

**TOWN OF ORANGETOWN PLANNING BOARD
MEETING OF JANUARY 24, 2007**

MEMBERS PRESENT:

Bruce Bond, Chairperson
Kevin Garvey, Vice-Chairperson
Anthony Iurica
Suzanne Barclay
William Young
John Foody
Robert Dell

MEMBERS ABSENT: None

ALSO PRESENT:

John Giardiello, Director, Department of Building, Zoning ,
Planning Administration and Enforcement
Cheryl Coopersmith, Chief Clerk
Robert Magrino, Deputy Town Attorney

Ann Marie Ambrose, Stenographer

Bruce Bond, Chairperson called the meeting to order at 7:35 P.M.
Mr. Bond read the agenda. Hearings as listed on this meeting's agenda which are made a part of these minutes, were held as noted below:

Quick Chek Corporation Site Plan Consultation – Site Plan 64.17/1/76 CO zone	Consultation	PB #07-07
Korean 7 th Day Adventist Church Site Plan Prepreliminary/Preliminary/Final Site Plan and SEQRA Review 70.15/1/44 R-15 zone	Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.	PB #06-73
Tracey Subdivision Plan Prepreliminary/Preliminary Subdivision Plan and SEQRA Review 70.18/2/6 R-15 zone	Preliminary Approval Subject to Conditions Neg. Dec.	PB #06-84
Orangetown Center Internal Space Prepreliminary/Preliminary/Final Subdivision of Internal Space And SEQRA Review 74.10/1/67 CS zone	Final Approval Subject to Conditions/ Neg. Dec.	PB #07-02
Scheu Minor Subdivision Plan Prepreliminary/Preliminary/Final Subdivision and SEQRA Review 68.12/2/39 RG zone	Final Approval Subject to Conditions/ Neg. Dec.	PB #07-08
DHS Site Plan Prepreliminary/Preliminary/Final Site Plan Amendment and SEQRA Review 74.11/2/5 LIO zone	Continued: Needs Drainage	PB #07-09

Jefferson Group Associates Internal Final Approval Subject PB #07-10
Space Subdivision Plan to Conditions/ Neg. Dec.
Prepreliminary/Preliminary/Final
Subdivision of Internal Space And SEQRA Review
68.20/1/1.1 LI zone

Perry Site Plan Continued: Need Drainage PB #07-11
Prepreliminary/Preliminary/Final Site Plan Review
Critical Environmental Area
71.05/2/12.2 RG zone

Doller Minor Subdivision Plan Granted 1st 90 Day PB #07-12
Request for First 90 Day Extension to Extension to File
File Subdivision Plat with Rockland County
Clerk's Office
74.16/1/3 R-40 zone

Doller Minor Subdivision Plan Recommended PB #07-13
Recommendation to Town Board Performance Bond to
To Establish Value and Term of Town Board
Performance Bond
74.16/1/3 R-40 zone

Wyeth - Campus Drainage Study Continued PB #06-72
Prepreliminary/Preliminary/Final Review
68.08/1/1 LI zone

Continued Item from May 10, 2006 Meeting:
Wyeth Site Plan - Building 241 Continued PB #06-34
Prepreliminary/Preliminary Site Plan and SEQRA Review
68.08/1/1 LI zone

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

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

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

DATED: January 24, 2007
Planning Board Town of Orangetown
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PLANNING BOARD CONSULTATION

Quick Chek Corporation Site Plan Consultation

PB #07-07
January 24, 2007
Page 1 of 2

TO: Howard Geneslaw, Esq.
Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C.
One Pennsylvania Plaza, 37th Fl.
NY, NY 10019

FROM: Orangetown Planning Board

RE: The application of Howard Geneslaw, applicant for Joseph Iannuzzi, owner, for **Consultation** for a site to be known as "**Quick Chek 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 552 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 64.17, Block 1, Lot 76 in the CO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, January 24, 2007, at which time the Board made the following determinations:

Howard Geneslaw and Jeffrey Moitus appeared and testified.

The Board received the following communications:

1. A Project Review Memo dated January 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 January 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 January 18, 2007.
4. A Site Plan prepared by Bohler Engineering, dated January 3, 2007, attachment of a Project Description submitted by the applicant dated January 3, 2007.

The Board reviewed the plan.

CONSULTATION: In view of the foregoing and the testimony before the Board, the applicant was provided with the following **COMMENTS:**

1. The Project Review Committee believes the proposed Site Plan is an improvement to the existing site such as improving access management.
2. The "Food Store: and accessory gas pumps are not permitted by right in a CO Zone District, however under Section 9.32 of the Town of Orangetown Zoning Code, the applicant may appear in front of the Zoning Board of Appeals for a Use Variance.

3. The relocation of the entrances and exits is an improvement to the site.
4. A Rockland County Department of Highway approval is required for the new driveway accesses onto Townline Road and North Middletown Road.
5. A Vicinity Map shall be placed on the plan.
6. A variance from the Town of Orangetown Zoning Board of Appeals would need to be sought for the number of parking spaces provided.
7. The maximum building height allowed is 6" per foot from the property line in a CO Zoned District. The height calculations shall be corrected accordingly.
8. Application should initially, apply to the Zoning Board of Appeals for Non Conforming Use, and then apply to the Planning Board for Site Plan Approval. Once Site Plan Approval is obtained, apply to the Zoning Board for any required zoning variances.
9. Drainage Calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval. The applicant's engineers shall design onsite storage to achieve a zero increase in runoff from the proposed site.
10. The applicant is reminded that some types of business may require a pretreatment facility on site and a permit from the Town of Orangetown Department of Environmental Management and Engineering (DEME). The design of such facilities must be reviewed and approved by DEME prior to any construction.
11. The applicant is advised that the Town of Orangetown has a new Fat, Oil and Grease Program (F.O.G.), which must be complied with.
12. The proposed sanitary building connection shall be shown on the plan.
13. The proposed hours of operation shall be noted on the plans.

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

Dated: January 24, 2007 page 3-4 jan24/r8

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

Planning Board Decision

**The Korean 7th Day Adventist Church Site Plan
Preliminary Site Plan Approval
Subject to Conditions/Neg. Dec.**

**PB #06-73
January 24, 2007
Page 1 of 11**

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

FROM: Orangetown Planning Board

RE: The application of John Kim, applicant, for The Greater NY Corporation of 7th Day Adventists, owners for Prepreliminary/Preliminary Site Review for a site to be known as "**The Korean 7th Day Adventist Church Site Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the code of the Town of Orangetown. The site is located at 573 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.15, Block 1, Lot 44 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held September 27, 2006 and January 24, 2007, at which time the Board made the following determinations:

September 27, 2006

John Kim, Donald Brenner and Jan Degenshein appeared and testified.

