

TOWN OF ORANGETOWN PLANNING BOARD

Meeting of June 23, 2010

MEMBERS PRESENT:

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

MEMBERS ABSENT: None

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

Bruce Bond, Chairperson called the meeting to order at 7:30 P.M. Mr. Garvey read the agenda. Hearings as listed on this meeting's agenda which are made a part of these minutes, were held as noted below:

MetroPCS New York LLC **PB #10-24**
Collocation of Wireless
Telecommunications Facility Plan

Prepreliminary/Preliminary/Final Site Plan
and SEQRA Review

70.14/1/19; LO zoning district

115 Route 303 Internal **PB #10-25**
Commercial Subdivision Plan

Prepreliminary/Preliminary/Final
Internal Commercial Subdivision Plan
and SEQRA Review

77.07/2/1; LI zoning district

BNM Properties Internal **PB #10-26**
Commercial Subdivision Plan

Prepreliminary/Preliminary/Final Internal
Commercial Subdivision Plan
and SEQRA Review

76.08/1/6; LIO zoning district

45 Schuyler Road Subdivision Plan **PB #10-27**

Consultation – 3 lots

65.15/1/7; R-40 zoning district

Continued Items from March 10, 2010 Meeting:

Tappan Free Library Resubdivision Plan **PB #10-09**

Prepreliminary/Preliminary/Final
Resubdivision Plan Review (Tappan Historic District)

77.11/3/65 & 66; CS zoning district

Tappan Free Library Site Plan
Prepreliminary/Preliminary Site Plan
(Tappan Historic District)
77.11/3/65 & 66; CS zoning district

PB #10-10

Other Business:

(1) Mews at Pearl River Petition for a Zone Change from CS zone to a PAC zone and SEQRA Lead Agency Designation: Referral from the Town Board. Tax Map Designation: Section 68.16, Block 6, Lot 62.

The Planning Board had no objection to the Town Board being Lead Agency on the application of Mews at Pearl River Petition for a Zone Change from CS zone to a PAC zone. The Board offered the following recommendation to the Town Board:

RECOMMENDATION:

(2) Highland Mews at Sparkill Petition for a Special Permit for a proposed mixed use in the Sparkill Hamlet Center Overlay Zone District and SEQRA Lead Agency Designation: Referral from the Town Board. Tax Map Designation: Section 77.08, Block 5, Lot 49.

The Planning Board had no objection to the Town Board being Lead Agency on the application of Highland Mews at Sparkill Petition for a Special Permit for a proposed mixed use in the Sparkill Hamlet Center Overlay Zone District. The Board offered the following recommendation to the Town Board:

RECOMMENDATION:

(3) Sean Quinn/ Petition for a Special Permit for a proposed mixed use in the Sparkill Hamlet Center Overlay Zone District and SEQRA Lead Agency Designation: Referral from the Town Board. Tax Map Designation: Section 77.08, Block 5, Lot 48.

The Planning Board had no objection to the Town Board being Lead Agency on the application of Sean Quinn/ Petition for a Special Permit for a proposed mixed use in the Sparkill Hamlet Center Overlay Zone District. The Board offered the following recommendation to the Town Board:

RECOMMENDATION:

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June 23, 2010 Meeting Agenda

The decisions of the June 9, 2010 Planning Board Meeting was reviewed, edited and approved. The motion for adoption was made and moved by Bruce Bond and seconded by Andy Stewart and carried as follows: Robert Dell, aye; Kevin Garvey, aye; Bruce Bond, aye; Jeffrey Golda, aye; John Foody, aye; Andy Stewart, aye and William Young, aye.

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

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Kevin Garvey and seconded by William Young and agreed to by all in attendance. The meeting was adjourned at **9:35** p.m. The next Planning Board meeting is scheduled for July 14, 2010.

DATED: June 23, 2010
Town of Orangetown Planning Board

PB #10-24: MetroPCS New York LLC , Collocation of Wireless Telecommunications Facility Plan; Preliminary Site Plan Approval Subject to Conditions / Neg. Dec.

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TO: Anthony Gioffre, III, Esq., Cuddy & Feder, 445 Hamilton Avenue, 14th Floor, White Plains, New York, 10601
FROM: Orangetown Planning Board
RE: MetroPCS New York LLC Plans: The application of MetroPCS New York LLC, applicant, for Integrated Wireless Alliance, owner, (Cuddy & Feder LLP, attorneys for the applicant) for Prepreliminary/Preliminary/Final Site/ Collocation of Wireless Telecommunications Facility Plan Review, for a site to be known as "MetroPCS New York LLC Plans", 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 and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 568 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.14, Block 4, Lot 19 in the LO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, June 23, 2010**, at which time the Board made the following determinations:

Anthony Gioffre andappeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated June 16, 2010
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated June 23, 2010.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated June 16, 2010.
4. A letter from HDR signed by Harvey Goldberg, P.E., dated June 16, 2010.
5. Letters from the Rockland County Department of Planning, signed by Eileen Miller, and Salvatore Corallo, Commissioner of Planning, dated, 2010.

PB #10-24: MetroPCS New York LLC , Collocation of Wireless Telecommunications Facility Plan; Preliminary Site Plan Approval Subject to Conditions / Neg. Dec.

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6. A letter from the Rockland County Department of Highways, signed by Joseph Arena, Principal Engineering Technician, dated
7. Letters from Rockland County Department of Health, signed by Scott McKane. P.E., Senior Public Health Engineer, dated May 21, 2010.
8. A letter from the Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated
9. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer, dated May 24, 2010.
10. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, dated May 26, 2010.
11. Site Plans prepared by Tectonic Engineering, dated December 15, 2009:
 - T-1: Title Sheet, revised January 5, 2010
 - Z-1: Plot Plan, adjoining Lists and Notes, revised December 23, 2009
 - Z-2: Site Plan, Setback Map and Bulk Requirements, revised January 5, 2010
 - Z-3" Site Detail Plan, Elevation and Details, revised December 23, 2009
 - Z-4: Details, revised December 23, 2009
12. A letter from Cuddy & Feder, dated May 14, 2010, signed by Anthony Gioffre III, with the following attachments:
 - Planning Board Application
 - Cover and Signature pages of Agreements between Metro PCS and Integrated Wireless Alliance
 - Building Permit Referral
 - Radio Frequency Affidavit prepared by Christopher Olson
 - Cumulative Antenna Site FCC RF Compliance Assessment and Report, prepared by Pinnacle Telecom Group, dated December 15, 2009
 - Structural Analysis, prepared by Tower Co., dated September 22, 2009
 - Visual Impact Analysis, prepared by HPC Development LLC, dated April 22, 2010,
 - Prior Zoning Approved by Town of Orangetown Planning Board for existing Facility
 - Short Environmental Assessment Form, dated May 4, 2010
 - Mandate of the Telecommunications Act of 1996 and Declaratory Ruling adopted by FCC on November 18, 2009
13. A letter from Cuddy & Feder, dated May 27, 2010, signed by
 - Anthony Gioffre III, with an attachment of a revised Exhibit E: Antenna Site FCC RF Compliance Assessment and Report, prepared by Pinnacle Telecom Group, dated May 25, 2010

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The Board reviewed the plans.

