

**TOWN OF ORANGETOWN PLANNING BOARD
MEETING OF JANUARY 14, 2009**

MEMBERS PRESENT:

Robert Dell, Chairperson; Bruce Bond, Vice-Chairperson; Kevin Garvey; Jeffrey Golda; William Young; John Foody and Andy Stewart

MEMBERS ABSENT: None

ALSO PRESENT: John Giardiello, Director, Department of Building, Zoning , Planning Administration and Enforcement, Robert Magrino, Deputy Town Attorney, Richard Pakola, Deputy Town Attorney, Ann Marie Ambrose, Stenographer and Gina Reynolds, Clerk

Robert Dell, Chairperson called the meeting to order at 7:35 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:

- | | | |
|--|---|-------------------|
| Orangetown Jewish Center Site Plan
Recommendation to the Town Board
to Release the Performance Bond
74.14/1/4; R-15 zoning district | Recommended
to the Town Board | PB #09-01 |
| Lowe's Garden Center Site Plan
Prepreliminary/Preliminary Site Plan
and SEQRA Review
74.15/1/3 & 4; LI zoning district | Continued: Revise
Plans | PB #09-02 |
| Verizon Wireless Communication Plans
Prepreliminary/Preliminary Site Plan
and Special Permit Review
78.05/1/10; CS zoning district | Continued: Revise
Plans | PB #09-03 |
| Continued Item from the July 9, 2008 Meeting
Pre-School Playhouse Expansion Site Plan
Prepreliminary/Preliminary Site Plan
And SEQRA Review
70.14/2/32; R-15 zoning district | Postponed to
April 6, 2009 Meeting | PB #08- 38 |
| The Promenade Assisted Living
Facility Site Plan
Prepreliminary/Preliminary Site Plan
and SEQRA Review
73.05/1/53.1; PAC zoning district | Continued to
January 28th Meeting
for Drainage Review | PB #08-55 |

Biondi Site Plan

Amendment to Preliminary Site Plan Approval
PB #06-31, dated April 26, 2006 and
SEQRA Review, Critical Environmental Area
75.05/1/13; R-22 zoning district

PB #08-50

**Amendment to PB#6-31;
Preliminary Site
Plan Approval Subject
to Conditions/Neg. Dec.**

Other Business

- 1) The decisions of the December 10, 2008 Planning Board Meeting was reviewed, edited and approved. The motion for adoption was made and moved by Bruce Bond and seconded by Kevin Garvey and carried as follows: Robert Dell, aye; Kevin Garvey, aye; Bruce Bond, aye; Jeffrey Golda, aye; John Foody, aye; Andy Stewart, aye and William Young, aye.
- 2) A motion was made by Kevin Garvey to elect in Bruce Bond as Vice Chairperson, second by William Young and carried as follows: Robert Dell, aye; Kevin Garvey, aye, Bruce Bond, aye; Andy Stewart, aye; Jeffrey Golda, aye, John Foody, aye and William Young, aye.
- 3) The Board gave Robert Dell the authority to write a letter of thanks to Anthony Iurica for his years of service to the Town of Orangetown Planning Board.

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 Kevin Garvey and seconded by Bruce Bond and agreed to by all in attendance. The meeting was adjourned at 10:05 p.m. The next Planning Board meeting is scheduled for January 28, 2009.

DATED: January 14, 2009

Planning Board Town of Orangetown
Cheryl Coopersmith, Chief Clerk

**PB #09-01-TOWN OF ORANGETOWN PLANNING BOARD DECISION;
Orangetown Jewish Center Site Plan– Recommendation to the Town Board
to Release the Performance Bond
January 14, 2009
Page 1 of 2**

TO: Donald Brenner, 4 Independence Avenue, Tappan, NY
FROM: Orangetown Planning Board

Orangetown Jewish Center Site Plan: The application of Donald Brenner, applicant for the Orangetown Jewish Center, owner, (Donald Brenner, Attorney), for the Recommendation to the Town Board to Release the Performance Bond in the amount of \$21,156.00, at a site known as “**Orangetown Jewish Center 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 8 Independence Avenue, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.14, Block 1, Lot 4 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, January 14, 2009**, at which time the Board made the following determination:

Donald Brenner appeared and testified for the applicant.

