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TOWN OF ORANGETOWN PLANNING BOARD
MEETING OF JANUARY 23, 2008

Continued from December 12, 2007 Meeting:
St. Thomas Aquinas College Site Plan
Prepreliminary/Preliminary Site Plan
and SEQRA Review
74.12/1/29 & 74.16/1/1; R-40 zone

Preliminary PB #07-71
Approval Subject
to Conditions/
Neg. Dec.

Continued from September 26, 2007 Meeting:
Student Bus Company Site Plan
Prepreliminary/Preliminary/Final Site Plan
and SEQRA Review
74.07/1/15; LI zone

Final Approval PB #07-55
Subject to Conditions

Other Business:

1) 2083 Center Associates Building: Section:78.09 Block:1 Lots 26 and 27
Zone LO: Prior to purchasing this building the applicant wanted to inform the Planning Board of their intended use and to assure themselves that if all performance procedures are followed that they will be able to operate as stated in their business plan. The applicant stated that discussions with the Buildings Department indicated that the permitted right to operate as a chemical research lab falls within the permitted use. There are certain performance standards (sect. 4.1) which shall be submitted as an application to the Zoning Board of Appeals for review and approval.

2) A motion was made by Robert Dell to elect in Bruce Bond as Vice Chairperson, second by Kevin Garvey, and carried as follows: Robert Dell, aye; Kevin Garvey, aye, Bruce Bond, aye; Anthony Iurica, aye; Jeffrey Golda, aye, John Foody, aye and William Young, aye.

The decisions of the January 9, 2008 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: Robert Dell, aye; Kevin Garvey, aye; Bruce Bond, aye; Anthony Iurica, aye; Jeffrey Golda, aye; John Foody, abstain and William Young, abstain.

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 Anthony Iurica, seconded by Kevin Garvey and agreed to by all in attendance. The meeting was adjourned at 10: 15 P.M.

The next Planning Board meeting is scheduled for February 13, 2008.

DATED: January 23, 2008
Planning Board Town of Orangetown

PLANNING BOARD DECISION

**Palisades Knolls Subdivision
Request for a 2nd 90-Day Extension
To File the Subdivision Plan
With the Rockland County Clerk's Office,
(also known as Carteret Estates Subdivision)**

**PB #08-04
January 23, 2008
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TO: John Atzl
Atzl, Scatassa & Zigler
234 North Main Street
New City, NY 10956

FROM: Orangetown Planning Board

RE: The application of the John Atzl, applicant, for Willow Wood Properties, owner, for a 2nd 90 day Extension to File the "**Palisades Knolls Subdivision**" with the Rockland County Clerk's Office, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown and Chapter 21 of the Code of the Town of Orangetown. The site is located at 762 Route 340, Palisades, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 77.20, Block 1, Lot 19 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, January 23, 2008, at which time the Board made the following determination:

The Board received the following communications:

1. Project Review Committee Report dated January 16, 2008.
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 23, 2008.
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering (DEME), Town of Orangetown, dated January 16, 2008.
4. PB #07-22, Final Subdivision Approval Subject to Conditions, dated March 14, 2007.
5. A letter from Atzl, Scatassa & Zigler, signed by John Atzl, PLS, dated August 29, 2007.

The Board discussed the 90 Day Extension to file the subdivision 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 Bruce Bond and seconded by Kevin Garvey and carried as follows: Robert Dell, aye; Kevin Garvey, aye; William Young, aye; Anthony Iurica, aye; John Foody, aye; Jeffrey Golda, aye; and, Bruce Bond aye.

DECISION: In view of the foregoing, the Board GRANTED a Second 90 Day Extension in time to file the Palisades Knolls Subdivision with the Rockland County Clerk's Office.

The foregoing Resolution was made and moved by Bruce Bond and seconded by John Foody and carried as follows: Robert Dell, aye; Bruce Bond, aye; Kevin Garvey, aye; William Young, aye; Anthony Iurica, aye; John Foody, aye and Jeffrey Golda, aye.

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

Dated: January 23, 2008 Planning Board

PLANNING BOARD DECISION

**Walsh Subdivision
Request for the 1st 90-Day Extension
To File the Subdivision Plan
With the Rockland County Clerk's Office,**

**PB #08-05
January 23, 2008
Page 1 of 1**

TO: Steven Bilheimer
HDR Engineering
1 Blue Hill Plaza
Pearl River, NY 10965

FROM: Orangetown Planning Board

RE: The application of the Gerald and Bonnie Walsh, owners for a 90 day Extension to File the "**Walsh Subdivision**" with the Rockland County Clerk's Office, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown and Chapter 21 of the Code of the Town of Orangetown. The site is located at 252 Townline Road, West Nyack, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 64.20, Block 1, Lot 3 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, January 23, 2008, at which time the Board made the following determination:

The Board received the following communications:

1. Project Review Committee Report dated January 16, 2008.
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 23, 2008.
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering (DEME), Town of Orangetown, dated January 16, 2008.
4. PB #07-38, Final Subdivision Approval Subject to Conditions, dated June 27, 2007.
5. A memo from Mike Bettmann, Bureau of Fire Prevention, Town of Orangetown, dated January 16, 2007.
6. A memo from Steven Bilheimer, P.E., DRR, dated January 23, 2008.

The Board discussed the 90 Day Extension to file the subdivision 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 Bruce Bond and seconded by Kevin Garvey and carried as follows: Robert Dell, aye; Kevin Garvey, aye; Bruce Bond, aye; Anthony Iurica, aye; John Foody, aye; William Young, aye; and Jeffrey Golda, aye.

DECISION: In view of the foregoing, the Board GRANTED a 90 Day Extension in time to file the Walsh Subdivision with the Rockland County Clerk's Office.

The foregoing Resolution was made and moved by Bruce Bond and seconded by John Foody and carried as follows: Robert Dell, aye; Kevin Garvey, aye, Bruce Bond, aye; Anthony Iurica, aye; John Foody, aye; Jeffrey Golda, aye; and William Young, aye.