Public Comments:

A motion was made to close the Public Hearing portion of the meeting by Jeffrey Golda and seconded by Kevin Garvey and carried as follows:

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

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

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant’s professional representatives, namely Cuddy & Feder, Anthony Gioffre III, Tectonic Engineering, Christopher Olson, Pinnacle Telecom Group, Tower Co., and HPC Development LLC, and the Town of Orangetown’s engineering consultant, Henningson, Durham & Richardson (HDR), and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Rockland County Department of Planning, Rockland County Department of Highways, Rockland County Drainage Agency, Rockland County Department of Health,..... and having reviewed a proposed Site plan by prepared by Tectonic Engineering, a summary of the reasons supporting this determination are; and the Planning Board finds, that the proposed action:

PB #10-24: MetroPCS New York LLC , Collocation of Wireless Telecommunications Facility Plan; Preliminary Site Plan Approval Subject to Conditions / Neg. Dec.

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

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

A motion was made to reopen the Public Hearing portion of the meeting to discuss the Collocation of Wireless Telecommunications Facility Plan was made by Bruce Bond and second by Kevin Garvey and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, aye; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey.

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

PB #10-23: MetroPCS New York LLC , Collocation of Wireless Telecommunications Facility Plan; Preliminary Site Plan Approval Subject to Conditions / Neg. Dec.

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."

2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.

3. JG

4. The site is located on the west side of NYS Route 303 at its intersection with Birch Street in Blauvelt. The 1.37 acre site contains an existing 2-1/2 story building that is used as an office with a detached garage. The site also contains an existing wireless telecommunication facility including a 100-ft monopole cell tower with accessory equipment. Access to the site is from Route 303.

The Applicant proposes to construct six additional antennas on a 10-ft extension of the existing 100-ft high monopole and associated additional ground based equipment cabinets within a 10-ft x 25-ft expansion of the existing fenced compound. The equipment cabinets will be placed on a concrete pad that will be surrounded by gravel surfacing. Drainage information has not been provided.

By themselves, the construction of a monopole, small equipment cabinets, shelters, transformers and pads do not significantly increase the impervious area of the site (assuming an impervious area increase less than 400-SF). Based on the current proposed plans, runoff from the proposed site development should not increase significantly. However, If a number of carriers lease space in the compound for similar installations in the future, each with less than a 400-SF increase in impervious area, the increase in runoff may be insignificant when taken individually, but may be significant when combined together. Under such situations, the Planning Board's Drainage Consultant recommends that each Applicant sharing the facility provide storage for the runoff generated from its own equipment and facilities.

Typically, the Drainage Consultant allows the Applicant to store the additional runoff in a stone filled perimeter trench surrounding the concrete pad, provided the surrounding area is level.

Based on the Consultant's review of the submitted plans, they believe that the proposed development will not have a significant impact on drainage. The Planning Board's Drainage Consultant therefore recommends acceptance for drainage subject to the following conditions:

- Provide calculations to demonstrate that there will be a "zero" net increase in runoff rate from the concrete slab under a 24-hr, 100-yr Type III storm (7.5-in of rain in 24-hrs). The calculations shall provide for storing 80% of the total runoff in the stone (40% voids) in the perimeter trench, and

should be signed and sealed by a N.Y. State P.E. The Planning Board Drainage Consultant can be contacted by the Applicant's Engineer to discuss the calculation method.

- Provide a detail of the concrete slab including a plan and cross-sections at a scale of $\frac{1}{4}'' = 1'-0''$ or larger. The detail must show the finished grade elevations of the slab and the stone at the corners of the slab, as well as at the corners of the compound.
- The stone surrounding the concrete pad shall be a minimum of 6-in thick, not 2-in.
- Additional conditions may be added based on response to these conditions.

6. RCPIg

7. RCHealth letter may 21

The office of Rockland County Department of Health, Environmental Health Program received plans for MetroPCS New York LLC. Based on the information provided, there are no Rockland County Health Department approvals needed in association with this application.

8. RCSew 5/24 letter

Rockland County Sewer District does not object to the plan as shown. This project does not affect any sanitary sewers within the District and no future correspondence is requested for this site.

22. The following agencies do not object to the Town of Orangetown Planning Board assuming

responsibilities of lead agency for SEQRA purposes:

- Rockland County Department of Planning
- **Rockland County Department of 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 Site Plans prior to signing the final plans.

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

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

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

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

One (1) foot radius from trunk per inch DBH

Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact: (1) Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips

shall be removed upon completion of work. (2) Light Impacts Only – Installation of 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.

19. 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.

20. 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.

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

22. 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).

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

24. 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

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

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

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: June 23, 2010
Town of Orangetown Planning Board

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

**PB #10-24: MetroPCS New York LLC , Collocation of Wireless
Telecommunications Facility Plan; Preliminary Site Plan Approval Subject
to Conditions / Neg. Dec.**

**Town of Orangetown Planning Board Decisions
June 23, 2010.**

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: MetroPCS New York LLC Plans

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Collocation of Wireless

Telecommunications Facility Plan

LOCATION: The site is located at 568 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.14, Block 4, Lot 19 in the LO 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

STUFF FROM PRIOR CELL TOWER DECISION:

3. In non-residential zone districts, such as CS, wireless communication facilities may be in the 25 foot rear yard, as acceptable to the Planning Board. The applicant is proposing a 6'-10" rear yard setback for this facility.
4. The Planning Board may want to retain a radio frequency consultant to review the NIER report submitted by the applicant. The terms of hiring the radio frequency consultant should be discussed with the applicant.
5. The full Environmental Assessment Form dated December 29, 2009 shall be amended to incorporate the 100 foot cell tower, which is now being proposed.

5. HDR 12/30/09

The site is located on the northeast side of the intersection of Valentine Road (Route 340) and Highland Avenue. The 19,530 SF site contains an existing auto-body shop and existing paved driveways and parking areas with access from Valentine Road.

The Applicant proposes to construct a wireless telecommunication facility consisting of a 100-ft high evergreen tree antenna structure and ground based equipment shelter with propane gas fueled generator inside a 2,000SF fenced compound area. The equipment shelter will be 12-ft by 30-ft. A 1,000 gallon propane tank will be installed on a concrete pad within the compound. The Applicant proposes to provide an 8-ft diameter drywell to mitigate the increase in runoff. A drainage report with calculations dated November 3, 2009 has been provided.

Although we believe that the overall drywell concept can be revised to achieve a zero net increase in runoff rate from the developed site, we cannot recommend acceptance at this time due to insufficient information. We find that the construction details provided are missing or incomplete and the calculations are unclear as to whether the drywell is designed as an infiltration drywell or as a detention basin.

Following are some, but not necessarily all, comments related to this review of the current submittal.