The Board received the following communications:

1. A Project Review Memo dated September 20, 2006.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated September 27, 2006.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated September 21, 2006.
4. A letter from HDR/LMS, signed by Harvey Goldberg, P.E., dated September 14, 2006.
5. Letters from the Rockland County Department of Planning, signed by Eileen Miller, dated August 29, 2006 and Salvatore Corallo, Commissioner of Planning, dated September 7, 2006.
6. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated September 21, 2006.
7. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated September 12, 2006.
8. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated August 28, 2006.
9. Letters from the New York State Department of Transportation, signed by Mary Jo Russo, P.E., Rockland County Permit Engineer, dated September 19, 2006.

10. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, dated September 8, 2006.

11. A Short Environmental Assessment Form signed by John Kim, dated August 16, 2006.

12. Plans prepared by John Collazuol & Associates, dated August 2, 2006, unless noted:

- Sheet 1 of 5: Site Plan
- Sheet 2 of 5: Soil Erosion & Sediment Control Plan
- Sheet 3 of 5: Landscaping and Lighting Plan
- Sheet 4 of 5: Details
- Sheet 5 of 5: Boundary and Topographic Survey, dated March 23, 2006

The Board reviewed the plan.

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

January 24, 2007

John Kim, Donald Brenner and Jan Degenshein appeared and testified.

The Board received the following communications:

1. A Project Review Memo dated January 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 January 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 January 18, 2007.
4. A letter from HDR/LMS, signed by Harvey Goldberg, P.E., dated January 12, 2007.
5. A letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning, dated January 9, 2007.
6. A letter from Rockland County Department of Highways, signed by Peter Euler, Senior Engineering Technician, dated January 8, 2007.
7. Letters from Rockland County Drainage Agency signed by Edward Devine, Executive Director, dated December 27 and September 21, 2006.
8. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettman, Orangetown Fire Inspector, dated December 19, 2006.

9. Plans prepared by John Collazuol & Associates, revised October 30, 2006:
- Sheet 1 of 5: Site Plan
 - Sheet 2 of 5: Soil Erosion & Sediment Control Plan
 - Sheet 3 of 5: Landscaping and Lighting Plan
 - Sheet 4 of 5: Details
 - Sheet 5 of 5: Boundary and Topographic Survey

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

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Kevin Garvey, seconded by John Foody and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, William Young, aye, Robert Dell, nay, John Foody, aye, Suzanne Barclay, aye and Kevin Garvey, 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 Anthony Iurica seconded by John Foody and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, Robert Dell, nay, John Foody, aye, William Young, aye, Suzanne Barclay, 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. Section 6.38 of the Town of Orangetown Zoning Code allows a reduction in the total parking spaces required by 50% of the parking spaces required for the use with the least requirement. The parking calculations provided on the Site Plan are incorrect. If the applicant can demonstrate to the Planning Board that the combined uses will require parking at different times then the 5-% reduction in spaces would be taken from the house which requires two parking spaces, thereby reducing the total parking spaces required to 40 spaces. However, this does not seem to be necessary since the site plan is showing 45 proposed parking spaces. All parking spaces shall be designated on the Site Plan with stripes.
5. The proposed retaining wall requires a fence or barrier at the top. This shall be shown on the Site Plan.
6. The retaining wall calculations need to be sealed by a New York State Professional Engineer.
7. Portions of the proposed retaining wall appear over an existing sewer line. Details of the construction of the wall over the sewer line shall be provided.
8. The drainage calculations are currently under review by DEME.
9. All existing easements shall be shown on the plan, including page and liber or instrument number and ownership.
10. The applicant's Engineer shall specify whether the Perc Rate given in the supplied drainage calculations (dated 10/26/06) is assumed or based upon a field survey. If the per rate is assumed, a field Perc Test shall be administered prior to the installation of the proposed seepage pits, to ensure adequacy of designed drainage system. The applicant's engineer shall provide a copy of the Perc Test to DEME and the Building Department.

11. A 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 checklist, contact person with telephone number, yearly report to be submitted to DEME, etc.

12. The Drainage Consultant to the Planning Board recommends acceptance for drainage subject to the following conditions:

- The calculations indicate that seven 8-ft diameter by 4-ft deep drywells (3-ft effective depth) are required. However eight drywells are shown on the drawing with the eighth one from the east side of the proposed church labeled 6-ft diameter by 5-ft deep. If that drywell exists, it should be so indicated on the plan; if it does not exist, then why do the plan and calculations disagree?
- The plan must show all dimensions for each proposed drywell including top and bottom elevations, invert elevation for each inlet or equalization pipe, thickness of top slab, manufacturer and model of frame and grate if applicable, etc). The Drywell Detail must show all dimensions that are common to all drywells including the width of the surrounding stone layer.
- Provide a Typical Trench Detail for the 12-in HDPE storm drains.
- The 6-in equalization pipes should be increased to 12-in minimum.
- A Catch Basin Detail has been provided. A detail for a Catch Basin Filter Insert System is also provided in lieu of a Catch Basin Trap. It appears that maintenance of this filter may be more intensive than a trap. The detail shall indicate the manufacturer and model of all the proposed equipment (not what is available). The manufacturers recommended maintenance plan shall be added to the plan since the property owner will be required to maintain the system. A detail showing how the filter will be installed in the catch basin must be provided along with calculations for sizing the proposed filters.
- Provide a large scale plan and section for the double and quadruple drywell systems.
- It is noted that the Sparkill Creek is located just to the east of the site. The Applicant shall provide a small area map showing the location of the site with regard to the 100-yr FEMA flood plain, including the 100-yr flood elevation.

13. Clarifications are requested regarding whether all of the proposed uses are permitted in the R-15 zone and whether the school will be a Sunday school, nursery school, school of special instruction or family day care.

14. The Town shall be assured that the Site Plan is in compliance with all applicable aspects of the Route 303 Overlay Zone, including vegetative buffer requirements.

15. If there are any applicable Town regulations regarding setbacks and shielded lighting for development adjacent to residentially used or zoned lands, the site plan shall demonstrate compliance with these regulations.