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

Dated: January 23, 2008 Planning Board

PLANNING BOARD DECISION

**Schuyler Hills Subdivision
Request for the 1st 90-Day Extension
To File the Subdivision Plan
With the Rockland County Clerk's Office,**

**PB #08-06
January 23, 2008
Page 1 of 1**

TO: Jay Greenwell, PLS
85 Lafayette Avenue
Suffern, NY 10901

FROM: Orangetown Planning Board

RE: The application of the Pomona Panorama Estates, owners for a 90 day Extension to File the "**Schuyler Hills Subdivision**" with the Rockland County Clerk's Office, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown and Chapter 21 of the Code of the Town of Orangetown. The site is located at Schuyler Road, Blauvelt, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 65.15, Block 1, Lot 12.1, 12.2 & 12.3 in the R-80 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, January 23, 2008, at which time the Board made the following determination:

The Board received the following communications:

1. Project Review Committee Report dated January 16, 2008.
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 23, 2008.
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering (DEME), Town of Orangetown, dated January 16, 2008.
4. PB #07-39, Final Subdivision Approval Subject to Conditions, dated June 13, 2007.
5. A memo from Mike Bettmann, Bureau of Fire Prevention, Town of Orangetown, dated January 16, 2007.

The Board discussed the 90 Day Extension to file the subdivision 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 Bruce Bond and seconded by Kevin Garvey and carried as follows:

Robert Dell, aye; Kevin Garvey, aye; William Young, aye; Anthony Iurica, aye; John Foody, aye; Jeffrey Golda, aye; and, Bruce Bond aye.

DECISION: In view of the foregoing, the Board GRANTED a 90 Day Extension in time to file the Schuyler Hills Subdivision with the Rockland County Clerk's Office.

The foregoing Resolution was made and moved by Bruce Bond and seconded by Kevin Garvey and carried as follows: Robert Dell, aye; Kevin Garvey, aye; William Young, aye; Anthony Iurica, aye; John Foody, aye; Jeffrey Golda, aye; and, Bruce Bond aye.

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

Dated: January 23, 2008 Planning Board

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

**Blickman Minor Subdivision Plan
(Jacqueneay Subdivision)
Request to Amend Planning Board Decision
Regarding Roadway Maintenance Agreement**

**PB #08-07
January 23, 2008
Page 1 of 2**

TO: Robert Prior, Esq.
17 South Broadway
Nyack, NY 10960-0205

FROM: Orangetown Planning Board

RE: Request of Nancy Blickman, Trust by Victoria Jacqueneay, Trustee, owners, to **Amend the Planning Board Decision regarding the Roadway Maintenance Agreement** for the "**Blickman Minor Subdivision Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown and Chapter 21 of the Code of the Town of Orangetown. The site is located at 15 Sickletown Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 69.19, Block 1, Lot 25 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, January 23, 2008, at which time the Board made the following determinations:

Victoria Jacqueneay, Joseph Adams and Robert Prier appeared and testified.

The Board received the following communications:

1. A Project Review Report dated January 16, 2008.
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 23, 2008.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated November 9, 2007.
4. Letters dated December 12, 2007, January 7, 15 and 17 (2) signed by Joseph Adams, with attachments.

The Board discussed the request and the submitted letters.

Public Comments:

Stephen Honan, attorney for abutting property owner Christopher O'Rourke, discussed the Maintenance Easement Agreement of the November Meeting. He now learned that the agreement would now include use of the easement by Mrs. Jacqueneay to her lot. Mr. Honan believes that he was not dealt with in good faith. The roadway is for limited access not for primary access and the agreement and map note should be noted as limited access. Mr. Honan would like to see the language before the Planning Board makes its decision.

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

DECISION: In view of the foregoing, and the testimony before the Board, the applicant was GRANTED AN AMENDMENT TO THE PLANNING BOARD REQUIREMENT REGARDING THE ROADWAY MAINTENANCE AGREEMENT AND REPLACING THE NOTE ON THE PLAN WITH THE FOLLOWING LANGUAGE:

A maintenance agreement shall be established and recorded in the Rockland County Clerk's Office for the increased use of the private road on the 25' wide easement, to result from the creation of the new lot designated as Lot 25.03, between the grantor and the owner of the new Lot 25.03, but otherwise the use and maintenance of the private road shall be governed by existing easements filed of record for this road subject, however, to the condition that the portion of the private road from the driveway entrance for the new Lot 25.03 to Gilbert Avenue shall be improved by being paved prior to issuance of any Certificate of Occupancy for a residence built on that lot, and further that the duly recorded agreement, by easement or otherwise, shall specify that the new owner of Lot 25.03 shall be responsible for maintaining the referenced portion of the private road from the driveway entrance for Lot 25.03 to Gilbert Avenue, which recorded agreement shall not be deemed to impose on the new owner of Lot 25.03 any further or additional duty or obligation to maintain any other portion of that road, which is or may be subject to pre-existing recorded easements benefiting third parties.

The foregoing Resolution was made and moved by Bruce Bond and seconded by Kevin Garvey and carried as follows: Bruce Bond, aye; Kevin Garvey, aye; Anthony Iurica, nay; William Young, aye; John Foody, aye; Robert Dell, aye and Jeffrey Golda, 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 23, 2008 , Planning Board

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

**Vicente Site Plan
Preliminary Site Plan Approval
Subject to Conditions
Neg. Dec.**

**PB #07-62
January 23, 2008
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TO: Steven Gamelsky, P.E.
100 Airport Executive Park, Suite 105
Nanuet, NY 10954

FROM: Orangetown Planning Board

RE: The application of Jack Vicente, owner for Prepreliminary/Preliminary Site Plan Review to construct a two story single family dwelling with an attached two car garage, elevated walkway and fire access walkway on a vacant 0.7588 acre parcel. The Site is to be known as "**Vicente Site Plan**", 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 on the west side of Route 9W in Upper Grandview, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 71.17, Block 1, Lot 22 in the R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **October 24 and January 23, 2008**, at which time the Board made the following determinations:

October 24, 2007

Steven Gamelsky and Joaquin Vicente appeared and testified.