- The report states that "It is proposed that a diversion swale be installed at the southeast portion of the project compound to divert surface flows toward the north and away from the compound area." However, the plans do not show the location of the diversion swale, nor details for its construction. A diversion swale will concentrate runoff and direct it to another location. The plans must show where and how this concentrated flow will be discharged without creating a new problem.
- A 12-ft wide driveway is proposed for access to the fenced compound; however, construction details and materials of the driveway are not shown on the plans.
- Although an 8-ft diameter drywell is proposed, the plans do not contain a construction detail of the drywell. For small increases in impervious area we generally accept infiltration drywells designed in accordance with the Westchester County method with a minimum of 80% of the required storage allocated to storage capacity. If percolation tests on the site are performed, this information can be used to define seepage pit percolation during the storm; otherwise, a default value of 30-min per in. may be used. I can be contacted by the Applicant's Engineer to discuss the calculation method.
- If the drywell will be designed as a detention basin (i.e. without infiltration), then the inlet and outlet pipes must be shown as well as the outlet control device. A routing table must be provided showing inflow, outflow, water level and storage volume.
- The plans do not show grading information. Grading information should show how the runoff from the proposed impervious areas will be directed to the drywell. If roof leaders or other pipes will be used to convey the runoff to the drywell they must be shown on the plans and sized in the calculations.
- The calculations must contain a plan showing the extent of each drainage/catchment area and the flow path used in the calculation.

Additional comments may be added based on response to these comments.

6. RCPLG 12/11/09 letter

Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

The Village of Piermont concerns must be considered and satisfactorily addressed, as well as any additional concerns about the proposed site plan and special permit.

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

There are inconsistencies in the application materials in that in some documents, such as in the November 9, 2009 from Leslie J. Snyder to the Members of the Town Planning Board, it is indicated that the design of the facility has been modified so that it now consists of a 100 foot antenna structure, while other materials, such as page 2 of the Full Environmental Assessment Form still indicate that the proposal is for a 150 foot antenna structure. The inconsistencies in the application materials must be corrected.

The planting plan provided for the area at the base of the monopole shall be further developed and include plants for screening from Route 9W.

If 1000 square feet or more of land area will be disturbed, prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the site that meets the New York State Guidelines for Urban Erosion and Sediment Control.

As provided in Section 8.15 (F) (2) of the Town Code, all obsolete or unused wireless communication antennas (including tower supports) shall be removed within 60 days of cessation of operations at the site and the Town may remove such facilities after 60 days and treat the cost as a tax lien on the property.

RCHigh (1/5/10)

Based upon the plans and information provided for the project, the Rockland County Department of Highways found that the required action will have a de minimus impact to County Roads in the area.

RCHealth letter 11/24/09

10. The Rockland County Department of Health (RCDOH) reviewed the plans and found that application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code. The applicant shall contact Brian Hunderfund at RCDOH.

NYSDOT 1/4/10

1. A grading and drainage plan is required to review the drainage study provided. The plans shall include the location and outflow of the proposed drywells.
2. The existing and proposed access to the property shall be shown on the plans. All revisions to the access must be approved by NYSDOT and a permit shall be obtained prior to construction.

12/22/08 letter from fire district

9. The Sparkill-Palisades Fire District; John Paulding Engine Company #1 reviewed the plans and provided the following mandates for acceptance:

(2) No Parking Signs shall be placed at the curb line.

Knox Box shall be placed on the gate for access

Sign showing where the power disconnect is located.

Access Road must connect to Valentine Avenue and have a minimum width of 12 feet must be able to support a 33 ton fire truck

Snow/Ice shall be cleared on entrance walkway in accordance with

Orangetown regulations

Verizon Wireless Communication must conduct assessment of the Sparkill Palisades Fire Department Emergency Radio Frequencies to insure there Are No Disruptions to Emergencies Radio Transmissions.

- A. Alternate means of mounting the antenna have been considered and are not feasible for the applicant.
 - B. The proposed height is the minimum height necessary for adequate operation to meet the applicants' communication needs and the aesthetic intrusion has been minimized to the greatest extent practicable.
 - C. The proposed height does not exceed 75 feet in residential districts and 150 feet in nonresidential districts;
 - D. The site or building on which the facility is proposed to be installed does not become nonconforming or increase in nonconformity by reason of the installation of wireless communication facilities. This includes but is not limited to yard, buffer, height, floor area ratio for equipment buildings, parking, open space and other requirements. Height requirements of the zoning ordinance shall apply to building and equipment shelters.
4. For all new wireless communication towers, the applicant shall provide to the Planning board and the Architecture and Community Appearance Board of Review graphic information that accurately portrays the visual impact of the proposed tower for various vantage points selected by the Planning Board, such as but not limited to parks, designated historic sites or districts or designated scenic areas. This graphic information may be provided in the form of photographs or computer generated images with the tower superimposed, as may be required by the Planning Board.
5. A report by a qualified Radio Frequency Engineer shall be submitted in accordance with Town Code Section 8.15, Item I, 1a through 1d and 2. This shall be confirmed by a consultant retained by the Town to review the report and their comments provided to the Planning Board.
6. Screening of the equipment and shelter shall be approved by the Town of Orangetown Architecture and Community Appearance Board of Review.
7. The Full Environmental Assessment Form is still under review.
8. The Drainage Consultant to the Planning board:

11. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and 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 the Rockland County Stream Control Act, Chapter 846, is not required based upon its review of the information provided. However, the site appears to be located in close proximity to the Sparkill Creek floodplain for its potential off site impacts. The RCDA recommends that the Town require mitigating measures for stormwater management systems for development proposed outside the RCDA's jurisdiction, but in close proximity to designated floodplains.

12. RCHG 1/8/09

Rockland County Highway Department Work Permit reviewed the requested action and found it would have no foreseeable adverse impact to County Roads in the area.

13. A review shall be completed by the Village of Piermont and any concerns addressed.

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

15. A review shall be completed by the Rockland County Drainage Agency and any required permits obtained.

16. It is the understanding of the Rockland County Department of Planning that the reason the materials submitted do not include photographic visual impact studies of the proposed monopole is that the Planning Board must determine the viewpoints for the studies prior to their completion. Visual impact studies must be completed for review and also provided to the Village of Piermont.

17. The planting plan provided for the area at the base of the monopole shall be further developed and include plants for screening from Route 9W.

18. If 1,000 square feet or more of land area will be disturbed, prior to the start of construction or grading, a soil and erosion control plan shall be developed and in

place for the site that meets the New York State Guidelines for Urban Erosion and Sediment Control.

19. As provided in Section 8.15(F)(2) of the Town Code, all obsolete or unused wireless communication antennas (including tower supports) shall be removed within 60 days of cessation of operations at the site and the Town may remove such facilities after 60 days and treat the cost as a tax lien on the property.

13. .

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

Install an NFPA 13 compliant sprinkler system, inspected annually according to NFPA
Install and maintain an NFPA 72 compliant alarm system with 2 dedicated phone lines with a direct connection with Rockland County 44- Control that will transmit in Contact ID Format.

Install amber and red exterior strobes as required by the Orangetown Code

Install and maintain portable fire extinguishers as required by NFPA 10.

Provide a 20 foot wide fire access road around 100% of the building with the access road out of the collapse zone. This shall be noted and labeled on the Site Plan.