The Board received the following communications:

1. PRC Report dated January 7, 2009.
2. An interdepartmental memorandum signed by John Giardiello, P.E., Director of the Office of Building, Zoning and Planning Administration and Enforcement, Town of Orangetown, dated January 14, 2009.
3. An interdepartmental memorandum signed by Ronald Delo, P.E. BCEE, Director, Town of Orangetown Department of Environmental Management, dated November 25, 2008 and James Dean, Superintendent of Highways, dated December 11, 2008.
4. PB #02-130, Recommendation to the Town Board to Establish the Performance Bond, dated October 9, 2002.

The Board discussed the Release of the Performance Bond.

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 Kevin Garvey and seconded by Bruce Bond and carried as follows:
Bruce Bond, aye; John Foody, aye; Jeffrey Golda, aye; William Young, aye, Andy Stewart, aye; Robert Dell, aye and Kevin Garvey, aye.

**PB #09-01-TOWN OF ORANGETOWN PLANNING BOARD DECISION;
Orangetown Jewish Center Site Plan– Recommendation to the Town Board
to Release the Performance Bond
January 14, 2009
Page 2 of 2**

RECOMMENDATION: In view of the foregoing, the Board **RECOMMENDED** to the Town Board to **RELEASE** the Orangetown Jewish Center Site Plan – Performance Bond.

The foregoing Resolution was made and moved by Kevin Garvey and seconded by Bruce Bond and carried as follows: Bruce Bond, aye; aye; William Young, aye; John Foody, aye; Jeffrey Golda, aye; Robert Dell, aye; Andy Stewart and Kevin Garvey, 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: January 14, 2009, PLANNING BOARD

Planning Board OBZPAE
Env.Mgt.Eng.
Supervisor

RC Planning
Town Board
PRC

RC Drainage
Assessor
HDR

RC Highway
Town Attorney

**PB #08-50 – TOWN OF ORANGETOWN PLANNING BOARD DECISION
January 14, 2009**

**Biondi Site Plan – Amendment to PB#6-31; Preliminary Site Plan Approval
Subject to Conditions; Neg. Dec.; Critical Environmental Area
Page 1 of 8**

TO: Ken DeGennaro, P.E.; Brooker Engineering; 76 Lafayette Avenue;
Suffern, New York 10901

FROM: Orangetown Planning Board

RE: Application of Bruno Biondi, owner, for an Amendment to Preliminary Site Plan Review, PB #06-31, for a site known as “**Biondi Site Plan**”, and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act for a site located in the Critical Environmental Area, 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 311 Tweed Boulevard, Upper Grandview, New York. Tax Map:75.05/1/13; R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, January 14, 2009** and at which time the Board made the following determinations:

Kenneth DeGennaro and Donald Brenner appeared and testified.

The Board received the following communications.(Application was scheduled to appear at the September 10, 2008 meeting and was postponed by applicant).

1. Project Review Report dated January 7, 2009.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated January 14, 2009.
3. A letter from HDR signed by Harvey Goldberg, PE, dated January 2, 2009.
4. A letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner, dated January 12, 2009.
5. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated January 9, 2009.
6. A letter from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated December 16, 2008.
7. Letters from New York State Department of Transportation, signed by Mary Jo Russo, PE, Rockland County Permit Engineer, dated December 2, 2008 and January 5, 2009.
8. A letter from the Village of Piermont, signed by Christopher Sanders, Mayor, dated December 26, 2008.

**PB #08-50 – TOWN OF ORANGETOWN PLANNING BOARD DECISION
January 14, 2009**

**Biondi Site Plan – Amendment to PB#6-31; Preliminary Site Plan Approval
Subject to Conditions; Neg. Dec.; Critical Environmental Area
Page 2 of 8**

9. A letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated April 15, 2008.
10. A letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated December 9, 2008, with the following plans attached: Brooker Engineering, dated November 1, 2005, revised December 8, 2008:
 - Drawing 1: Title Sheet
 - Drawing 2: Plot Plan
 - Drawing 3: Cross Sections
 - Drawing 4: Details
 - Drawing 5: Drainage and Edge of Pavement, dated November 16, 2006
11. A Short Environmental Assessment Form signed by Bruno Biondi, dated July 7, 2008.
12. Copies of PB #07-17, Denied Final Site Plan Approval, April 11, 2007, ZBA #06-101, Approved as Modified, dated October 4, 2006, ACABOR #07-04, Approved with Conditions, dated January 16, 2007 and PB #06-31, Preliminary Site Plan Approval Subject to Conditions, dated April 26, 2006.
13. A letter from the Zoning Board of Appeals, Town of Orangetown, signed by William Mowerson, Chairperson, dated July 22, 2008.