The Board received the following communications:

1. A Project Review Report dated October 17, 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 October 24, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated October 17, 2007.
4. A letter from HDR/LMS, signed by Harvey Goldberg, P.E., dated September 24, 2007.
5. Letters from the Rockland County Department of Planning, signed by Eileen Miller dated September 27,, 2007 and Salvatore Corallo, Commissioner of Planning, dated October 9, 2007.
6. A letter from Rockland County Department of Highways, signed by Joseph Arena, Principal Engineering Technician, dated October 1, 2007.
7. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated September 14, 2007.

8. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated September 24, 2007.
9. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated September 28, 2007.
10. A letter from the Town of Orangetown, Zoning Board of Appeals, signed by William Mowerson, Chairperson, dated September 12, 2007.
11. An interdepartmental memorandum from the Office of Parks & Recreation, Town of Orangetown, signed by Richard L. Rose, Superintendent, dated September 14, 2007.
12. Short Environmental Assessment Form dated August 9, 2007, signed by Jack Vicente.
13. A Stormwater Management Plan prepared by The GEA Group, dated January 2007.
14. Plans prepared by The GEA Group, dated July 5, 2006:
Drawing 1 of 4: Site Plan
Drawing 2 of 4: Grading, Drainage and Soil Erosion Control Plan
Drawing 3 of 4: Onsite Wastewater Treatment Plan & Details
Drawing 4 of 4: Site Work Details

Public Comment:

Ruth Josephs, 901 Route 9W, an abutting property owner, raised concerns regarding development of the site and potential water damage to the Route 9W and her property. Ms. Josephs alerted the Board to past tree cutting on the property without the appropriate permits.

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

January 23, 2008

Steven Gamelsky and Joaquin Vicente appeared and testified.

The Board received the following communications:

1. A Project Review Report dated January 16, 2008.
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 23, 2008.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated January 16, 2008.
4. A letter from HDR/LMS, signed by Harvey Goldberg, P.E., dated January 14, 2008.

5. A letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning, dated January 23, 2008.
6. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated January 10, 2008.
7. An interdepartmental memorandum from the Office of Parks & Recreation, Town of Orangetown, signed by Richard L. Rose, Superintendent, dated January 8, 2008.
8. A letter from New York State Department of Transportation, signed by Mary Jo Russo, P.E., Rockland County Permit Engineer, dated October 31, 2007
9. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael B. Bettmann, Chief Fire Inspector, dated October 30, 2007.
10. Plans prepared by The GEA Group, dated July 5, 2006, revised December 17, 2007:
 - Drawing 1 of 5: Site Plan
 - Drawing 2 of 5: Grading, Drainage and Soil Erosion Control Plan
 - Drawing 3 of 5: Onsite Wastewater Treatment Plan & Details
 - Drawing 4 of 5: Site Work Details
 - Drawing 4 of 5: Details

Public Comment:

Ruth Josephs, 901 Route 9W, an abutting property owner, raised concerns regarding drainage issues that could occur if the site was developed. The area has a history of significant drainage problems. Ms Josephs requested the Board alert any agencies that may be involved in the analysis of the site of the potential drainage problems.

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

On motion by Kevin Garvey and seconded by John Foody and carried as follows: Bruce Bond, aye; Anthony Iurica, nay; Robert Dell, nay; 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 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.
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 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.
- 4.** All property slopes over 25% shall be calculated and half of that area shall be deducted from the gross lot area to produce a net lot area. The net lot area shall be used for Zoning Bulk, such as the calculation of Floor Area Ratio, and shall be provided in the Zoning Bulk Table.
- 5.** The slope of the driveway can not exceed 10% and shall be labeled on the site plan as such. If a 10% maximum slope can not be achieved, then a variance from the Town of Orangetown Zoning Board of Appeals needs to be sought.
- 6.** A detail of the driveway shall be provided.
- 7.** The Site Plan shall indicate which drains are discharging into the Cultec chamber system (west).
- 8.** The Short Environmental Assessment Form appears to be in order.
- 9.** The Site Plan shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.
- 10.** The revised drainage calculations are currently under review by DEME. However, a post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for the proposed stormwater systems shall be submitted to DEME and the Town of Orangetown Town Attorney's Office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contact person with telephone number, yearly report to be submitted to DEME, etc.
- 11.** The location of the PERC test holes shall be clearly labeled on the Site Plan.
- 12.** The Soil Erosion and Sediment Control Plans and Details are under review by DEME.
- 13.** The proposed silt fence shall be depicted to run along the contours, not across them.
- 14.** A profile of the proposed driveway shall be provided.
- 15.** The Site Plan shall show all proposed grading, if applicable.
- 16.** The Applicant proposes to construct a new two story single family dwelling with an attached two-car garage, elevated walkway and fire access walkway on a vacant 0.7588-acre parcel on the west side of NYS Route 9W in Upper Grandview. An existing 12-ft wide paved driveway with access from Route 9W passes through the front of the site and will remain. Revised drainage calculations have been provided. In the Drainage Consultant's previous review letter dated September 24, 2007, they recommended acceptance for drainage subject to several conditions. Many of those conditions have been completely satisfied, however, the following conditions have not been satisfied or have only been partially satisfied:

Continuation of Condition #16.....

- The Cultec system has been replaced with a drywell system. The new details of the proposed drywell system must be revised, (e.g. show the OD of the stone surround as 10-ft and the OD of the drywell as 8-ft, provide an access riser with a manhole frame and cover from each drywell to grade, show at least one additional drywell in the detail, show the equalization pipes at the bottom of the drywells, label all pipes as 12-in, indicate the center to center spacing of the drywells on the plan sheet 2).
- The trench drains discharge to Rectangular MH-1 with a 24-in deep sump and a catch basin trap. The construction detail of this chamber must be revised (e.g. show the two pipes entering the side of the structure from the west in the sectional view and include the proposed inverts, switch the catch basin trap from the inlet on the north side to the outlet pipe on the south side).
- Details of the structures where the runoff in the swales enters the piped storm drainage system have been provided (Manholes MH-2 and MH-3). However, the Drainage Consultant found these details to be complicated and incomplete; they do not show sufficient detail to permit construction. The Drainage Consultant recommends that a rectangular chamber be considered to replace the proposed headwalls and round manholes. The top of the chamber shall be at the same elevation as the top of the respective swale. The notch in the wall of the chamber shall be at the same elevation as the invert of the swale and sized appropriately.
- The pipe chart table on Sheet 2 does not agree with the plan and must be revised. The letter designations on the plan are difficult to read. The pipe segment letter designations shall be replaced with structure numbers (e.g. CB-1 to CB-2). The minimum pipe sizes must be 12-in. The roof drains may remain 6-in minimum. The trench drains shall be given a letter designation (e.g. Trench Drain A). The swales can remain with letter designations at the beginning and end of each segment, but must be clearly shown on the plan and indicated as swales in the table.