Show all No Parking/Fire Zones on Final Approved Site Plan, with locations of all signs and striping and maintain signs and striping.

Apply for and maintain Certificate of Compliance Fire Safety with the Bureau of Fire Prevention.

Provide Key Box.

Provide square footage for occupancy calculation

(FROM PRELIMINARY DECISION)

**PB #10-24: 115 Route 303 Internal Commercial Subdivision Plan:
Preliminary Approval Subject to Conditions/ Neg. Dec.**

Town of Orangetown Planning Board Decision

June 23, 2010

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TO: Jonathan Hodosh, 60 South Main Street, New City, New York,

FROM: Orangetown Planning Board

RE: 115 Route 303 Internal Commercial Subdivision Plan: The application of Jonathan Hodash, applicant, for Lawrence Kupferschmid, owner, Prepreliminary/Preliminary/Final Internal Commercial Subdivision Plan Review, for a site to be known as "115 Route 303 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 and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 115 Route 303, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.07, Block 2, Lot 1 in the LI zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, June 23, 2010**, the Board made the following determinations:

Jonathan Hodosh and Lawrence Kupferschmid appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated June 16, 2010.
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 June 23, 2010.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., June 16, 2010.
4. Letters from Rockland County Department of Planning, signed by Eileen Miller, Salvatore Corallo, Commissioner of Planning, dated, 2010.
5. Letters from the Rockland County Department of Highways, signed by Joseph Arena,, 2010.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer, dated May 24, 2010.
7. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated May 27, 2010.

**PB #10-24: 115 Route 303 Internal Commercial Subdivision Plan:
Preliminary Approval Subject to Conditions/ Neg. Dec.**

Town of Orangetown Planning Board Decision

June 23, 2010

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8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, dated May 26, 2010.
9. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael B. Bettmann, Chief Fire Inspector, dated June 2, 2010.

10. A letter from the New York State Department of Environmental Conservation, Division of Environmental Permits, Region 3, signed by Amy Daggett, dated May 27, 2010.
11. A Short Environmental Assessment Form signed by Jonathan Hodosh, dated May 10, 2010.
12. Plans prepared by Jonathan Hodosh, R.A., dated March 10, 2010, last revised May 12, 2010
13. Copy of Site Plan.

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

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

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant’s professional representatives, namely Jonathan Hodosh, R.A., and the Town of Orangetown’s engineering consultant, Henningson, Durham & Richardson (HDR), and having heard from the following offices, **officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Rockland County Department of Planning, Rockland County Department of Highways, Rockland County Drainage Agency, Rockland County Department of Health, Rockland County Sewer District No.1,** and having reviewed a proposed Internal Subdivision plan by prepared by Jonathan Hodosh, R.A., dated March 10, last revision dated of May 12, 2010 a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;

Will not have an impairment of existing community or neighborhood character;
Will not remove or destroy large quantities of vegetation or fauna;
Will not remove or destroy large quantities of wildlife species or migratory fish;
Will not have a significant adverse impact to natural resources;
Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
Will not have adverse economic or social impacts upon the Town;
Will not create a hazard to human health; and
Will not create a substantial change in the use of land, open space or recreational resources.

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

A motion was made to reopen the Public Hearing portion of the meeting to discuss the Internal Subdivision Application was made by Kevin Garvey and second by William Young and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, aye; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey.

There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Kevin Garvey and second by William Young and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, aye; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey.

DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED A PRELIMINARY Internal Commercial Subdivision Plan APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. The following note shall be placed on the subdivision plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. 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. JG
4. An overall site plan shall be supplied depicting all utilities, easements (if any), roadway and curbing, drainage facilities, existing sanitary building connections, etc.
5. The applicant is reminded that some types of business may require a pretreatment facility on site and a permit from DEME. The design of such facilities must be reviewed and approved by DEME prior to any construction.

8. RCSew 5/24 letter

Rockland County Sewer District does not object to the plan as shown. This project does not affect any sanitary sewers within the District and no future correspondence is requested for this site.

6/2/10 Mike Bettmann

15. The Town of Orangetown Bureau of Fire Prevention had the following comments in regards to the proposed development:

The Fire Sprinkler system shall be certified to be able to protect the commodity stored in each section.

The Fire Alarm system shall be upgraded and be zoned for each section

Each tenant shall apply for and maintain a Certificate of Compliance Fire Safety.

Each tenant space shall have its own amber strobe and key box.

5/27/10 RC Health

There are no Health dept approvals associated with this application.

5/27/10 New York State Department of Environmental Conservation (NYSDEC)

Based upon the circulated documents, the New York State Department of Environmental Conservation (NYSDEC) holds that the project will require NYSDEC permits as indicated below:

Article 24, Freshwater Wetlands: For physical disturbance proposed within or near State designated Freshwater Wetland NA-14, or its 100 foot adjacent area. If the project sponsors have not already done so, they should contact NYSDEC to have the wetland boundary field inspected and validated by DEC staff, The applicant will be required by DEC to demonstrate that the project meets the permit issuance standards contained in the Freshwater Wetland Permit Requirements Regulations.

Compliance with State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities: For proposed disturbances of 5000 square feet or more of land within the NYC Department of Environmental Protection East of Hudson Watershed or for proposed disturbance of 1 acre or more of land outside of NYUC DEP Watershed. Site is within an MS4 area (Municipal Separate Storm Sewer System), the SWPPP must be reviewed and accepted by the municipality and the MS4 area and other DEC permits are required, the sponsor must provide two copies of the required Stormwater Pollution Prevention Plan (SWPPP) with their permit application for DEC review and approval. Other permits will not be issued until the SWPPP is approved. Authorization for coverage under the SPDES General Permit is not granted until the Department issues any other necessary DEC permit.

Additional Comments: In addition to the permit requirements, the resources that are indicated shall be evaluated during the review of this project under SEQRA:

Cultural Resources: Archaeological Sites, borders on the Palisades Interstate Parkway.

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

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

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

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

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

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

Dated: June 23, 2010
Town of Orangetown Planning Board

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

PB #10-24: 115 Route 303 Internal Commercial Subdivision Plan:
Preliminary Approval Subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision
June 23, 2010
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This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION: 115 Route 303 Internal Commercial Subdivision Plan:

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Internal Commercial Subdivision

LOCATION: The site is located at 115 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.07, Block 2, 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

**PB #10-26: BNM Properties, LLC Internal Commercial Subdivision Plan:
Preliminary Approval Subject to Conditions/ Neg. Dec.**

Town of Orangetown Planning Board Decision

June 23, 2010

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TO: John Piccininni, 37 Ramland Road, Orangeburg, New York,
FROM: Orangetown Planning Board
RE: BNM Properties LLC Internal Commercial Subdivision Plan: The application of John Piccininni, applicant, for BNM Properties, owner, for Prepreliminary/Preliminary/Final Internal Commercial Subdivision Plan Review, for a site to be known as "BNM Properties LLC 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 and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 37 Ramland Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 76.08, Block 1, Lot 6 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, June 23, 2010**, the Board made the following determinations:

John Piccininni and Karl Ackermann appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated June 16, 2010.
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 June 23, 2010.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., June 16, 2010.
4. Letters from Rockland County Department of Planning, signed by Eileen Miller, Salvatore Corallo, Commissioner of Planning, dated, 2010.
5. Letters from the Rockland County Department of Highways, signed by Joseph Arena,, 2010.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer, dated May 24, 2010.
7. A letter from Rockland County Department of Health, signed by Scott McKane. P.E., Senior Public Health Engineer, dated June 9, 2010.