16. Updated landscaping, lighting, and signage plans shall be provided and demonstrate that all applicable Town requirements will be met. Low evergreen landscaping must be provided along State Route 303 in order to prevent the headlights of passing cars, from the two parking spaces that face the Route 303, from shining into the State highway. No site lighting shall shine into the State highway.

17. It appears that a car parked in the first space available on the right upon entering the site may block nearly half of the entrance driveway. This aspect of the site design shall be evaluated and clarified.

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

19. 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.

20. 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.

21. Public sewer mains requiring extensions within a right of way or an easement shall be reviewed and approved by the Rockland County Department of Health prior to construction.

22. 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.

23. The fire department connections shall be designated on the Site Plan and kept clear for easy access by the emergency response vehicles.

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

25. The Rockland County Department of Highway reviewed the plans and found that the proposed access off of Route 303 would have no foreseeable adverse effect upon county roads in the area. The County Highway Department requests that a copy of the Drainage Study for this project be forwarded to its office for review.

26. The Rockland County Drainage Agency (RCDA) reviewed this proposal and based on the information provided and maps available to the RCDA, the site has been determined to be within the jurisdiction of the RCDA. Accordingly, a permit from the RCDA pursuant to the Rockland County Stream Control Act, Chapter 846, is required. The applicant shall submit an application to the RCDA immediately.

27. The following are required by the Town of Orangetown Bureau of Fire Prevention, and shall be noted and labeled on the Final Approved Site Plan:

- Emergency Lighting and Exit Lightings, and
- Parking and Signage

28. The Town of Orangetown Bureau of Fire Prevention had the following comments. These comments shall be placed on the Site Plan as notes:

- The Bureau hold that this use is a change in use and the church shall apply for and maintain a Certificate of Compliance Fire Safety with the Bureau.
- An assembly space of more than 100 occupants requires an NFPA 13 Compliant sprinkler system in addition to an NFPA 72 compliant fire and smoke alarm system. This system shall be connected to Rockland County 44-Control and transmitting alarms in contact ID format, with two dedicated phone lines for fire alarm transmission only.
- The Fire Sprinkler system shall be inspected annually, the Fire Alarm system shall be tested quarterly and reports forwarded to the Town of Orangetown Bureau of Fire Prevention office.
- An approved Fire Emergency Plan shall be posted and updated annually.
- The applicant shall install and maintain portable fire extinguishers according to NFPA 10.

29. The Site Plan shall be revised to note the approximate distance to the nearest residential property.

30. The Site Plan shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review to determine the vegetative screening to shield glare from headlights onto adjacent properties.

31. The parking plan shall be revised to allow for a lower wall height of the retaining wall and the provision of screening.

32. Item 10 of the Short Environmental Assessment Form shall be answered "Yes" and "Building Permit" shall be listed.

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

34. 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.

35. The New York State Department of Transportation (NYSDOT) reviewed the plans and found that it appears that the existing driveway will not be modified, the use of the property is changing and that the agency will need to review the existing details for the proposed use. Future submittals shall include the NYSDOT Driveway Design Policy - Site Plan Requirements (Existing Conditions, Proposed Conditions, Highway Drainage, Landscaping Drainage, Landscaping, Traffic, as well as additional information as site specific conditions warrant). The width and radii of the driveways must be shown along with the sight distance. One way signs will need to be placed at the entrance and exit of the property. A Driveway Design Policy sheet was provided to the applicant at the September 27, 2006 Planning Board meeting.

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

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

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

39. 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.

Continuation of Condition #39....

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.

40. 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.

41. 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.

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

43. 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).

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

45. 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

46. 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, Anthony Iurica, aye, William Young, aye, John Foody, aye, Robert Dell, nay, Suzanne Barclay, nay 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 24, 2007 jan24/r8 5-15

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

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

**The Korean 7th Day Adventist Church Site Plan
Preliminary Site Plan Approval
Subject to Conditions/Neg. Dec.**

**PB #06-73
January 24, 2007
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: The Korean 7th Day Adventist Church Site Plan

SEQR STATUS: Type I _____
Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____
No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 573 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.15, Block 1, Lot 44 in the R-15 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

**Tracey Subdivision
Preliminary Subdivision Plan Approval
Subject to Conditions/Neg. Dec.**

**PB #06-84
January 24, 2007
Page 1 of 10**

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

FROM: Orangetown Planning Board

RE: The application of the Michael and Patricia Tracey, owners for Prepreliminary/Preliminary/Final Subdivision Plan Review for subdivision to be known as "**Tracey Subdivision Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the code of the Town of Orangetown. The site is located at 525 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.18, Block 2, Lot 6 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held November 8, 2006 and January 24, 2007, at which time the Board made the following determinations:

November 8, 2006

Donald Brenner and William Youngblood appeared and testified.

The Board received the following communications:

1. A Project Review Memo dated November 1, 2006.
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 November 8, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated November 2, 2006.
4. A letter from HDR/LMS, signed by Harvey Goldberg, P.E., dated October 23, 2006.
5. Letters from the Rockland County Department of Planning, signed by Eileen Miller, and Salvatore Corallo, Commissioner of Planning, dated November 2, 2006.
6. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated October 18, 2006.
7. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated October 20, 2006.
8. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated October 12, 2006.

9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, dated October 25, 2006.
10. An interdepartmental memorandum from the Office of Parks & Recreation, Town of Orangetown, signed by Richard L. Rose, Jr., Superintendent, dated October 5, 2006.
11. A letter signed by Michael Bettmann, Chief, Bureau of Fire Prevention, Town of Orangetown, dated November 3, 2006.
12. A Short Environmental Assessment Form signed by Michael Tracey, dated October 2, 2006.
13. Subdivision Plans prepared by William Youngblood Land Surveying, dated September 20, 2006:
 - Drawing 1 of 2: Sketch Plat
 - Drawing 2 of 2: Grading, Utility & Detail Plan

The Board reviewed the plans.

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

January 24, 2007

Donald Brenner and William Youngblood appeared and testified.

The Board received the following communications:

1. A Project Review Memo dated January 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 January 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 January 18, 2007.
4. A letter from HDR/LMS, signed by Harvey Goldberg, P.E., dated January 11, 2007.
5. A letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning, dated January 8, 2007.
6. A letter from the Rockland County Department of Highways, signed by Peter Euler, Senior Engineering Technician, dated January 4, 2007.
7. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated December 20, 2006.
8. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated January 2, 2007.