- 17.** A review shall be completed by the New York State Department of Transportations and any required permits obtained.
- 18.** A review shall be completed by the Village of Grand View – Hudson and any of its concerns addressed.
- 19.** A review shall be completed by the applicable provider of fire and emergency services and any of their concerns addressed.
- 20.** 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.
- 21.** There shall be no net increase in storm water runoff from the site.
- 22.** A review shall be completed by the Rockland County Department of Health with regard to the design and permitting of the proposed on-site sewage disposal system.
- 23.** If any public water supply improvements are required, engineering plans and specification for these improvements shall be reviewed by the Rockland County Department of Health, prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.
- 24.** The Rockland County Department of Highways (Highway) reviewed the Site Plan and information and found that the project should have not foreseeable adverse effect upon County Roads in the area.
- 25.** 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.
- 26.** 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.

27. The Rockland County Department of Health (RCDOH) reviewed the revised plans through December 17, 2007 and has the following comments:

The plans for the subsurface Disposal system have not yet been approved for this site. Building permit shall not be issued until this approval has been obtained.

Application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.

Applicant's Engineer shall contact Brian Hunderfund.

28. The Board had additional conditions:

At the next Planning Board appearance, the applicant shall provide plans at one inch equals 10 foot scale;

The Terrace wall shall be in a 16 foot section; and

The applicant shall check the height of the structure with the Office of Building, Zoning, Planning Administration and Enforcement.

29. The Town of Orangetown Fire Prevention Bureau had the following conditions:

- The driveway configuration must allow for the turning of a Fire Engine.

- If the house is 3 story wood frame construction, it shall require an NFPA 13D sprinkler system.

- If the house is supplied water from a well and not United Water a storage tank for a 30 minute supply of water from the sprinkler demand must be installed. In addition, an emergency generator must be installed to assure the pump would work in the event of a power failure.

30. New York State Department of Transportation (NYSDOT) has the following comments:

The slope and dimensions of the existing driveway shall be shown on the plans.

The plans shall reference the nearest highway mile marker numbers.

As this project will impact the state drainage system, the plans shall show the size and location of all the receiving basins and drainage pipe.

The size of the proposed pipes and manhole has not been shown.

The plans show a grass swale directing all runoff west of the proposed hose down the slope to a manhole and into the NYSDOT catch basin at the south side of the existing driveway. No details or calculations have been provided. This will increase the velocity of the runoff down the hill.

While the size and slope of the swale have not been indicated, it is assumed that the steep slope will make it near impossible to maintain a grass cover and stabilize the slope. These issues need to be addressed.

Two 4 inch perforated pipes are shown for drainage behind the retaining wall. Where is the outlet for this drainage?

Engineering calculations shall be provided for the retaining wall.

As Piermont will be affected by possible increased to the drainage system, they should also have a change to review the drainage study.

31. 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 Department of Highways
- Rockland County Drainage Agency
- Rockland County Sewer District #1
- Town of Orangetown Zoning Board of Appeals
- New York State Department of Transportation

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

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

34. TREE PROTECTION: The following note shall be placed on the site plan:

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

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

One (1) foot radius from trunk per inch DBH

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

Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.

Light Impacts Only – Installation of 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.

35. 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.

36. 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.

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

38. 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).

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

40. 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

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

The foregoing Resolution was made and moved by Kevin Garvey and seconded by Bruce Bond and carried as follows: Robert Dell, nay; Kevin Garvey, aye; Bruce Bond, aye; Anthony Iurica, nay; William Young, aye; John Foody, aye and Jeffrey Golda, 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 23, 2008, Planning Board

Minority Opinion: Although the applicant made good faith effort to develop the site, additional information was needed to make a considered judgment.

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

**Vicente Site Plan
Preliminary Site Plan Approval
Subject to Conditions
Neg. Dec.**

**PB #07-62
January 23, 2008
Page 11 of 11**

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: Vicente Site Plan

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 on the west side of Route 9W in Upper Grandview, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 71.17, Block 1, Lot 22 in the 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

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

**St. Thomas Aquinas College Site Plan
Preliminary Site Plan Approval
Subject to Conditions
Neg. Dec.**

**PB #07-71
January 23, 2008
Page 1 of 13**

TO: John Atzl
Atzl, Scatassa & Zigler
234 North Main Street
New City, NY 10956

FROM: Orangetown Planning Board

RE: The application of Joseph Donini, Vice President of Administration, applicant, for St. Thomas Aquinas College, owner for Prepreliminary/Preliminary Site Plan Review to construct an addition to an existing dormitory with parking facility improvements. The Site is known as "**St. Thomas Aquinas College**", 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 125 Route 340, Sparkill, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 74.12, Block 1, Lot 29 and Section 74.16, Block 1, Lot 1 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **December 12, 2007 and January 23, 2008**, at which time the Board made the following determinations:

December 12, 2007

John Atzl, Joseph Donini, Anthony Lovino and Patrick Lambert appeared and testified.

The Board received the following communications:

1. A Project Review Report dated December 5, 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 December 12, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated December 6, 2007.
4. A letter from HDR/LMS, signed by Harvey Goldberg, P.E., dated November 21, 2007.
5. A letter from the Rockland County Department of Planning, signed by Eileen Miller dated December 3, 2007.
6. A letter from Rockland County Department of Highways, signed by Joseph Arena, Principal Engineering Technician, dated November 30, 2007.
7. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated November 6, 2007.

8. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated November 28, 2007.
9. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated November 5, 2007.
10. Letters from the New York State Department of Transportation, signed by Mary Jo Russo, Rockland County Permit Engineer, dated November 8, 2007.
11. A letter from the New York State Department of Transportation, signed by Ursus A. Idosu, SEQRA/HWP Unit, dated November 19, 2007.
12. A letter from the New York State Department of Environmental Conservation, Division of Environmental Permits, Region 3, signed by Tara Seoane, Environmental Analyst, Division of Environmental Permits, dated November 13, 2007.
13. Letters from the Palisades Interstate Park Commission, signed by Karl B. Roecker, Junior Landscape Architect, dated November 26, 2007.
14. A letter from the John Paulding Engine Company #1, Sparkill-Palisades Fire District, signed by John Bruen, Chief, dated December 3, 2007.
15. Full Environmental Assessment Form dated October 23, 2007, signed by Joseph Donini, Vice President of Administration.
16. A Drainage Analysis prepared by Edward Maikish, P.E., dated October 9, 2007.
17. Plans prepared by Atzl, Scatassa & Zigler, July 20, 2007:
 - Drawing 1: Proposed Dormitory Site Plan
 - Drawing 2: Proposed Dormitory Site Plan
 - Drawing 3: Proposed Dormitory Site Plan
 - Drawing 4: Proposed Dormitory Site Plan Detail Plan
18. Architectural Schematic prepared by arcari & iovino Architects, dated October 9, 2007.

The Board reviewed the plans.

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

January 23, 2008

John Atzl, Joseph Donini and Anthony Iovino appeared and testified.

The Board received the following communications:

1. A Project Review Report dated January 16, 2008.
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 23, 2008.

3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated January 17, 2008.
4. A letter from HDR/LMS, signed by Harvey Goldberg, P.E., dated January 15, 2008.
5. A letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner, dated January 22, 2008.
6. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated January 22, 2008.
7. A letter from the New York State Office of Parks, Recreation and Historic Preservation, signed by Ruth L. Pierpont, Director, dated December 26, 2007.
8. A copy of a memo to John Atzl, from Edward Maikish, P.E., Drainage Consultant to the Applicant, dated December 20, 2007.
9. Drainage Report, prepared by Edward Mikish, P.E., dated December 28, 2007.
10. Plans prepared by Atzl, Scatassa & Zigler, July 20, 2007, last revised December 28, 2007:
 - Drawing 1: Proposed Dormitory Site Plan
 - Drawing 2: Proposed Dormitory Site Plan
 - Drawing 3: Proposed Dormitory Site Plan
 - Drawing 4: Proposed Dormitory Detail Plan
11. Photographs of the site submitted at the meeting by John Giardiello, Director of the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown.

The Board reviewed the plans.

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 John Foody and carried as follows:
Bruce Bond, aye; Anthony Iurica, aye; John Foody, aye; William Young, aye; Robert Dell, aye; Jeffrey Golda, 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 Bruce Bond and seconded by Kevin Garvey and carried as follows: Robert Dell, aye; Kevin Garvey, aye; Bruce Bond, aye; Anthony Iurica, aye; John Foody, aye; William Young, aye and Jeffrey Golda, aye, the Board declared itself 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 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.

On motion by Bruce Bond and seconded by Anthony Iurica and carried as follows: Bruce Bond, aye; Anthony Iurica, 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 A PRELIMINARY SITE PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. Rockland County Department of Planning requests the opportunity to review any variances that may be required to implement the proposed site plan, as required by **New York State General Municipal Law, Section 239-m (3)(a)(v)**.
2. The Site Plan shall be signed and sealed by both a Professional Land Surveyor and a Professional Engineer.
3. 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."
4. 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.

5. The applicant must address the parking concerns raised by the Sparkill-Palisades Fire District Chief in their letter dated December 3, 2007, regarding the nine (9) parking spaces. The Fire Chief must submit in writing, that the parking facility reconfiguration is acceptable to the Department.

6. The applicant needs to comply with the supplemental requirements of Section 8.2 "dormitories" of the Town of Orangetown Zoning Code.

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

Rockland County Department of Planning requests the opportunity to review any variances that may be required to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

The maximum number of beds allowed by Zoning Code is 274 and 624 beds are existing. This application is proposing 32 additional beds for a total number of 656 beds for the entire college campus. (Section 8-2. "Dormitories", Item A.)

The maximum building height allowed is 25 feet and 33.5 feet is provided. This is keeping within the height of the existing Dormitories. (Section 8-2, "Dormitories", item D.)

8. As this project progresses, the applicant should be aware that all other applicable codes need to be complied with such as Health Department, Fire Department and New York State Building Codes.

9. The drainage calculations are currently under review by DEME. However, a post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for the **entire site** (i.e. all proposed and existing stormwater control facilities) 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 schedules, inspection check lists, contact person with telephone number, yearly report to be submitted to DEME, etc.

10. The applicant shall consider relocating the existing sanitary building connection (from the existing dorm) so that the new addition will not be built over it.

11. The proposed sanitary building connection shall be shown on the plan (if applicable.)

12. The Soil Erosion and Sediment Control Plans and Details shall be submitted to DEME for review and approval by DEME.

13. In DEME's previous letter the following information was requested: " Because the Perc Rate is assumed, a field survey 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." However, the applicant's engineer stated in his letter of December 20, 2007, page 2, that he was concerned that performing a PERC test near the existing underground storage system may have an adverse impact on test itself. If this is true, would that also mean that the proposed system will be adversely impacted by the existing system? The applicant's engineer shall address this issue.

14. Sanitary calculations for the proposed site, prepared and sealed by a New York State Licensed Professional Engineer shall be submitted to DEME for review and approval. If it is determined that the additional flow from this proposal adversely impacts the Town of Orangetown's existing pumping station, the applicant may be required to contribute to expanding the capacity of the station.

15. The benchmark (with elevation) shall be clearly identified on the Site Plan.

16. The Applicant proposes to construct a 2,150SF building addition to an existing dormitory on a college campus. The proposed addition will be added to an existing dormitory that was constructed in 2003. The proposed addition will be located on the northeast side of the existing building approximately 150-ft east from a tributary of the Sparkill Creek. In addition to the dormitory expansion, the Applicant proposes to construct new paved roads, modify existing paved roads and to add new parking areas and sidewalks (total net increase of 7,348SF of impervious surfaces). The 100-yr flood level for the Sparkill Creek tributary is shown on the plans as elevation 68.2.