**PB #10-26: BNM Properties, LLC Internal Commercial Subdivision Plan:
Preliminary Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
June 23, 2010
Page 2 of**

8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, dated June 16, 2010.
9. A Short Environmental Assessment Form signed by John Piccininni, dated June 2, 2010.
10. Proposed Sub Tenant Plans for BNM Properties, LLC prepared by Karl Ackermann, AIA, dated June 3, 2010:
 - A-0: Site Location Plan, Notes, List of Drawings
 - A-1: First Floor Plan
 - A-2: Enlarged First & Second Floor Plans & Notes
11. Proposed Parking for Piccininni Architectural Woodworking Plan prepared by Anthon Celentano, PLS, date April 21, 2008.

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

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

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant’s professional representatives, namely Jonathan Hodosh, R.A., and the Town of Orangetown’s engineering consultant, Henningson, Durham & Richardson (HDR), and having heard from the following offices, **officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering;** and having heard from the following involved and interested agencies: **Rockland County Department of Planning, Rockland County Department of Highways, Rockland County Drainage Agency, Rockland County Department of Health, Rockland County Sewer District No.1,** and having reviewed a proposed Internal Subdivision plan by prepared by Jonathan Hodosh, R.A., dated March 10, last revision dated of May 12, 2010 a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

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

On motion by Bruce Bond and seconded by Kevin Garvey and carried as follows: Bruce Bond, aye; Andy Stewart, aye; Robert Dell, aye; John Foody, aye; William

Young, aye; Jeffrey Golda, aye and Kevin Garvey, aye the Board made a Negative Declaration pursuant to SEQRA.

A motion was made to reopen the Public Hearing portion of the meeting to discuss the Internal Subdivision Application was made by Kevin Garvey and second by William Young and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, aye; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey.

There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Kevin Garvey and second by William Young and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, aye; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey.

DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED A PRELIMINARY Internal Commercial Subdivision Plan APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. The following note shall be placed on the subdivision plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. 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. JG
4. The existing sanitary building connection location shall be shown on the site plan.
5. The applicant is reminded that some types of business may require a pretreatment facility on site and a permit from DEME. The design of such facilities must be reviewed and approved by DEME prior to any construction.

8. RCSew 5/24 letter

Rockland County Sewer District does not object to the plan as shown. This project does not affect any sanitary sewers within the District and no future correspondence is requested for this site.

SITE PLAN STUFF.....

14. If the building is to be divided into commercial tenant spaces, then a Commercial Subdivision needs to be submitted to the Town of Orangetown Planning Board.

1/20/10 Mike Bettmann

15. In addition to the previous comments(noted below), the Town of Orangetown Bureau of Fire Prevention had the following additional comments in regards to the proposed development:

The Fire Department Access road around the back of the building to be 20 feet wide with an overhead clearance of 13 feet, 6 inches, at least the height of the wall away from the rear wall and any other walls in the vicinity.

If the space is to be subdivided, the plan shall note how and what commodity will be protected by the Fire Sprinkler system and the Fire Alarm system.

If the space is to be subdivided, the Fire Sprinklers and the Fire Alarm shall be adaptable to be monitored by each division (zoned).

The fire road around the rear (south) if it can not be out of the collapse zone or in the buffer zone, it is OK to place it close to the rear (south)wall.

The sprinkler system must be designed to protect the commodity that is being stored on the rack.

Prior comments of September 10, 2008

- 1) What is the proposed storage.
- 2) How will the storage be arranged.
- 3) Will there be in rack sprinkler coverage.
- 4) Fire Department access road around the south end of the building shall be provided.
- 5) The building will be protected by a sprinkler system designed in accordance to NFPA 13 and maintained according to NFPA 25.
- 6) A building fire alarm system designed in accordance to NFPA 72. Connected to Rockland County 44-Control with 2 dedicated (copper) phone lines that transmits the alarm in contact ID format. With red and amber exterior strobes as required by Orangetown Code.
- 7) Portable Fire extinguishers installed and maintained according to NFPA 10.
- 8) Apply for and maintain a Certificate of Compliance Fire Safety with the Town of Orangetown Bureau of Fire Prevention.
- 9) Install a Key Box.
- 10) Show Fire Zone/Fire Lane "No Parking" on the Final Approved Site Plan.
- 11) Install FDC sign as required by Orangetown Code and install and maintain any or all "No Parking" fire zone signs.

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

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

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

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

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

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

Dated: June 23, 2010
Town of Orangetown Planning Board

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

**PB #10-26: BNM Properties, LLC Internal Commercial Subdivision Plan:
Preliminary Approval Subject to Conditions/ Neg. Dec.**

Town of Orangetown Planning Board Decision
June 23, 2010

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: BNM Properties, LLC Internal Commercial Subdivision

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Internal Commercial Subdivision

LOCATION: The site is located at 37 Ramland Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 76.08, Block 1, Lot 6 in the LIO zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed 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

2. The Setbacks shall be labeled on the Site Plan.
3. The required 100 foot "Buffer Area" is in addition to the 100 foot setback. The applicant can request up to a 50% reduction of the 100 foot setback that abuts the 100 foot buffer area.
4. Any and all exterior dumpster locations have to be shown on the Site Plan.
5. A covenant for offsite parking, acceptable in form and substance to the Town of Orangetown Town Attorney's Office, needs to be provided for the future parking spaces.
6. Based on the current submission, the applicant will need to appear before the Town of Orangetown Zoning Board of Appeals and the Architecture and Community Appearance Board of Review, in addition to the Planning Board.
7. The "future electrical sub-station" requires a Conditional Use approval from the Planning Board.
8. Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to the Town of Orangetown Department of Environmental Management and Engineering (DEME) for review and approval. The applicant's engineer shall design onsite storage to achieve a zero increase in runoff from the proposed site.
9. Sanitary calculations for the proposed site, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval.
10. The existing sanitary sewer main along corporate drive shall be shown on the Site Plans.
11. The proposed sanitary building connections shall be shown on the Site Plans.
12. All existing easements and dedications shall be shown on the Site Plans, including page and liber or instrument number, and ownership.
13. The applicant shall consider providing a 25 foot wide access and utility easement to the Town of Orangetown through Lot #73.19/1/1, from the Town's 73.15.1.17 (to the North) out to Corporate Drive.
14. Copies of all correspondence, including all approvals with the New York State Department of Environmental Conservation, the Rockland County Drainage Agency, etc. in connection with this proposed Site Plan, shall be supplied to the Planning Board and DEME, prior to signing the Site Plan.