9. Drainage Analysis prepared by Paul Gdanski, PE, dated November 29, 2006.

10. Subdivision Plans prepared by William Youngblood Land Surveying: last dated November 30, 2006

- Drawing 1 of 3: Sketch Plat,
- Drawing 2 of 3: Grading, Utility & Detail Plan
- Drawing 3 of 3: Tree 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 seconded by Anthony Iurica and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, John Foody, aye, William Young, aye, Robert Dell, aye, Suzanne Barclay, aye, and Kevin Garvey, aye.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Anthony Iurica, seconded by John Foody and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, William Young, aye, Robert Dell, aye, John Foody, aye, Suzanne Barclay, aye and Kevin Garvey, 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 Anthony Iurica seconded by William Young and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, Robert Dell, aye, John Foody, aye, William Young, aye, Suzanne Barclay, 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 SUBDIVISION APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. The following note shall be placed on the Subdivision Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Subdivision Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The following variances need to be sought from the Town of Orangetown Zoning Board of Appeal:
 - Lot #1 requires a Minimum Front Yard of 30 feet and 21 feet is proposed (Chapter 43, R-15 zone, Group M, Column 8)
 - Lot #2 requires a Street Frontage of 75 feet and 47.27 feet is proposed. (Chapter 43, R-15 zone, Group M, Column 8)
4. A revised Short Environmental Assessment Form needs to be submitted for the two lot subdivision plan.
5. Disclose if the existing dwelling and garage are on the National Register of Historic Places.
6. The drainage calculations are currently under review by DEME. However, because the Perc Rate is assumed, a field Perc Test shall be administered prior to the installation of the proposed seepage pits, to ensure adequacy of designed drainage system. The applicant's engineer shall provide a copy of the Perc Test to DEME and the Building Department.
7. All existing easements shall be shown on the plan, including page and liber or instrument number, and ownership, including the sanitary sewer main across Western Highway.
8. The septic system for the existing house shall be eliminated and the house shall be "tied" into the existing sanitary main across Western Highway.
9. The existing tax lots and homes, as well as all physical structures on the western side of Western Highway, along the existing sanitary sewer main, shall be shown on the drawing in order to verify ability to "tie" into the existing sanitary main.

10. The applicant needs to secure private sanitary sewer easements in order to “tie” into the existing sanitary main across Western Highway. These shall be acquired **prior to signing the Subdivision Map**. Copies of same shall be depicted on the plans submitted to DEMA and the Planning Board.

11. The Drainage Consultant to the Planning Board recommends acceptance for drainage subject to the following conditions:

- Provide a calculation of the net increase in the impervious area (i.e. a breakdown of the size of each impervious area added less each impervious area removed).
- A note must be added to the plan that states that “All roof leaders must be connected to the Drywell”
- The Drywell Detail must show all dimensions (e.g. width of stone layer, top and bottom elevations of drywell, invert elevation of inlet pipes, thickness of top slab, manufacturer and model of frame and grate, etc).
- The effective depth of the drywell must be used in the drywell calculations, not the overall depth (i.e. the effective depth of the drywell is the depth from the invert of the lowest inlet pipe to the bottom of the drywell).
- Provide an excerpt from the Rockland County Soil Map indicating the type of soil on the site. Revise the CN value for the appropriate soil if needed. Use the good condition CN value to be conservative. Resize the Drywell as necessary.

12. Public sewer mains requiring extensions within a right of way or an easement shall be reviewed and approved by Rockland County Department of Health prior to construction.

13. 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 Towns, Villages and County with an adequate supply of water. A letter from the public water supplier, stamped and sealed by a NYS licensed professional engineer, shall be issued to the municipality for this project, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.

14. 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.

15. 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.

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

17. All subdivision maps must be signed by the Chairman of the Rockland County Drainage Agency (RCDA) before the Rockland County Clerk will accept for filing. The final approved subdivision map must be submitted to the RCDA for review.

18. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, it has been determined that the proposed activity is in close proximity to the Sparkill Creek floodplain. The RCDA is unable to make a jurisdictional determination concerning the proposed project based upon the information submitted. In that regard, the applicant shall submit its proposed stormwater management plan, drainage plan and drainage calculations and any and all environmental impact statements, environmental assessment forms or environmental studies regarding the proposed site development to RCDA for further review.

19. The Rockland County Department of Highway has reviewed the plans and information and offers the following comments:

While the applicant intends on utilizing the existing curb cut along the County Roadway for ingress and egress to both lots, it is difficult to determine if the applicant intends on widening the existing driveway within the County right of way. The County would favor a design that does not require any alteration to the existing sidewalk and concrete curbing along Western Highway.

Sight distance calculations to the north and south of the driveway access shall be demonstrated on the site plan.

The split rail fence along Western Highway shall be relocated to be contained within the property line.

A copy of the drainage calculations prepared for this project shall be provided to the County Highway for additional review.

A Rockland County Highway Department Work Permit will be required for development of Lot #2 and must be secured prior to the start of any constructing or excavation on site. The applicant shall be aware that under the Drainage Section of the Rockland County Highway Department Standard Specifications, revised by the County Highway Department in November 2005, a Drainage Maintenance Fee of \$500.00 per legal tax lot will be imposed on each subdivision and/or site plan.

Separate additional Road Opening Permits will be required from the Rockland County Highway Department for the Sewer and Utility Connections required within the paved area of Western Highway.

20. The Rockland County Department of Health (RCHD) reviewed the plans and have the following comments: Sanitary sewer line crossing Western Highway is to be an 8" main terminating in a manhole. This main is to be owned and maintained by the Town of Orangetown. This will allow lot #1 to legally tie into the sanitary sewer system "once existing septic is deemed failing". Sewer extension approval will be needed from the RCHD.

21. RCHD estimated that additional demand for public water resulting from construction of this project as follows:

- Annual average demand: 4 bedrooms * 110 gallons per day (gpd) per bedroom = 440 gpd

- Maximum day demand: 1.6 * 440 gpd = 704 gpd

RCHD maintains an assessment of the water supply capacity available for additional development. Accordingly, these estimated demands will be deducted from the remaining available capacity.

22. Driveway shall be stabilized to support emergency response equipment (75,000 lbs) as per the 2003 building code. Also, there shall be no parking fire zone lane along the entire length of the long driveway. Any necessary signage shall be installed before a Certificate of Occupancy is issued for the houses, and shown on the Final Approved Site Plan.

23. A note shall be placed on the plan in regards to an agreement to maintain the required signage by the homeowner for the long driveway.