Public Comments:

James Goodrich: 125 Tweed Boulevard: raised concerns regarding the drainage impact of the proposed development to existing development in the area.

Bigalow Green, 240 Tweed Boulevard: expressed concerns regarding drainage impact and the architectural imbalance to other structures in the area and requested that the house be moved further north on the site.

A motion was made to close the Public Hearing portion of the meeting by Kevin Garvey and seconded by Bruce Bond and carried as follows: Bruce Bond, aye; John Foody, aye; Jeffrey Golda, aye; William Young, aye, Andy Stewart, aye; Robert Dell, 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 and seconded by Bruce Bond and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, aye; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey, aye the Board declared itself SEQRA Lead Agency.

PB #08-50 – TOWN OF ORANGETOWN PLANNING BOARD DECISION
January 14, 2009

Biondi Site Plan – Amendment to PB#6-31; Preliminary Site Plan Approval
Subject to Conditions; Neg. Dec.; Critical Environmental Area
Page 3 of 8

The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant adverse 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 adverse impact upon the environment and a DEIS will not be prepared because the proposed action does not significantly adversely affect air quality, surface or ground water quality, noise levels, drainage or existing traffic patterns. In addition, it will have no adverse impact upon the aesthetics, agricultural or cultural resources of the neighborhood and no vegetation, fauna or wildlife species will be adversely affected as a result of the proposed action. 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, there were no changes in the previous approved site and no increase in site disturbance.

On motion by Kevin Garvey and seconded by John Foody and carried as follows: Bruce Bond, aye; Andy Stewart, aye; Robert Dell, aye; John Foody, aye; William Young, aye; Jeffrey Golda, aye; and Kevin Garvey, aye the Board made a Negative Declaration.

DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED AN AMENDMENT TO PB#06-31; THE 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. The following note shall be placed on the Site 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.

**PB #08-50 – TOWN OF ORANGETOWN PLANNING BOARD DECISION
January 14, 2009**

**Biondi Site Plan – Amendment to PB#6-31; Preliminary Site Plan Approval
Subject to Conditions; Neg. Dec.; Critical Environmental Area
Page 4 of 8**

3. The following variances need to be sought from the Town of Orangetown Zoning Board of Appeals:

<u>Variance</u>	<u>Required/Allowed</u>	<u>Provided</u>	<u>Proposed</u>
Minimum Lot Area (R-22, Column 5)	22,500 sq. ft.	18,905.0 sq.ft.	
Maximum Floor Area Ratio (R-22, Column 4)	0.20		0.257
Minimum Front Yard (R-22, Column 8)	40 ft.		19.9 ft.
Maximum Building Height (R-22, Column 12)	14.92 ft.		18.9 ft.

The Rockland County Department of Planning requests the opportunity to review any zoning variances that may be needed to implement the Site Plan as its required under New York State General Municipal Law Section 239-m(3)(a)(v).

4. The Short Environmental Assessment Form, Item #8 needs to be answered "No" and the Zoning Board of Appeals variances described.

5. A letter from the Village of Piermont shall be provided to the Town of Orangetown Planning Board allowing the construction access to be created on the property located in the Village of Piermont.

6. The Drainage Consultant to the Planning Board found that based upon its review of the current submittal (submittal consists of five drawings numbered 1-5 last revised December 8, 2008, a letter from NYSDOT dated December 2, 2008, and a letter from Brooker Engineering dated December 9, 2008) the consultant recommended acceptance for drainage without conditions.

7. The concerns expressed in the undated letter from the Village of Piermont mayor regarding the subject site plan shall be addressed.

8. The concerns expressed in the September 4, 2008 letter from the Rockland County Highway Department shall be addressed and all required permits obtained.

9. The application shall comply with the conditions noted in the December 2, 2008 letter from the New York State Department of Transportation and obtain all required permits.

PB #08-50 – TOWN OF ORANGETOWN PLANNING BOARD DECISION
January 14, 2009

Biondi Site Plan – Amendment to PB#6-31; Preliminary Site Plan Approval
Subject to Conditions; Neg. Dec.; Critical Environmental Area
Page 5 of 8

10. 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.

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

12. A review shall be completed by the Rockland County Health Department for the proposed well and septic tank.

13. The Rockland County Department of Planning requests the opportunity to review any zoning variances that may be needed to implement the Site Plan as its required under New York State General Municipal Law Section 239-m(3)(a)(v).