PB #10-27: 45 Schuyler Subdivision Plan: Consultation

Town of Orangetown Planning Board Decision

June 23, 2010

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TO: Steven Silverberg Silverberg Zalantis, LLP, 220 White Plains Road,
5th Floor, Tarrytown, New York 10591

FROM: Orangetown Planning Board

RE: 45 Schuyler Road Subdivision Plan: The application of Vincent and Dianne Arnold, owners, (Silverberg Zalantis, LLP, attorneys for the applicant) for a CONSULTATION regarding a 3 lot Subdivision Plan for a site to be known as "45 Schuyler Road 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 on the west side of Schuyler Road at 45 Schuyler Road, Nyack, Town of

Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.15, Block 1, Lot 7 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, June 23, 2010**, the Board made the following determinations:

Steven Silverberg appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated June 16, 2010.
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 June 23, 2010.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., June 16, 2010.
4. A marked up copy of a survey prepared by Jay Greenwell, PLS, dated October 8, 2007.
5. A letter from Silverberg Zalantis, LLP, signed by Steven M. Silverberg, dated June 9, 2010.

A motion was made to close the Public Hearing portion of the meeting by Kevin Garvey and seconded by John Foody and carried as follows:

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

There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Kevin Garvey and second by William Young and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, aye; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey.

DECISION: In view of the foregoing and the testimony before the Board, the Board offered the following COMMENTS:

PB #10-27: 45 Schuyler Subdivision Plan: Consultation

Town of Orangetown Planning Board Decision

June 23, 2010

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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. 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. A proper subdivision plan, that conforms to Section 21 of the Town of Orangetown Code Book – Land Development Regulations, shall be provided for review.

4. Drainage calculations, Soil Erosion and Sediment Control Plans and a SWPPP (if required), prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval.

5. There are currently no sanitary sewer mains located near this site, therefore the applicant is reminded that the sanitary septic systems for the lots must be reviewed and approved by the Rockland County Health Department. Copies of these approvals shall be supplied to the Planning Board and DEME prior to signing the Final Map.

1/20/10 Mike Bettmann

15. In addition to the previous comments(noted below), the Town of Orangetown Bureau of Fire Prevention had the following additional comments in regards to the proposed development:

The Fire Department Access road around the back of the building to be 20 feet wide with an overhead clearance of 13 feet, 6 inches, at least the height of the wall away from the rear wall and any other walls in the vicinity.

If the space is to be subdivided, the plan shall note how and what commodity will be protected by the Fire Sprinkler system and the Fire Alarm system.

If the space is to be subdivided, the Fire Sprinklers and the Fire Alarm shall be adaptable to be monitored by each division (zoned).

The fire road around the rear (south) if it can not be out of the collapse zone or in the buffer zone, it is OK to place it close to the rear (south)wall.

The sprinkler system must be designed to protect the commodity that is being stored on the rack.

Prior comments of September 10, 2008

- 1) What is the proposed storage.
- 2) How will the storage be arranged.
- 3) Will there be in rack sprinkler coverage.
- 4) Fire Department access road around the south end of the building shall be provided.
- 5) The building will be protected by a sprinkler system designed in accordance to NFPA 13 and maintained according to NFPA 25.
- 6) A building fire alarm system designed in accordance to NFPA 72. Connected to Rockland County 44-Control with 2 dedicated (copper) phone lines that transmits the alarm in contact ID format. With red and amber exterior strobes as required by Orangetown Code.
- 7) Portable Fire extinguishers installed and maintained according to NFPA 10.
- 8) Apply for and maintain a Certificate of Compliance Fire Safety with the Town of Orangetown Bureau of Fire Prevention.
- 9) Install a Key Box.
- 10) Show Fire Zone/Fire Lane “No Parking” on the Final Approved Site Plan.
- 11) Install FDC sign as required by Orangetown Code and install and maintain any or all “No Parking” fire zone signs.

- 24.** The following agencies do not object to the Town of Orangetown Planning
18. The applicant shall comply with all pertinent items in the Guide to the
Preparation of Site Plats prior to signing the final plans.
19. All reviews and approvals from various governmental agencies must be
obtained prior to stamping of the Site Plan.

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: June 23, 2010
Town of Orangetown Planning Board

**PB #10-09: Tappan Free Library Resubdivision Plan: Preliminary Approval
Subject to Conditions**

Town of Orangetown Planning Board Decision

June 23, 2010

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TO: Jane Slavin, R.A., 25 Greenbush Road, Orangeburg, New York
FROM: Orangetown Planning Board
RE: Tappan Free Library Resubdivision Plan: The application of Tappan Free Library for Prepreliminary/Preliminary/Final Resubdivision Plan Review for a site to be known as "**Tappan Free Library Resubdivision Plan**", located in the Tappan Historic District, 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 93 Main Street, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.11, Block 3, Lot 65 & 66 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, February 24, March 10, and June 23, 2010**, at which time the Board made the following determinations:

February 24, 2010

Jane Slavin, Thano Schoppel and David Howe appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated February 17, 2010.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated February 24, 2010.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated February 17, 2010.
4. A letter from HDR, signed by Harvey Goldberg, P.E., dated February 5, 2010.
5. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated February 8, 2010.
6. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated February 4, 2010.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated February 22, 2010.
8. A letter from Jane Slavin, R.A., dated December 18, 2009.
9. A Short Environmental Assessment Form signed by Jane Slavin, R.A., dated January 19, 2010.
10. Site Plan prepared by Robert Sorace, PLS dated October 30, 2009.

**Town of Orangetown Planning Board Decision
June 23, 2010
Page**

The hearing was then opened to the Public. No public comments.

The applicant requested a **CONTINUATION**.

March 10, 2010

Jane Slavin, Thano Schoppel and David Howe appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated February 17, 2010.
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 March 3, 2010.

The Board made motions regarding SEQRA Determinations, see attached **March 10, 2010 Decision PB #10-09/PB#10-10**.

The applicant requested a **CONTINUATION**.

June 23, 2010

Jane Slavin, Thano Schoppel and David Howe appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated June 16, 2010.
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 June 23, 2010.
3. A copy of the Town Board Resolution #213, dated March 23, 2010, regarding an Easement on the property.
4. A copy of PB #10-09 and #10-10: Negative Declaration, dated March 10, 2010.
5. A letter from HDR, signed by Harvey Goldberg, P.E., dated June 10, 2010.
6. A letter from Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning, dated April 2, 2010.
7. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated May 24, 2010.
8. A letter from the Rockland County Drainage Agency, Division of the Highway Department, signed by Shajan Thottakara, P.E., dated June 14, 2010.

There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Kevin Garvey and second by William Young and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, aye; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey.