To satisfy the requirement 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 Applicant proposes to provide two additional separate infiltration storage systems; a new Stormtech Infiltration Chamber System for the increased runoff due to the building addition, and a new below grade pipe infiltration system for the increased runoff due to the new roads and sidewalks. Drainage calculations have been provided.

Upon review of the plans (dated July 20, 2007 last revised December 28, 2007) and calculations (dated December 28, 2007, and Response to Comments dated December 20, 2007), the Drainage Consultant found many of the deficiencies noted in its review letter dated November 21, 2007 had been adequately addressed. The Consultant believed that the proposed plan could be made to achieve a zero net increase in runoff rate from the developed site. The Drainage Consultant to the Planning Board recommended acceptance for drainage subject to the following conditions:

Continuation of Condition #16...

The Response to Comments states that the two Stormtech systems will be interconnected by adding a 6-in inlet pipe from the existing catch basin, CB-2, to the new system. The interconnection of the two systems can only work if the invert elevations of both systems are the same. The Applicant must verify that these elevations are the same and include the elevations on the plans.

The proposed Stormtech system will consist of six rows of five chambers surrounded by stone. The second and fifth rows will be active isolator rows, e.g. rows in which runoff will directly enter the system. The plans show a detail for a secondary sediment trap instead of an isolator row detail. The detail must be revised and should include a 12-in inlet pipe on the bottom of the chamber instead of a 6-in pipe at the top. A 12-in catch basin trap or 90-degree bend should be provided on the 12-in pipe. A second inlet chamber similar to Catch Basin CB-3 will be required for the proposed system.

A plan for maintenance of the Stormtech Infiltration System by the owner must be added to the drawings (not attached) and shall provide for the maintenance (cleaning) of the chambers should they become clogged. Notes shall be added to the Site Plan that state that the system will be maintained by the Owner, and that it will be inspected at regular intervals (e.g. at least once every three months) and after periods of heavy rainfall.

The Drainage Consultant notes that an existing gravel emergency fire lane will pass directly over the proposed infiltration chambers. The Response to Comments states that the proposed Stormtech system will be designed to handle H-20 loads and that notes have been added to the plans regarding this issue. However, the Drainage Consultant could not find these notes on the plans. Notes must be placed on the Site Plan stating that the Stormtech Infiltration Chamber System has been designed to support H-20 loading.

The northerly corner of the proposed building addition is very close to an existing 15-in storm drain. Provide a large-scale plan and section detail of the northerly building corner showing the existing pipe. Include dimensions and elevations of the wall, footing and pipe in the detail, along with the distance between the pipe and footing. If required, the existing pipe may have to be relocated. The site plan must also show the overall dimensions of the proposed building addition.

Continuation of Condition #16...

A note must be added to the plan that states, "All roof leaders from the proposed building addition must be connected to the Stormtech Infiltration Chamber System." The plan does not show how the roof drains on the northwest side of the proposed building addition will be connected to the new Stormtech system. Provide details as necessary (i.e. existing and proposed chambers, catch basins, manholes, drain pipes, roof drains etc).

The Applicant must obtain a permit from the RCDA. In the event that drainage revisions are required by the RCDA, the Applicant must submit the revised plans for review and approval of the changes.

A detail for the pipe infiltration system has been added to the plan. The plan view shows where this system will be connected to the existing and proposed storm sewer systems. The 36-in pipes at the infiltration system inlet and overflow outlet should be embedded in precast concrete chambers for maintenance access. The 36-in inlet pipe shall be extended to the catch basin on the proposed 15-in storm drain system, which will serve as the required inlet chamber. The 36-in outlet pipe shall be embedded in a similar structure. The 15-in inlet and overflow outlet storm drain connections shall be made directly to these concrete structures. The invert of the 15-in overflow pipe must be at or above the design high water level for this infiltration system. A detail of the 15-in connection to the existing storm sewer has not been provided and must be added to the plans. Four riser/access ports (24-in minimum) shall be included at the remaining junctions of the 36-in pipes. The inlet chamber shall have a 24-in deep sump and catch basin trap. All proposed structures shall be numbered.

- 17.** Application is to be made to Rockland County Department of Health (RCDOH) for review of the storm water management system for compliance with the County Mosquito Code. Applicant's engineer shall contact Brian Hunderfund.
- 18.** A review shall be completed by the New York State Department of Transportations and any required permits obtained.
- 19.** A review shall be completed by the applicable provider of fire and emergency services and any of their concerns addressed.
- 20.** 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.
- 21.** There shall be no net increase in storm water runoff from the site.

22. Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. A letter from the public water supplier, stamped and signed by a NYS licensed professional engineer, shall be issued to the municipality for this project, certifying that there will be sufficient water supply during peak demand periods and in a drought situation.

23. If any public water supply improvements are required, engineering plans and specification for these improvements shall be reviewed by the Rockland County Department of Health, prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.

24. The Rockland County Department of Highways (Highway) reviewed the Site Plan and information and found that the project should have not foreseeable adverse effect upon County highway system.

25. 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 within the jurisdiction of the RCDA. Accordingly, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is required. The applicant shall submit an application to RCDA immediately. In addition, the site also carries a tributary to the Sparkill Creek that appears to contain U.S. Army Corp of Engineers jurisdictional wetlands. The RCDA suggests that the U.S. Army Corp of Engineers be contacted and requested to make a jurisdictional determination regarding the proposed activity.

26. The application is to be made to the Rockland County Department of Health for review of the storm water management system for compliance with the County Mosquito Code. The applicant's Engineer should contact Brian Hunderfund.

27. The Palisades Interstate Park Commission has reviewed the Site Plan and has determined that the proposal shall have no foreseeable adverse impact upon nearby park resources.

28. The New York State Department of Transportation will allow an access driveway as proposed for the subject property. However, it shall be noted that additional minor highway/driveway modification improvements may be recommended for this project during its Highway Work Permit reviews. The proposed development should not have a major impact on the state road.