24. The Town of Orangetown Office of Parks and Recreation requests that the Planning Board require that Money in Lieu of Land for each new residential dwelling created, per Section 21-20 of the Town Code of the Town of Orangetown, be requested from the applicant,

25. The applicant's eastern proposed lot borders Town of Orangetown property which is a Rail-Trail. This section of the Rail-Trail will be further developed in the future. The applicant shall re-label the map to reflect this and consider additional screening at the rear of lots #2 and #3.

26. The subdivision line shall be revised along Western Highway in order to save some mature trees.

27. 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.

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

29. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats prior to signing the final plans.
30. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.
31. TREE PROTECTION: The following note shall be placed on the subdivision 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.
32. All landscaping shown on the subdivision 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.

33. 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.

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

35. 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).

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

37. 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

38. 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 Suzanne Barclay and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, William Young, aye, John Foody, aye, Robert Dell, aye, Suzanne Barclay, 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 24, 2007 r8 38

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

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

**Tracey Subdivision
Preliminary Subdivision Plan Approval
Subject to Conditions/Neg. Dec.**

**PB #06-84
January 24, 2007
Page 10 of 10**

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: **Tracey Subdivision Plan**

SEQR STATUS: Type I _____
Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____
No XXXXXX

DESCRIPTION OF ACTION: **Subdivision Plan Review**

LOCATION: The site is located at 525 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.18, Block 2, Lot 6 in the R-15 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

**Orangetown Center Internal Space Subdivision
Final Approval Subject to Conditions
Neg. Dec.**

**PB #07-02
January 24, 2007
Page 1 of 5**

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

FROM: Orangetown Planning Board
RE: The application of Walter Buczek, applicant, for JLJ Management Co., owner, Prepreliminary/Preliminary/Final Internal Space Subdivision Plan Review for a site to be known as “**Orangetown Center Internal Space Subdivision Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the code of the Town of Orangetown. The site is located at the intersection at Orangeburg and Dutch Hill Roads, Orangeburg, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 74.10, Block 1, Lot 67 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held January 10 and 24, 2007, at which time the Board made the following determinations:

January 10, 2007

Donald Brenner appeared and testified.

The Board received the following communications:

1. A Project Review Memo dated January 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 January 10, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated January 4, 2007.
4. Letters from the Rockland County Department of Planning, signed by Eileen Miller, dated January 4, 2007 and Salvatore Corallo, Commissioner of Planning, dated January 5, 2007.
5. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated December 27, 2006.
6. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated December 28, 2006.
7. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated January 2, 2007.
8. A letter from the Palisades Interstate Park Commission, signed by Kevin Grieser, dated December 12, 2006.

9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, dated December 26, 2006.
10. A Short Environmental Assessment Form signed by Walter Buczek for Dunkin Donuts, dated December 5, 2006.
11. Plans prepared by Gary Kliesch and Associate Architects: Sheet 1 of 5, dated November 7, 2006: Demolition Plan, Tenant Separation Plan, Details & Notes.

The Board reviewed the plan.

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

January 24, 2007

Donald Brenner appeared and testified.

The Board received the following communications:

1. A Project Review Memo dated January 17, 2007.
2. Plans prepared by Gary Kliesch and Associate Architects: Sheet 1 of 5, dated November 7, 2006, revised January 15, 2007: Demolition Plan, Tenant Separation Plan, Details & Notes.

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

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Kevin Garvey, seconded by John Foody and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, William Young, aye, Robert Dell, aye, John Foody, aye, Suzanne Barclay, aye and Kevin Garvey, 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 Anthony Iurica seconded by John Foody and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, Robert Dell, aye, John Foody, aye, William Young, aye, Suzanne Barclay, 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 APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. The following note shall be placed on the subdivision plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The two tenant spaces need to show proposed handicap bathrooms, proper exiting and shall be labeled to identify each space (tenant #2 is used for both spaces).
3. The exit doors shall be dimensioned on the plan.
4. Handicap access shall be provided to each tenant space.
5. The Short Environmental Assessment Form appears to be in order.
6. 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.
7. The Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and request no future correspondence for this site.

8. The Rockland County Department of Health reviewed the plans and found that approval is not needed for this project.

9. 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 Health
- Town of Orangetown Zoning Board of Appeals
- Rockland County Sewer District #1
- Rockland County Drainage Agency
- Palisades Interstate Park Commission

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

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

The Board made a motion to override Condition #1 in the letter from the Rockland County Department of Planning, dated January 5, 2007, since the proposed project is a subdivision of internal space and no construction is proposed externally and the Board determined that the existing parking facility was sufficient based on testimony of the applicant.

Condition #1. A parking calculation table and site plan showing allocated parking spaces for the uses contained on site must be provided. The applicant must also demonstrate that adequate parking is provided for the new tenant uses.

The motion was made by Kevin Garvey seconded by Anthony Iurica and carried as follows: Bruce Bond, aye, William Young, aye, Anthony Iurica, aye, Robert Dell, aye, John Foody, aye, Suzanne Barclay, aye and Kevin Garvey, aye.

The foregoing Resolution was made and moved by Anthony Iurica seconded by John Foody and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, William Young, aye, John Foody, aye, Robert Dell, aye, Suzanne Barclay, 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 24, 2007 jan24/r8 30

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

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

**Orangetown Center Internal Space Subdivision
Final Approval Subject to Conditions
Neg. Dec.**

**PB #07-02
January 24, 2007
Page 5 of 5**

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: Orangetown Center Internal Space Subdivision 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 the intersection at Orangeburg and Dutch Hill Roads, Orangeburg, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 74.10, Block 1, Lot 67 in the CS 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

**Scheu Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions/Neg. Dec.**

**PB #07-08
January 24, 2007
Page 1 of 8**

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

FROM: Orangetown Planning Board

RE: The application of the Estate of Emma M. Zabriskie and Betty Scheu, owners for Prepreliminary/Preliminary/Final Subdivision Plan Review for two lot subdivision to be known as "**Scheu 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, Chapter 21 of the code of the Town of Orangetown. The site is located at 249 North Main Street, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.12, Block 2, Lot 39 in the RG zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held January 24, 2007, at which time the Board made the following determinations:

John Atzl, Betty Scheu and Herman Scheu appeared and testified.