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

1. The following note shall be placed on the Resubdivision 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 Resubdivision Plan: Stormwater Management Phase II Regulations: Additional certification, by an appropriate

licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations

3. Clear access to the existing bridge shall be defined on the Site Plan.
4. A "Zoning Bulk Table" shall be placed on the "Tax Lot Merger" plan.
5. The Short Environmental Assessment Form appears to be in order.
6. The applicant shall relocate the existing property lines and dedicate the portions of property that currently include the public sidewalk and roadway, to the Town of Orangetown for highway purposes.
7. The applicant shall contact the Rockland County Drainage Agency and inquire about the County's willingness to have that portion of the property, which currently extends into the Sparkill creek, be dedicated to the County for drainage purposes. Copies of all correspondence relating to this issue, shall be submitted to the Planning Board.
8. The site is located on the east side of Main Street at the intersection with Oak Tree Road in Tappan. The Applicant proposes to resubdivide two parcels into one. Parcel 65 contains an existing frame building that is used as a public library. Parcel 66 contains an existing barn to be renovated as a library and connected to the structure on Parcel 65. The site also contains existing driveways and parking areas with access from both Main Street and Oak Tree Road. The two parcels are entirely within the 100-yr flood boundary of the Sparkill Creek that runs along the easterly property lines of the two parcels. The Applicant indicates that the increase in impervious area will be 393SF. Drainage calculations have not been provided.

Typically the Planning Board Drainage Consultant looks at proposed development where the increase in impervious area is less than 400SF as not having a significant impact on drainage. In this instance the Drainage Consultant found two issues of concern. However, the Drainage Consultant believes that these issues can be resolved, and therefore recommends acceptance for drainage subject to the following conditions:

- Since the subject site is adjacent to the Sparkill Creek, it is within the jurisdiction of the Rockland County Drainage Agency. Accordingly, the Drainage Consultant's recommendation is conditioned on the Applicant obtaining a permit for the proposed development from that Agency. Failure to obtain such a permit will void this recommendation.

**PB #10-09: Tappan Free Library Resubdivision Plan: Preliminary Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
June 23, 2010
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Continuation of Condition #8....

- Drainage from the site flows in an easterly direction between the two buildings from the street toward the Sparkill Creek. Construction of an enclosed walkway between the two buildings will block the natural flow of drainage which is unacceptable. Possible solutions include regrading of the site so that drainage flows from the proposed building connection in the opposite direction toward the street, or the installation of a catch basin at the low point on the westerly side of the proposed building connection and connecting the catch basin to the existing catch basin in Main Street. Detailed plans, details and calculations as appropriate must be provided, and shall be signed and sealed by a N.Y. State P.E.

Additional conditions may be added based on response to these conditions.

9. RCPLG Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

As required by the Rockland County Stream Control Act, the subdivision map must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk will accept the plan for filing.

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

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

- The existing Right-of-Way line and Designated Street Line along Main Street shall be clearly identified in the Site Plan.
- The proposed handicap access ramp shall be identified on the drawing and conform to current NYSDOT standards including 5'-0" width to be provided.
- The location and details for a temporary construction entrance must be demonstrated on the Site Plan.
- Due to the expansion of the facility and merger of the two lots, a Bulk Table including parking requirements shall be indicated on the Site Plan. All required parking shall be contained on site in accordance to current Town Code regulations.
- The proposed drain for the new building connection and the drainage for the renovation of the existing barn shall be shown. There shall be zero net increase in runoff for the proposed development.
- A Rockland County Highway Department Work Permit and Road Opening Permit if required will be necessary for the proposed construction. A note shall be added to the subdivision map to this effect.

**PB #10-09: Tappan Free Library Resubdivision Plan: Preliminary Approval
Subject to Conditions**

Town of Orangetown Planning Board Decision

June 23, 2010

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10. The Rockland County Department of Health had no comment at this time.

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

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

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

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

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

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

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

One (1) foot radius from trunk per inch DBH

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

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

Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

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

**PB #10-09: Tappan Free Library Resubdivision Plan: Preliminary Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
June 23, 2010
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15. 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.

16. 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.

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

18. 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).

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

20. 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

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

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

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

**Dated: June 23, 2010
Town of Orangetown Planning Board**

**PB #10-10: Tappan Free Library Site Plan: Preliminary Site Plan Approval
Subject to Conditions**

Town of Orangetown Planning Board Decision

June 23, 2010

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TO: Jane Slavin, R.A., 25 Greenbush Road, Orangeburg, New York
FROM: Orangetown Planning Board
RE: Tappan Free Library Site Plan: The application of Tappan Free Library for Prepreliminary/Preliminary Site Plan Review for a site to be known as "**Tappan Free Library Site Plan**", located in the Tappan Historic District, 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 and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located 93 Main Street, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.11, Block 3, Lot 65 & 66 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, February 24, March 10 and June 23, 2010**, at which time the Board made the following determinations:

February 24, 2010

Jane Slavin, Thano Schoppel and David Howe appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated February 17, 2010.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated February 24, 2010.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated February 17, 2010.
4. A letter from HDR, signed by Harvey Goldberg, P.E., dated February 5, 2010.
5. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated February 8, 2010.
6. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated February 8, 2010.
7. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated February 4, 2010.
8. A letter from Jane Slavin, R.A., dated December 18, 2009.
9. A Short Environmental Assessment Form signed by Jane Slavin, R.A., dated January 19, 2010.
10. Site Plan prepared by Robert Sorace, PLS dated October 30, 2009.
11. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief, dated January 25, 2010.

The hearing was then opened to the Public. No public comments.

The applicant requested a **CONTINUATION**.

March 10, 2010

Jane Slavin, Thano Schoppel and David Howe appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated February 17, 2010.
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 March 3, 2010.

The Board made motions regarding SEQRA Determinations, see attached **March 10, 2010 Decision PB #10-09/PB#10-10.**

The applicant requested a **CONTINUATION.**

The hearing was then opened to the Public. No public comments.

June 23, 2010

Jane Slavin, Thano Schoppel and David Howe appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports dated June 16, 2010.
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 June 23, 2010.
3. A copy of the Town Board Resolution #213, dated March 23, 2010, regarding an Easement on the property.
4. A copy of PB #10-09 and #10-10: Negative Declaration, dated March 10, 2010.
5. A letter from HDR, signed by Harvey Goldberg, P.E., dated June 10, 2010.
6. A letter from Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning, dated April 2, 2010.
7. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated May 24, 2010.
8. A letter from the Rockland County Drainage Agency, Division of the Highway Department, signed by Shajan Thottakara, P.E., dated June 14, 2010.
9. Letters from Rockland County Drainage Agency, Division of the Highway Department, signed by Shajan Thottakara, P.E., dated March 24, 2010 and Edward Devine, Executive Director, dated November 19, 2008.

There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Kevin Garvey and second by William Young and carried as follows: Bruce Bond, aye; Andy Stewart, aye; William Young, aye; Robert Dell, aye; John Foody, aye; Jeffrey Golda, aye and Kevin Garvey.

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 following note shall be placed on the Site Plan:” At least

one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting.”

2. The following note shall be placed on the Site Plan: 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. A “Zoning Bulk Table” shall be added to the Site Plan. Any Zoning Board of Appeals variances required will be determined after the Bulk Table is provided.

4. The total square footage of the merged building shall be provided on the Site Plan.

5. A public library under 10,000 square feet requires one off street loading berth. (Chapter 43, Section 6.4,a).

6. Parking calculations shall be provided on the Site Plan.

7. The 100 year flood plain line shall be shown on the Site Plan.

8. The existing walkway leading from the Tappan Park Bridge to the Library shall be removed.

9. The gravel path currently leading to the parking area to the north of the existing library from the Tappan Park Bridge shall be paved.