29. The New York State Department of Environmental Conservation has reviewed the circulated documents, and it appears that the project may require the Department permits as follows:

Article 15, Protection of Waters:

Compliance with SPDES General Permit for Stormwater Discharges from Construction Activities
Cultural Resources

30. 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.

31. The Sparkill-Palisades Fire District has the following Comments:

All smoke detectors, heat or carbon dioxide sensor shall have I-P address for dispatch

The fire alarms panel shall be transmitted to 44 Fire Control as "ST. Thomas Aquinas College 124 Route 340 Aquinas Village Building #4 with Room Number".

The new curb line shall be marked as No parking Fire Zone.

The Sparkill-Palisades Fire District objects to the new 9 additional parking spaces in front of the new extension.

32. 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 Department of Highways
- Rockland County Department of Health
- Palisades Interstate Park Commission
- Rockland County Drainage Agency
- Rockland County Sewer District #1
- New York State Department of Transportation
- New York State Department of Environmental Conservation

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

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

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

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

One (1) foot radius from trunk per inch DBH

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

Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.

Light Impacts Only – Installation of $\frac{3}{4}$ inch of plywood or boards, or equal over the area to be protected.

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

36. 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.

37. 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

Continuation of Condition #37...

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.

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

39. 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).

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

41. 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

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

The foregoing Resolution was made and moved by Bruce Bond and seconded by Kevin Garvey and carried as follows: Robert Dell, aye; Bruce Bond, aye; Anthony Iurica, aye; William Young, aye; John Foody, 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 23, 2008, Planning Board

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

**St. Thomas Aquinas College Site Plan
Preliminary Site Plan Approval
Subject to Conditions
Neg. Dec.**

**PB #07-71
January 23, 2008
Page 13 of 13**

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: St. Thomas Aquinas College 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 125 Route 340, Sparkill, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 74.12, Block 1, Lot 29 and Section 74.16, Block 1, Lot 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, Applicant, Involved Agencies

PLANNING BOARD DECISION

**Student Bus Company Site Plan
Final Approval Subject to Conditions
Neg. Dec.**

**PB #07-55
January 23, 2008
Page 1 of 6**

TO: Donald Brenner, P.E., LL.B.
4 Independence Avenue
Tappan, NY 10983
FROM: Orangetown Planning Board

RE: The application of Student Bus Company, applicant, for Orangeburg Salisbury Corp., owner, for Prepreliminary/Preliminary/Final Site Plan Review for the, "**Student Bus Company 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 and Chapter 21A of the Code of the Town of Orangetown. The site is located east side of Greenbush Road at the intersection of Mountainview Avenue, Orangeburg, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 74.07, Block 1, Lot 15 in the LI zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held Wednesday, **October 10, 2007 and January 23, 2008**, at which time the Board made the following determination:

October 10, 2007

Donald Brenner appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Reports dated October 3 and September 19, 2007.
2. An interdepartmental memorandums signed by John Giardiello, P.E., Director of the Office of Building, Zoning and Planning Administration and Enforcement, Town of Orangetown, dated October 10 and September 26, 2007
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering (DEME), Town of Orangetown, dated September 20, 2007.
4. Letters from the Rockland County Department of Planning, signed by Eileen Miller dated August 31, 2007 and Salvatore Corallo, Commissioner of Planning dated September 12, 2007.
5. A letter from Rockland County Department of Highways, signed by Sonny Lin, dated August 22, 2007.
6. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated August 23, 2007.
7. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated September 11, 2007.
8. Letters from Rockland County Department of Health, signed by Scott McKane. P.E., Senior Public Health Engineer, dated August 16 and 17, 2007.
9. A letter from the New York State Department of Transportation, signed by Mary Jo Russo, Rockland County Permit Engineer, dated September 26, 2007.
10. A letter from the Bureau of Fire Prevention, signed by Michael Bettmann, Chief Fire Inspector, Town of Orangetown, dated August 14, 2007.

11. A letter from William Mowerson, Chairperson, Town of Orangetown, Zoning Board of Appeals, dated August 28, 2007.
12. A Short Environmental Assessment Form dated August 6, 2007, signed by John Ely, Student Bus Company.
13. A section of the Site Plan.

The applicant **REQUESTED AND THE BOARD APPROVED** THE FOLLOWING:

REFERRAL TO THE TOWN OF ORANGETOWN ZONING BOARD OF APPEALS TO OBTAIN THE NEEDED ZONING VARIANCES,

A motion was made to refer the item to the Town of Orangetown Zoning Board of Appeals by Anthony Iurica and second by Kevin Garvey and carried as follows: Robert Dell, absent; Kevin Garvey, aye; William Young, aye; Anthony Iurica, aye; John Foody, aye; Jeffrey Golda, aye; and, Bruce Bond aye.

THE ITEM WAS **CONTINUED** IN FRONT OF THE PLANNING BOARD IN ORDER FOR THE APPLICANT TO OBTAIN A SITE PLAN THAT CONFORMS TO SECTION 21 OF THE TOWN OF ORANGETOWN LAND DEVELOPMENT REGULATIONS.

January 23, 2008

1. Project Review Committee Report dated January 16, 2008.
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 23, 2008.
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering (DEME), Town of Orangetown, dated January 16, 2008.
4. A letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning dated January 22, 2008.
5. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated December 17, 2007.
6. Letters from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated August 23 and December 26, 2007.
7. Site Plans prepared by Jay Greenwell, PLS, LLC, dated November 20, 2007, last revised December 11, 2007: Proposed Parking Lot Modifications for Student Bus Company Lot 1 – Orangeburg Salisbury Corp. Sheet 1 and Sheet 2.