The Board received the following communications:

1. A Project Review Memo dated January 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 January 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 January 18, 2007.
4. A letter from HDR/LMS, signed by Harvey Goldberg, P.E., dated January 9, 2007.
5. A letter from the Rockland County Department of Planning, signed by Eileen Miller, dated December 14, 2006.
6. A letter from the Rockland County Department of Highways, signed by Peter Euler, Senior Engineering Technician, dated January 8, 2007.
7. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated December 19, 2006.
8. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated January 11, 2007.
9. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated January 2 & 3, 2007.

10. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, dated December 26, 2006.
11. An interdepartmental memorandum from the Office of Parks & Recreation, Town of Orangetown, signed by Richard L. Rose, Jr., Superintendent, dated December 19, 2006.
12. A letter signed by Mr. and Mrs. Richard Galvin, 246 North Main Street, Pearl River, dated January 23, 2007.
13. A Short Environmental Assessment Form signed by Betty Scheu, dated November 21, 2006.
14. Drainage Analysis prepared by Edward Maikish, PE, dated November 7, 2006.
15. Subdivision Plans prepared by Atzl, Scatassa & Zigler, PC, dated November 14, 2006:
 - Drawing 1: Subdivision Plat
 - Drawing 2: Grading Plan
 - Drawing 3: Details

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

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Kevin Garvey, seconded by Suzanne Barclay and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, William Young, aye, Robert Dell, aye, John Foody, aye, Suzanne Barclay, aye and Kevin Garvey, 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 Suzanne Barclay seconded by Kevin Garvey and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, Robert Dell, aye, John Foody, aye, William Young, aye, Suzanne Barclay, 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 SUBDIVISION APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. The following note shall be placed on the Subdivision Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Subdivision Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The driveway on lot #2 shall be relocated to the west side of the lot from the east side.
4. The driveway shall be moved at a minimum of five feet from the property line, specifically on lot #1.
5. The sight distances for each driveway shall be labeled on the Subdivision Plan.
6. The Short Environmental Assessment Form appears to be in order.
7. The drainage calculations are currently under review by DEME. However, because the Perc Rate is assumed, a field Perc Test shall be administered prior to the installation of the proposed seepage pits, to ensure adequacy of designed drainage system. The applicant's engineer shall provide a copy of the Perc Test to DEME and the Building Department.

8. A typical pavement detail, including dimensions shall be included on the drawings.
9. The drawings shall be modified to show a cleanout on the proposed sanitary house connection, just inside the property line.
10. The proposed swale, along the western side of the proposed house, shall be directed into the seepage pit, not toward East Lewis Avenue.
11. The Drainage Consultant to the Planning Board recommends acceptance for drainage subject to the following conditions:
- A 12-in equalization pipe must be provided between the two drywells. A detail of the equalization pipe must be provided as well.
 - The font size on the Drywell Detail is very small and shall be increased in size to be easier to read and to provide a legible copy when filed. The detail shall specify the manufacturer and model of the proposed grate and drywell, and shall include all drywell dimensions (e.g. wall thickness, etc).
 - The proposed driveway on Lot 2 does not show sufficient grading or drainage information for directing runoff into the inlet grate. The plan must be revised to show how the driveway will be graded.
 - The grading plan shall indicate the dimensions of the drywell and stone surround (e.g. 10-ft by 3-ft drywell in 14-ft by 14-ft stone gallery).
 - A note must be added to the plan stating that "All roof leaders must be connected to the Drywells."
 - The driveway runoff shall not go directly into a grate on top of the drywell. It is recommended that a field inlet with a 24-in deep sump and catch basin trap be provided to capture driveway runoff and direct it to the drywell. This will require relocation of the drywell under the driveway to an adjacent location.
12. The Rockland County Department of Health (RCHD) reviewed the plans and have the following comments: The proposed stormwater management system will need to be review against Article XIX-Mosquito Control, of the Rockland County Sanitary Code. The applicant's engineer shall contact RCHD to coordinate this review.
13. RCHD estimated that additional demand for public water resulting from construction of this project as follows:
- Annual average demand: 4 bedrooms * 110 gallons per day (gpd) per bedroom = 440 gpd
 - Maximum day demand: 1.6 * 440 gpd = 704 gpd

14. The Town of Orangetown Office of Parks and Recreation recommends that in accordance with Town Code Section 21-20, the Planning Board request Fee in Lieu of Park Land for each newly created residential lot, in accordance with Town Board resolution #396 of 2006.

15. 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.

16. The Rockland County Department of Highway has reviewed the plans and information and found that the proposed action would have no foreseeable adverse effect upon county roads in the area.

17. 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. RCDA recommends that that Town of Orangetown land use boards carefully review any proposed additional impervious surface in close proximity to the Muddy Creek floodplain for its potential off site impacts. Furthermore, in accordance with the Rockland County Stream Control Act, Chapter 846, all subdivision maps must be signed by the Chairman of the Rockland County Drainage Agency (RCDA) before the Rockland County Clerk will accept for filing. The final approved subdivision map must be submitted to the RCDA for review.

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

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

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

21. TREE PROTECTION: The following note shall be placed on the subdivision 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:

Continuation of Condition #21....

- 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.

22. All landscaping shown on the subdivision 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.

23. 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.

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

25. 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).

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

27. 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

28. 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, Anthony Iurica, aye, William Young, aye, John Foody, aye, Robert Dell, aye, Suzanne Barclay, 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 24, 2007 jan24/r8 38

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

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

**Scheu Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions/Neg. Dec.**

**PB #07-08
January 24, 2007
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: **Scheu Minor Subdivision Plan**

SEQR STATUS: Type I _____
Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____
No XXXXXX

DESCRIPTION OF ACTION: Subdivision Plan Review

LOCATION: The site is located at 249 North Main Street, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.12, Block 2, Lot 39 in the RG 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

Jefferson Group Associates Internal Space Subdivision PB #07-10
Final Approval Subject to Conditions January 24, 2007
Neg. Dec. Page 1 of 6

TO: Joseph Montana
200 East Erie Street
Blauvelt, NY 10913

FROM: Orangetown Planning Board
RE: The application of the Jefferson Group Associates, owners, Prepreliminary/Preliminary/Final Internal Space Subdivision Plan Review for a site to be known as “**Jefferson Group Associates Internal Space Subdivision Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the code of the Town of Orangetown. The site is located 35 West Jefferson Street, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.20, Block 1, Lot 1 in the LI zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held January 24, 2007, at which time the Board made the following determinations:

Joseph Lacana, Laura Weiss and Dominic Pilla appeared and testified.