10. The existing sanitary house connection locations, for both buildings, shall be shown on the plan.

11. Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval. Or, if the proposed increase in impervious area is less than 400 square feet, a letter from the applicant’s engineer shall state the same.

12. All proposed regarding shall be depicted on the drawings.

13. Soil erosion and sediment control plans and details shall be submitted to DEME for review and approval.

14. Any proposed work, within the Town of Orangetown Right of Way, will require a work permit from the Town’s Highway Department.

15. The site is located on the east side of Main Street at the intersection with Oak Tree Road in Tappan. The Applicant proposes to resubdivide two parcels into one. Parcel 65 contains an existing frame building that is used as a public library. Parcel 66 contains an existing barn to be renovated as a library and connected to the structure on Parcel 65. The site also contains existing driveways and parking areas with access from both Main Street and Oak Tree Road. The two parcels are entirely within the 100-yr flood boundary of the Sparkill Creek that runs along the easterly property lines of the two parcels. The Applicant indicates that the increase in impervious area will be 393SF. Drainage calculations have not been provided.

PB #10-10: Tappan Free Library Site Plan: Preliminary Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision

June 23, 2010

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Continuation of Condition #15....

Typically the Planning Board Drainage Consultant looks at proposed development where the increase in impervious area is less than 400SF as not having a significant impact on drainage. In this instance the Drainage Consultant found two issues of concern. However, the Drainage Consultant believes that

these issues can be resolved, and therefore recommends acceptance for drainage subject to the following conditions:

- Since the subject site is adjacent to the Sparkill Creek, it is within the jurisdiction of the Rockland County Drainage Agency. Accordingly, the Drainage Consultant's recommendation is conditioned on the Applicant obtaining a permit for the proposed development from that Agency. Failure to obtain such a permit will void this recommendation.
- Drainage from the site flows in an easterly direction between the two buildings from the street toward the Sparkill Creek. Construction of an enclosed walkway between the two buildings will block the natural flow of drainage which is unacceptable. Possible solutions include regrading of the site so that drainage flows from the proposed building connection in the opposite direction toward the street, or the installation of a catch basin at the low point on the westerly side of the proposed building connection and connecting the catch basin to the existing catch basin in Main Street. Detailed plans, details and calculations as appropriate must be provided, and shall be signed and sealed by a N.Y. State P.E.

Additional conditions may be added based on response to these conditions.

9. RCPLG Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

As required by the Rockland County Stream Control Act, the subdivision map must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk will accept the plan for filing.

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

The concerns expressed in the February 8, 2010 letter from Rockland County Highway Department shall be addressed and all required permits obtained.

A Bulk table comparing the applicable zoning district and parking regulations to the existing and proposed conditions shall be added to the Site Plan. If off-site parking will be utilized to meet some of the increased parking demand, information about the location and availability of this parking must be provided.

The gravel parking area by the barn/stable structure shall be striped to show the potential number of parking spaces.

Signage, landscaping and lighting plans that meet all Town of Orangetown requirements shall be provided.

As indicated in the November 3, 2009 and January 15, 2010 letters from the Rockland County Drainage Agency, a permit will be required from this agency and a permit application must be submitted.

The flood plain of the Sparkill Creek shall be shown on the Site Plan.

The Floodplain Administrator for the Town of Orangetown shall certify that the proposed construction is in compliance with the floodplain regulations of the Town and the Federal Emergency Management Agency.

If 1000 square feet or more of land will be disturbed, 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.

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

16. The Rockland County Department of Highways reviewed the plans and offered the following comments:

1. The existing Right-of-Way line and Designated Street Line along Main Street shall be clearly identified in the Site Plan.
2. The proposed handicap access ramp shall be identified on the drawing and conform to current NYSDOT standards including 5'-0" width to be provided.

3. The location and details for a temporary construction entrance must be demonstrated on the Site Plan.
4. Due to the expansion of the facility and merger of the two lots, a Bulk Table including parking requirements shall be indicated on the Site Plan. All required parking shall be contained on site in accordance to current Town Code regulations.

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Continuation of Condition #16....

5. The proposed drain for the new building connection and the drainage for the renovation of the existing barn shall be shown. There shall be zero net increase in runoff for the proposed development.
6. A Rockland County Highway Department Work Permit and Road Opening Permit if required will be necessary for the proposed construction. A note shall be added to the subdivision map to this effect.

17. (3/24/10 letter)

Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, it has been determined to be within the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act, Chapter 846, is required based upon its review of the information provided. A permit application shall be submitted to RCDA. In addition, the site appears to be located in close proximity to mapped federal wetlands. The RCDA suggests that the U.S. Army Corps of Engineers be contacted and requested to make a jurisdictional determination regarding the proposed activity. Also, as required by the Rockland County Stream Control Act, the subdivision map must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk will accept the plan for filing.

17. The Rockland County Department of Health had no comment at this time.
18. The Town of Orangetown Bureau of Fire Prevention had the following Comments and shall be placed as notes on the Plans:
- (1) Apply and maintain a Certificate of Compliance Fire Safety with the Town of Orangetown Bureau of Fire Prevention.
 - (2) Install an NFPA 13 Compliant Fire Sprinkler system and maintain it according to NFPA 25, with a 4" Storz Fire Department Connection.
 - (3) Install and maintain a Fire Alarm system in accordance with NFPA 72 with amber and red strobes as per Orangetown code. Transmitting to Rockland County 44-Control over 2 dedicated copper phone lines.
 - (4) Provide drawings for Fire Sprinkler and Fire Alarm system for approval prior to starting work.
 - (5) Install and maintain Portable Fire Extinguishers in accordance with NFPA 10.
 - (6) Provide Emergency Lighting as required.
 - (7) Install a key box.
 - (8) Show Fire Lanes/Zones on final approved Site Plan.
19. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
- Rockland County Department of Planning
 - Rockland County Sewer District #1
 - Rockland County Drainage Agency
 - **Rockland County Department of Health**
 - **Rockland County Department of Highways**
 - Town of Orangetown Zoning Board of Appeals
20. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plats prior to signing the final plans.
21. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.

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22. TREE PROTECTION: The following note shall be placed on the site plan: The Tree Protection and Preservation Guidelines adopted pursuant to Section 21-24 of the Land Development Regulations of the Town of Orangetown will be implemented in order to protect and preserve both individual specimen trees and buffer area with many trees. Steps that will be taken to reserve and protect existing trees to remain are as follows:
- a. No construction equipment shall be parked under the tree canopy.
 - b. There will be no excavation or stockpiling of earth underneath the trees.
 - c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
 - d. The Tree Protection Zone for trees designated to be preserved will be

established by one of the following methods:

One (1) foot radius from trunk per inch DBH

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

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.

23. All landscaping shown on the site plans shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

24. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

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

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26. If the applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant shall submit their recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's

recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Wetlands - U.S. Army Corps of Engineers).

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

28. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

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

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

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

Dated: June 23, 2010

Town of Orangetown Planning Board