14. Notes addressing the following issues shall be added to the Site Plan: "The architectural design incorporates gables and other means of breaking up the horizontal lines of the structure, as well as the use of a buff/khaki blend stucco and heather blend roof shingles, both earth tone colors."

15. The Rockland County Department of Highway had the following comments:

It is pleased to learn that NYSDOT has determined that there is sufficient capacity on State Highway 9W below the subject property to handle the proposed off-site drainage.

A temporary traffic control plan shall be developed and submitted to Rockland County Highway for review and approval prior to the issuance of construction permit from the Rockland County Highway.

For the profile along Tweed Boulevard, the existing Catch Basin, Retaining Walls and proposed Guide Rail information at the immediate vicinity shall be indicated on the Site Plan. Width of not less than 10 feet at the driveway turn around area shall be shown on the Site Plan. The Guide Rail detail shown on drawing 4 shall be labeled in feet and inches.

16. Rockland County Health Department approval will be needed for the subsurface disposal system and the well. The applicant's engineer will need to show all existing wells and both the location of existing disposal systems on the adjoining properties and the type (seepage pit, bed, etc) of system. These items are critical in determining if a new well can be sited on the subject property. In addition, approval of the stormwater management system will need to be obtained from the County's Bureau of Mosquito control.

17. The New York State Department of Transportation (NYSDOT) has reviewed the most recent site plan and drainage calculations for the site. The report indicates that there is sufficient capacity in the state drainage system to handle the proposed condition and NYSDOT concurs. NYSDOT also feels the proposed configuration if constructible will be an improvement over the existing conditions. Soil boring shall be done to ensure the proposed drainage system is buildable with the existing conditions. All drainage work shall be completed prior to construction of the homes. All revisions must be reviewed by the NYSDOT. A NYSDOT Highway Work Permit will be required prior to the commencement of drainage work or temporary access to the property from Route 9W.

**PB #08-50 – TOWN OF ORANGETOWN PLANNING BOARD DECISION
January 14, 2009**

**Biondi Site Plan – Amendment to PB#6-31; Preliminary Site Plan Approval
Subject to Conditions; Neg. Dec.; Critical Environmental Area
Page 6 of 8**

18. NYSDOT requires that a note to be added to the plans requiring the drainage to be placed prior to all construction to ensure the proposed drainage system is constructible in the existing soil conditions.

19. If a Site Plan is required in the Village of Piermont, then the applicant must obtain Final Approval from the Village of Piermont prior to making application and reappearing in front of the Town of Orangetown Planning Board for Final Site Plan Approval on this application.

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

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

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

a. No construction equipment shall be parked under the tree canopy.
b. There will be no excavation or stockpiling of earth underneath the trees.
c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.

d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

One (1) foot radius from trunk per inch DBH

Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact: (1) 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. (2) Light Impacts Only – Installation of $\frac{3}{4}$ inch of plywood or boards, or equal over the area to be protected. The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

**PB #08-50 – TOWN OF ORANGETOWN PLANNING BOARD DECISION
January 14, 2009**

**Biondi Site Plan – Amendment to PB#6-31; Preliminary Site Plan Approval
Subject to Conditions; Neg. Dec.; Critical Environmental Area
Page 7 of 8**

23. 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.

24. 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.

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

26. 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).

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

28. 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

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

The foregoing Resolution was made and moved by Kevin Garvey seconded by William Young and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; John Foody, aye; Robert Dell, aye; Jeffrey Golda, aye and Kevin Garvey, 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: January 14, 2009

Planning Board OBZPAE
Env. Mgt. Eng. LMS
PRC

RC Planning
Town Board

RC Drainage
Assessor

RC Highway
Town Attorney

Supervisor

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

**PB #08-50 – TOWN OF ORANGETOWN PLANNING BOARD DECISION
January 14, 2009**

**Biondi Site Plan – Amendment to PB#6-31; Preliminary Site Plan Approval
Subject to Conditions; Neg. Dec. ; Critical Environmental Area
Page 8 of 8**

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: Biondi Site Plan- Amendment to PB#6-31; Preliminary Site Plan Approval

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: **Site Plan Review; Critical Environmental Area**

LOCATION: The site is located at 311 Tweed Boulevard, Upper Grandview, New York. Tax Map:75.05/1/13; R-22 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