The Board received the following communications:

1. A Project Review Memo dated January 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 January 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 January 18, 2007.
4. Letters from the Rockland County Department of Planning, signed by Eileen Miller, dated January 8, 2007 and Salvatore Corallo, Commissioner of Planning, dated January 9, 2007.
5. A letter from the Rockland County Department of Highways, signed by Peter Euler, Senior Engineering Technician, dated January 8, 2007.
6. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated December 27, 2006.
7. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated January 11, 2007.
8. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated January 2 and 3, 2007.

9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, dated December 26, 2006.
10. A Short Environmental Assessment Form signed by Robert Lagana, dated December 6, 2006.
11. A letter signed by Michael Bettmann, Chief, Bureau of Fire Prevention, Town of Orangetown, dated December 19, 2006.
12. Survey Plan prepared by Anthony Celentano, PLS, dated September 12, 2006.
13. Internal Space Subdivision Plan – Main Floor Plan; prepared by Dominick Pilla, R.A., dated October 18, 2006.

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

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

1. The following note shall be placed on the subdivision plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. A North Arrow shall be placed on the Survey Plan. The Survey Plan and the Subdivision Plan shall be placed in the same orientation. The North Arrow shall be placed on the plan, not in the lower box on the plan.
3. The applicant testified that property would be acquired across the street from the project site for parking and offers 200 parking spaces. A note shall be placed on the plan stating the location of the vehicular parking for the project site. The plan shall note and label the location of the parking on the project map.
4. It is unclear from the Main Floor Plan as to where the two tenant spaces are being proposed. Please clarify.
5. The Short Environmental Assessment Form appears to be in order except that the number of tenant spaces shall be provided in Item #6.
6. All access doors for each tenant space shall be clearly marked and labeled on the plan.
7. A review shall be completed by the New York State Department of Transportation and any required permits obtained.
8. The plans shall be revised to indicate the lot number where the subject building is located within the industrial subdivision, the letter or number used to identify the subject building and the square footage of the building and the respective tenant spaces to be created.
9. The Town shall be satisfied that the proposed uses can be accommodated by the existing parking that is provided on the site, or available across the street or in the vicinity, and that the parking is conveniently located to the subject building.

10. The Rockland County Department of Highways has reviewed the plans and found that the proposed action would have no foreseeable adverse effect upon county roads in the area.

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

12. The Rockland County Department of Health reviewed the plans and found that approval is not needed for this project.

13. Based upon the Rockland County Drainage Agency's (RCDA) evaluation of available mapping and the information submitted, it has been determined that the proposed activity is within the jurisdiction of the RCDA. However, the current proposal under review by the Town of Orangetown is for the proposed subdivision of interior commercial space, and it appears that there will not be an increase in the amount of impervious surface at the site. Construction outside of the existing building footprint is not proposed at this time and a permit from RCDA will not be required. 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. The RCDA recommends that the Town of Orangetown land use boards ensure that the project plans continue to indicate only interior improvements. Any future decisions or determinations made by the Town land use boards in this matter shall indicate that a permit from the RCDA will be required prior to the construction of any additional impervious surface within the jurisdiction of the RCDA.

14. The Town of Orangetown Bureau of Fire Prevention had the following comments. These comments shall be placed on the Subdivision Plan as notes:

- Each tenant shall apply for and maintain a Certificate of Compliance Fire Safety with the Bureau.
- The fire alarm panel shall have a separate zone for each tenant and be connected to Rockland County 44-Control and transmit alarms in contact ID format.
- The Fire Sprinkler system shall be arranged to protect the hazard in the storage and warehouse areas. An As-built drawing of the sprinkler system shall be supplied to the Town of Orangetown Bureau of Fire Prevention office.
- The Fire Sprinkler system shall be installed according to NFPA 13, to be tested according to NFPA 25, and the fire alarm to be installed according to NFPA 72 with quarterly reports forwarded to the Town of Orangetown Bureau of Fire Prevention office.
- The applicant shall install and maintain portable fire extinguishers according to NFPA 10.
- An approved Fire Emergency Plan shall be posted and updated annually.
- The rear door that goes north out through the cage, shall swing in the direction of travel.

Page 5 of 6

Jefferson Group Associates Internal Space Subdivision PB #07-10
Final Approval Subject to Conditions January 24, 2007
Neg. Dec.

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

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

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

The Board made a motion to override Condition #3 in the letter from the Rockland County Department of Planning, dated January 9, 2007, since the Board addressed this with a Note on the Subdivision Plan requiring the applicant to note and label the location of the vehicular parking for the project site. The applicant testified that property would be acquired across the street for 200 parking spaces.

Condition #3. A parking calculation table and site plan showing allocated parking spaces for the uses contained on site must be provided. The applicant must also demonstrate that adequate parking is provided for the new tenant uses. If parking to serve the subject building is located across the street, this must be specified and reflected in the parking calculations table.

The motion was made by Kevin Garvey seconded by Anthony Iurica and carried as follows: Bruce Bond, aye, William Young, aye, Anthony Iurica, aye, Robert Dell, aye, John Foody, aye, Suzanne Barclay, aye and Kevin Garvey, aye.

The foregoing Resolution was made and moved by Suzanne Barclay seconded by William Young and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, William Young, aye, John Foody, aye, Robert Dell, aye, Suzanne Barclay, 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 24, 2007 r8 34

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

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

Jefferson Group Associates Internal Space Subdivision PB #07-10
Final Approval Subject to Conditions January 24, 2007
Neg. Dec. Page 6 of 6

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: Jefferson Group Associates Internal Space Subdivision Plan

SEQR STATUS: Type I _____
Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____
No XXXXXX

DESCRIPTION OF ACTION: Subdivision Plan Review

LOCATION: The site is located 35 West Jefferson Street, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.20, Block 1, Lot 1 in the LI 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

**Doller Subdivision
Request for First 90-Day Extension
To File the Subdivision Plan
With the Rockland County Clerk’s Office**

**PB# 07-12
January 24, 2007**

TO: Jay Greenwell, PLS
85 Lafayette Ave.
Suffern, NY 10901

FROM: Orangetown Planning Board

RE: The application of Jay Greenwell, Applicant, for the 1st 90 day Extension to File the **“Doller Subdivision Plan”** 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 150 Kings Highway, Orangeburg, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 74.16 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 24, 2007, at which time the Board made the following determination:

Jay Greenwell appeared and testified for the applicant.

