proposed on site storm sewer system must be provided (100 yr design storm) along with a hydraulic profile of the entire system.

Provide an existing condition plan showing the existing the existing drainage features and drywells.

Due to the pipe entry angles, it does not look like a standard structure will suffice at Catch Basin CI-3. Provide a detail for this structure drawn to scale showing all pipes in their correct orientation.

Parking lot drainage is shown entering directly into Drywell #1. It is recommended that this drywell be moved and a typical catch basin with sump and trap be provided at this location. The catch basin shall then discharge to the drywell via a drainage pipe.

10. Updated lighting and signage plans shall be provided and demonstrate that all applicable Town requirements will be met. The lighting plan shall include field of illumination and demonstrate that no site light will shine into the County highway. Also, the symbol in the luminaries schedule (RM) is the same as the symbol for the red maple in the plant list; this discrepancy must be corrected.

11. There shall be no net increase in stormwater runoff from the site.

12. Prior to any grading or construction on site, Soil Erosion and Sediment Soil Erosion and Sediment Control Plans and details shall be submitted to the Town of Orangetown Department of Environmental Management and Engineering for review and approval. The Soil Erosion and Sediment Control Plan shall meet the NYS Guidelines for Urban Erosion and Sediment Control.

13. 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.

14. The fire department connections shall be designated on the Site Plan and dept clear of easy access by the emergency response vehicles.

15. The Rockland County Department of Planning requests the opportunity to review any variances that may be requested from the Town of Orangetown Zoning Board of Appeals in order to implement this Site Plan.

16. Clarification is requested by the Rockland County Department of Highway regarding the drywell design. It appears that the invert in for drywell #1 is lower than the invert out. The Highway Department questions how drywell #4 relates to the function of drywells #2 and #3.

17. Percolation tests shall be performed at the proposed bottom elevation of the drywells. A copy of the drainage calculation prepared for this project shall be provided to the Highway Department.

18. A Rockland County Highway Department Work Permit will be required for the proposed construction adjacent to the County right of way and must be secured prior to the start of any construction or excavation on site. The applicant shall be aware that under the Drainage Section of the Rockland County Highway Department Standard Specifications, revised by the County Highway Department in November 2005, a Drainage Maintenance Fee of \$500.00 per legal tax lot will be imposed on each subdivision and/or site plan.

19. Based upon the Rockland County Drainage Agency's (RCDA) evaluation of available mapping and the information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is not requested based upon its review of the information provided.

20. 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.

21. The Rockland County Department of Health reviewed the plans and found that the proposed stormwater management system will need to be reviewed against Article XIX-Mosquito Control, of Rockland County Sanitary Code. The applicant's engineer should contact the Rockland County Department of Health.

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

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

23. The applicant shall comply with all pertinent and applicable 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.

25. 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.

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: **Chinese Evangelical Church 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 456 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 69.05, Block 1, Lot 2 in the CO 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
- Applicant
- Town Supervisor
- Involved Agencies

