

**TOWN OF ORANGETOWN PLANNING BOARD**

**Meeting of May 12, 2010**

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:** Jeffrey Golda

**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 Cheryl Coopersmith, Chief 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:

<b>Sylar/Adams Retaining Wall Site Plan</b>	<b>Consultation</b>	<b>PB #10-19</b>
Consultation - Critical Environmental Area 71.17/1/6; R-22 zoning district		

<b><u>Continued Item from April 28, 2010 Meeting:</u></b>		
<b>Thorpe Village Wetlands Remediation Site Plan</b>		<b>PB #10-18</b>
Prepreliminary/Preliminary/Final Site Plan and SEQRA Review	<b>Postponed</b>	
74.16/1/23; R-40 zoning district		

<b><u>Continued Item from March 10, 2010 Meeting:</u></b>		
<b>155 Corporate Drive Site Plan</b>	<b>Continued</b>	<b>PB #10-05</b>
Prepreliminary/Preliminary Site Plan and SEQRA Review	<b>to June 9<sup>th</sup></b>	
73.15/1/18 and 73.19/1/1; LIO zoning district		
	<b>Meeting</b>	

<b><u>New Item:</u></b>		
<b>155 Corporate Drive Internal Commercial Subdivision Plan</b>	<b>Continued</b>	<b>PB #10-20</b>
Prepreliminary/Preliminary /Final Internal Commercial Subdivision Plan and SEQRA Review	<b>to June 9<sup>th</sup></b>	
73.15/1/18 and 73.19/1/1, LIO zoning district		
	<b>Meeting</b>	

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**OTHER BUSINESS: G.L.F Realty Company, Inc. Proposed Zone Change:**

Referral from the Town Board; Tax Map Designation: Section 69.13, Block 3, Lot 35; Zone Change Request from RG zone to CC zone.

The Planning Board had no objection to the Town Board being Lead Agency on the application of G.L.F. Realty Company, Inc for Zone Change Request from RG zone to CC zone. The Board offered the following recommendation to the Town Board:

**RECOMMENDATION:** The proposed zone change may present significant impact on the adjacent residential and school properties. The Planning Board recommends that prior to granting the zone change to the property, the applicant should perform a traffic study.

The decisions of the April 28, 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, abstain; Bruce Bond, aye; Jeffrey Golda, absent; 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 June 9, 2010.

**DATED: May 12, 2010**  
**Town of Orangetown Planning Board**

**PB #10-19: Sylar/Adams Retaining Wall Site Plan: Consultation**

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TO: Sherry Sylar, 915 Route 9W South, Upper Grandview,  
New York 10960

FROM: Orangetown Planning Board

RE: Sylar/Adams Retaining Wall Site Plan: The application of Sherry Sylar, owner, for Consultation regarding the replacement of an existing retaining wall in the Critical Environmental Area at a site known as "**Sylar/Adams Retaining Wall Site Plan**" in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 915 Route 9W, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown. Tax Map as Section 71.17, Block 1, Lot 6 in the R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 12, 2010**, at which time the Board made the following determinations:

Danny Clapp and Roxanne Adams appeared and testified for the applicant. The Board received the following communications:

1. A Project Review Committee Report dated May 5, 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 May 12, 2010.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated May 10, 2010.
4. Allan Block AB6 Block with SRW5 Geogrid Retaining Wall Plans: Specifications, prepared by Scott A. "Sam" Miller, P.E., Consulting Engineer, dated April 11, 2010.
5. A letter signed by Sherry Sylar, dated April 21, 2010.

The Board reviewed the plans.

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

**PB #10-19: Sylar/Adams Retaining Wall Site Plan: Consultation**

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1. The applicant appeared before the Planning Board on September 30, 2009 (PB #09-05) and was granted a Negative Declaration for SEQRA and a Final Approval for the installation of three retaining walls. That approval was for the replacement of single retaining wall along the edge of the driveway. This new proposal is for the replacement of the same location. Since this is a much smaller project than what was approved, the Planning Board approves this replacement in kind and the Building Department will follow through with the Pre-construction meeting, erosion control, etc. as required under PB #09-5, the prior approval.
2. The applicant will require a New York State Department of Transportation Work Permit to replace the section of retaining wall within the Route 9W right of way.
3. At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting.
4. The applicant shall comply with all pertinent and applicable conditions of the prior Board Decision PB #09-05.

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: May 12, 2010**

**Town of Orangetown Planning Board**