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

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

On motion by Bruce Bond seconded by Anthony Iurica and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, Robert Dell, nay, 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 A FINAL SITE PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. Outside storage of the buses is not permitted unless a Zoning Board of Appeals approval is granted by the Town of Orangetown Board of Appeals. This Final Approval is conditioned upon obtaining the needed Zoning variances.
2. The Rockland County Department of Planning requests the opportunity to review any variances that may be required to implement the proposed site plan, as required by **New York State General Municipal Law, Section 239-m (3)(a)(v).**

3. The amount of time for the “**Temporary**” use shall be as follows:
A term of three (3) years. If the use of the property for this use exceeds this term, the applicant shall return to the Planning Board for an extension. The term shall commence upon the issuance of the Certificate of Occupancy.
4. 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.”
5. 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.
6. All storage of buses shall be on paved areas only.
7. Access out of the property from the exit onto Greenbush Road shall be by left turn only to eventually enter onto Route 303 at the Mountainview Road traffic light. This traffic light also contains a left turn arrow for left turns onto Mountainview Road when traveling south bound on Route 303. This shall be the primary bus route when leaving or returning to the property.
8. Outdoor servicing of buses at this location is not permitted.
9. The Short Environmental Assessment Form shall be revised to better describe the proposed operations, such as number of buses, term of operation and no servicing or fuel dispensing of buses at the site.
10. A review shall be completed by the Rockland County Highway Department and all required permits obtained.
11. Since traffic patterns on State Route 303 may be affected, a review shall be completed by the New York State Department of Transportation and any concerns addressed.
12. 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.
13. The fire department connections shall be designated on the site plan and kept clear for easy access by the emergency response vehicles.
14. Updated signage, lighting and landscaping plans that meet all Town requirements shall be provided.
15. The Town shall be satisfied that appropriate screening of parked buses, if any, will be provided.
16. **The Rockland County Department of Planning requests the opportunity to review any variances that may be required to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).**

17. The Rockland County Department of Health reviewed the plan and approval is not needed.

18. 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 within the jurisdiction of the RCDA. Accordingly, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is required. The applicant shall submit an application to RCDA immediately.

In addition, the site appears to be located in close proximity to mapped wetlands. The RCDA suggests that the U.S. Army Corp of Engineers be contacted and requested to make a jurisdictional determination regarding the proposed activity.

19. Rockland County Sewer District 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.

20. New York State Department of Transportation reviewed the plan and found that this project will have a minimal impact on the state transportation system.

21. The Town of Orangetown Bureau of Fire Prevention had the following comments:

- Use of part of the lot and building may require further subdivision of the building, and
- Is the fuel tank on the side of the building in compliance with fire safety codes?
(Applicant to respond in writing)

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 Department of Highways
- Rockland County Department of Health
- Rockland County Drainage Agency
- Rockland County Sewer District #1
- New York State Department of Transportation
- Town of Orangetown Zoning Board of Appeals

The foregoing Resolution was made and moved by Bruce Bond seconded by Anthony Iurica and carried as follows: Robert Dell, nay; Kevin Garvey, aye; William Young, aye; Anthony Iurica, aye; John Foody, aye; Jeffrey Golda, aye; and, Bruce Bond, aye.

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

Dated: January 23, 2008 Planning Board

Minority Opinion: Oil separators should be added to the catch basins to protect the Sparkill Creek.

AN AMENDMENT TO THE PB #07-55 PLANNING BOARD DECISION

**Student Bus Company Site Plan
Amendment to Final Planning Board Decision
PB #07-55, dated January 23, 2008**

**PB #07-55 AMENDMENT
Page 1 of 2**

TO: Donald Brenner, P.E., LL.B.
4 Independence Avenue
Tappan, NY 10983

FROM: Orangetown Planning Board

RE: An amendment to PB #07-55, the application of Student Bus Company, applicant, for Orangeburg Salisbury Corp., owner, for Prepreliminary/Preliminary/Final Site Plan Review for the, "**Student Bus Company 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 and Chapter 21A of the Code of the Town of Orangetown. The site is located east side of Greenbush Road at the intersection of Mountainview Avenue, Orangeburg, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 74.07, Block 1, Lot 15.1 in the LI zoning district.

At the Planning Board Meeting of January 23, 2007, the Planning Board Overrode conditions in the January 22, 2008 letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning. Those override items are itemized below with corresponding reasons for the override.

The Board made a motion to override Condition #1 in the letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning, dated January 22, 2008, for the following reasons:

#1. Since the proposal will utilize parking spaces that were developed to serve the existing buildings, the applicant must demonstrate that there will be adequate parking to serve both the existing uses and the proposed student bus parking. If this cannot be demonstrated, the plan must be revised to show where more parking could be placed on the site.

The Board held that because the existing building is empty and there is ample space on the site for parking, the need to demonstrate that there is adequate parking for both the existing uses and proposed use is not required.

A motion to Override the condition was made and moved by Kevin Garvey, and seconded by Anthony Iurica, and carried as follows: Robert Dell, nay; Kevin Garvey, aye; Bruce Bond, aye; Anthony Iurica, aye; Jeffrey Golda, aye; William Young, aye and John Foody, aye.

#2. As indicated in the December 26, 2007 letter from the Rockland County Drainage Agency, a permit must be obtained from this agency.

The Board held that Rockland County Drainage Agency responded to Orangetown's request for information and a condition has been placed into the Decision requiring compliance to the Drainage agency's requests.

A motion to Override the condition was made and moved by Kevin Garvey, and seconded by Anthony Iurica, and carried as follows: Robert Dell, aye; Kevin Garvey, aye; Bruce Bond, aye; Anthony Iurica, aye; Jeffrey Golda, aye; William Young, aye and John Foody, aye.

#7. A bulk table and parking calculations for the entire site shall be added to the site plan to indicate the existing and proposed conditions in relation to the Town's bulk and parking requirements.

The Board held that the existing building is empty and there is ample space on the site for parking.

A motion to Override the condition was made and moved by Kevin Garvey, and seconded by Anthony Iurica, and carried as follows: Robert Dell, aye; Kevin Garvey, aye; Bruce Bond, aye; Anthony Iurica, aye; Jeffrey Golda, aye; William Young, aye and John Foody, aye.

The above Override information was determined and voted upon at the Meeting of January 23, 2008. This is an Amendment to the Decision of January 23, 2008, filed at the Town of Orangetown Town Clerk's Office on February 29, 2008.

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

Dated: March 28, 2008 Planning Board