The Board received the following communications:

1. PRC Report dated January 17, 2007.
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 24, 2007.
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering, Town of Orangetown, dated January 18, 2007.
4. PB #06-60, Final Planning Board Approval Subject to Conditions, dated July 12, 2006.

The extension in time to file the subdivision Plan with the Rockland Clerk’s Office was discussed. 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 seconded by William Young and carried as follows: Bruce Bond, aye; Kevin Garvey, aye; Suzanne Barclay, recused; Anthony Iurica, aye; John Foody, aye; William Young, aye and Robert Dell, aye.

DECISION: In view of the foregoing, the Board GRANTED the First 90 DAY EXTENSION IN TIME TO FILE THE DOLLER SUBDIVISION PLAN WITH THE ROCKLAND COUNTY CLERK’S OFFICE.

The foregoing Resolution was made and moved by John Foody, seconded by Kevin Garvey, and carried as follows: Bruce Bond, aye; Kevin Garvey, aye; Suzanne Barclay, recused; Anthony Iurica, aye; John Foody, aye; William Young, aye; and Robert Dell, 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 24, 2007

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

PLANNING BOARD RECOMMENDATION

**Doller Subdivision
Recommendation to the
Town Board of the Value and Term
Of a Performance Bond**

**PB #07-13
January 24, 2007
Page 1 of 2**

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

FROM: Orangetown Planning Board

RE: The application of Kenneth Doller, owner, for a Recommendation to the Town of Orangetown Town Board for the Value and Term of the Performance Bond for the "Doller Subdivision Plan" 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 150 Kings Highway, Orangeburg, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 74.16 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 24, 2007, at which time the Board made the following determination:

Jay Greenwell appeared and testified.

The Board received the following communications:

1. PRC Report dated January 17, 2007.
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 24, 2007.
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering, Town of Orangetown, dated January 5, 2007.

The Board discussed 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 Anthony Iurica seconded by John Foody and carried as follows: Bruce Bond, aye; Anthony Iurica, aye; Kevin Garvey, aye; John Foody, aye; Suzanne Barclay, recused; Robert Dell, aye and William Young, aye.

Page 2 of 2
Doller Subdivision
Recommendation to the
Town Board of the Value and Term
Of a Performance Bond

PB #07-13
January 24, 2007

RECOMMENDATION: In view of the foregoing, the Board RECOMMENDS TO THE TOWN OF ORANGETOWN TOWN BOARD that the value of the Performance Bond be established in accordance with the interdepartmental memorandum from Bruce Peters, P.E., Department of Environmental Management and Engineering, Town of Orangetown, dated January 5, 2007. The term of the Performance Bond shall not exceed two (2) years as set forth in Section 21A-10 of the Town of Orangetown Town Code, which shall be on or before January 24, 2009, and Subject to the Following Condition:

ITEM	COST
Driveway Opening	\$ 8,400.00
Monuments	1,000.00
Iron Pins	1,350.00
As-Built drawings	1,800.00
Soil Erosion Control	27,050.00
Sanitary Sewer System	69,775.00
<u>Sub-Total</u>	<u>\$109,375.00</u>

Administrative Close-out (20% of Sub-Total) \$ 21,875.00

Total Bond \$131,250.00

Inspection Fee (3% of Sub-Total) \$ 3,281.25

To be submitted to DEME prior to the onset of construction.

All Bonds are to conform to current town regulations.

The foregoing Resolution was made and moved by John Foody seconded by Kevin Garvey and carried as follows: Bruce Bond, aye; Anthony Iurica, aye; Kevin Garvey, aye; John Foody, aye; Suzanne Barclay, recused; Robert Dell, aye and William Young, 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 24, 2007

Planning Board OBZPAE RC Planning RC Drainage RC Highway
Env.Mgt.Eng. LMS Town Board Assessor Town Attorney

**AMENDMENT TO
PLANNING BOARD DECISION**

Tappan Plaza, Inc. Commercial Subdivision Plan PB #07-05
Amendment to PB#06-79, Final Approval January 10, 2007
Subject to Conditions Page 1 of 2

TO: Panagiotis Zacharakis
115 Oak Tree Road
Tappan, NY 10983

FROM: Orangetown Planning Board
RE: An Amendment to the PB #06-79, Final Approval of the application of Panagiotis Zacharakis, applicant, for Orangetown Plaza, owner for Prepreliminary/Preliminary/Final Commercial Subdivision of Interior Space for a site known as "**Tappan Plaza, Inc. Commercial Subdivision Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the code of the Town of Orangetown. The site is located at 33 B Route 303, Tappan, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 77.15, Block 1, Lot 34 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held January 10, 2007, at which time the Board made the following determinations:

Panagiotis Zacharakis appeared and testified.
The Board received the following communications:

1. A Project Review Memo dated January 3, 2007.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated January 10, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated January 4, 2007.
4. Copy of PB #06-79, dated October 11, 2006, Final Site Plan Approval Subject to Conditions.

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

DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED AN AMENDMENT TO PB #06-79 AS FOLLOWS WITH THE FOLLOWING CONDITIONS:

1. Condition #1 shall be deleted since the parking calculations are applicable to Site Plan review:

“ 1. The plans shall be revised to include parking calculations that demonstrate that all Town requirements have been met for each of the existing and proposed uses on the site. “

2. All other conditions of PB #06-79 are still applicable.

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

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 10, 2007 r8 24-28

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

PLANNING BOARD CONSULTATION

Mehl Site Plan
Consultation

PB #07-01
January 10, 2007
Page 1 of 2

TO: Heidi Henderson
Mehl Electric
74 South Main Street
Pearl River, NY 10965

FROM: Orangetown Planning Board
RE: The application of Heidi Henderson, applicant for DFW Realty, owner, for Consultation for a site to be known as "**Mehl 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 74 Ridge Street, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.20, Block 1, Lot 36 in the CO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held Wednesday, January 10, 2007, at which time the Board made the following determinations:

Heidi Henderson Dan Kelly appeared and testified.
The Board received the following communications:

1. A Project Review Memo dated January 3, 2007.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated January 10, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated January 4, 2007.
4. A Site Plan prepared by John Nelting Land Surveyor, dated November 12, 1999.
5. A letter signed by Heidi Henderson, Financial Manager, Mehl Electric Company, Inc., dated December 6, 2006.

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

CONSULTATION: In view of the foregoing and the testimony before the Board, the applicant was provided with the following COMMENTS:

