

**TOWN OF ORANGETOWN PLANNING BOARD
MEETING OF MAY 28, 2008**

MEMBERS PRESENT:

Robert Dell, Chairperson, Bruce Bond, Vice-Chairperson, (arrived 10:00 p.m.)
Kevin Garvey, Anthony Iurica, Jeffrey Golda, John Foody, and William Young

MEMBERS ABSENT: None

ALSO PRESENT: John Giardiello, Director, Department of Building, Zoning ,
Planning Administration and Enforcement, Robert Magrino, Deputy Town Attorney,
Ann Marie Ambrose, Stenographer and Cheryl Coopersmith, Chief Clerk

Robert Dell, Chairperson called the meeting to order at 7:45 p.m.

Mr. Bond read the agenda. Hearings as listed on this meeting's agenda which are made
a part of these minutes, were held as noted below:

Continued from May 14, 2008 Meeting:

Wyeth Site Plan		PB #08- 29
Prepreliminary/Preliminary/Final Site Plan	Final Site Plan Approval	
and SEQRA Review	Subject to Conditions	
South Retention Basin	Neg. Dec.	
68.08/1/1; LI zone		

New Items:

Hanlon Subdivision Plan		PB #08-31
Request for 1st 90 Day Extension to	Granted	
File Subdivision Plat		
With Rockland County Clerk's Office		
77.10/2/41; R-15 zone		

Childcare Consultation Site Plan		PB #08-32
Consultation for Daycare Center)	Consultation	
63.20/1/1; LO zone		

St. Thomas Aquinas College Site Plan		PB #08-33
Final Site Plan Review	Final Site Plan Approval	
74.12/1/29 & 74.16/1/1; R-40 zone	Subject to Conditions	

Continued from March 12, 2008 Meeting:

Orange and Rockland Utilities		PB #08-13
Tappan Substation Plans	Continued: Needs Drainage	
Prepreliminary/Preliminary Site Plan,		
Conditional Use Permit and SEQRA Review		
77.15/1/31; LIO zone		

May 28, 2008 Planning Board Meeting

Page 2 of 2

Other Business:

1) The Board reviewed a request from the Town Board to be designated to serve as Lead Agency for the Zone Change from Light Industrial Office to Medium Density Residence (R-15) for property located on Oak Tree Road, Palisades, 77.16-1-22. The Planning board consents that the Town of Orangetown Town Board may serve as Lead Agency for coordinated environmental review of the proposed action.

2) The Board reviewed a proposed development plan for a site known as the Gaelic Athletic Association, Section 73.08, Block 1, Lot 1. The Board determined that the applicant did not need to appear in front of the Board and that review and approval of the plans would be provided by the Town of Orangetown Department of Building, Zoning, Planning Administration and Enforcement.

The decisions of the May 14, 2008 Planning Board Meeting was reviewed, edited and approved. The motion for adoption was made and moved by Kevin Garvey and seconded by Anthony Iurica and carried as follows: Robert Dell, aye; Kevin Garvey, aye; Bruce Bond, aye; Anthony Iurica, aye; Jeffrey Golda, abstain; John Foody, 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 Bruce Bond and second by Robert Dell and agreed to by all in attendance. The meeting was adjourned at 11:15 p.m. The next Planning Board meeting is scheduled for **June 11, 2008**.

DATED: May 28, 2008

Town of Orangetown Planning Board

**Wyeth Site Plan – South Retention Basin
Final Site Plan Approval
Subject to Conditions**

**PB #08-29
May 28, 2008
Page 1 of 8**

TO: Andrew Karcz; Wyeth, Facilities Manager; 401 North Middletown Road;
Pearl River, NY 10965
FROM: Orangetown Planning Board

RE: The application of Andrew Karcz, applicant, for Wyeth, owner, for Review of a Site Plan known as “**Wyeth Site Plan – South Retention Basin 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. The site is located at 401 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.08, Block 1, Lot 1 in the LI zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, May 14 & 28, 2008** at which time the Board made the following determinations:

May 14, 2008

Andrew Karcz, John Banyo and John Kostyo appeared and testified.

The Board received the following communications:

1. Project Review Report dated May 7, 2008.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated May 14, 2008.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated May 8, 2008.
4. Letter from Brooker Engineering, signed by Brian Brooker, P.E., dated May 14, 2008.
5. A letter from Rockland County Department of Planning Signed by Salvatore Corallo, Commissioner of Planning, dated May 2, 2008.
6. Letters from the Rockland County Department of Highways, signed by Joseph Arena, Principal Engineering Technician, dated May 6, 2008.
7. A letter from the Rockland County Drainage Agency, signed by Edward Devine, Executive Director dated April 17, 2008.

PB #08-29 – TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 2 of 8

Wyeth Site Plan – South Retention Basin PB #08-29
Final Site Plan Approval May 28, 2008
Subject to Conditions

8. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated April 15, 2008.
9. A letter from the Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated May 5, 2008.
10. A letter from the Town of Clarkstown, Department of Planning, signed by Shirley Thormann, Chairwoman, dated April 28, 2008.
11. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, Chairperson, dated April 16, 2008.
12. Plans prepared by Kling Stubbins, Architecture, Engineering, Interiors, Planning, dated September 27, 2008, signed and sealed by John Kostyo, P.E.,
 - Drawing No. and Rev: D- C-002: Cover Sheet
 - Drawing No. and Rev: D- C-112: Southwest Basin Site Layout Plan
 - Drawing No. and Rev: D- C-142: Southwest Basin Soil Erosion Control Plan
 - Drawing No. and Rev: D- C-152: Southwest Basin Site Landscape Plan
 - Drawing No. and Rev: D- C-221: Southwest Basin Profiles -1
 - Drawing No. and Rev: D- C-222: Southwest Basin Profiles -2
 - Drawing No. and Rev: D- C-832: Southwest Basin Site Utility Details -1
 - Drawing No. and Rev: D- C-833: Southwest Basin Site Utility Details -2
 - Drawing No. and Rev: D- C-842: Southwest Basin Soil Erosion Control Details
 - Drawing No. and Rev: D- C-852: Southwest Basin Planting Details

The Board reviewed the plans.

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

May 28, 2008

Andrew Karcz, John Banyo and John Kostyo appeared and testified.

The Board received the following communications:

1. Project Review Report dated May 21, 2008.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated May 28, 2008.
3. Letters from Rockland County Department of Planning Signed by Eileen Miller, dated May 28, 2008 and Arlene Miller, Deputy Commissioner, for Salvatore Corallo, Commissioner of Planning, dated May 28, 2008.

PB #08-29 – TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 3 of 8

**Wyeth Site Plan – South Retention Basin
Final Site Plan Approval
Subject to Conditions**

**PB #08-29
May 28, 2008**

4. A letter from the Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated May 27, 2008.
5. A letter from the Rockland County Department of Highways, signed by Sonney Lin, P.E., dated May 28, 2008.
6. A letter from the Town of Orangetown Zoning Board of Appeals signed by William Mowerson, Chairperson, dated May 21, 2008.
7. A letter from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated May 20, 2008.
8. A letter from the New York State Department of Transportation, signed by Mary Jo Russo, P.E., dated May 21, 2008.
9. A Short Environmental Assessment Form, signed by John Banyo, dated May 15, 2008.
10. A copy of a letter to Mr. James Creighton, Assistant Town Planner, Town of Clarkstown, signed by Mr. John Giardiello, P.E., Director, Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, dated May 22, 2008.

The hearing was then opened to the Public. There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Kevin Garvey seconded by William Young and carried as follows:

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

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

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

It will not have a significant impact upon the environment and a DEIS will not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels, drainage or existing traffic patterns.

PB #08-29 – TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 4 of 8

**Wyeth Site Plan – South Retention Basin
Final Site Plan Approval
Subject to Conditions**

**PB #08-29
May 28, 2008**

In addition, it will have no impact upon the aesthetics, agricultural or cultural resources of the neighborhood and no vegetation, fauna or wildlife species will be affected as a result of the proposed action. The proposed action is consistent with the Town's Master Plan and will not have any adverse economic or social impacts upon the Town of Orangetown.

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The proposed Southwest Basin plan is being submitted as part of the Comprehensive drainage study recently completed.
4. The Short Environmental Assessment Form appears to be in order.
5. A maintenance agreement (in accordance with NYSDEC Phase II regulations) incorporating all of the Wyeth Campus drainage facilities shall be submitted to DEME and the Town Attorney's Office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contact person with telephone number, yearly report to be submitted to DEME, etc.
6. The Drainage Consultant to the Planning Board for this project, Brooker Engineering, recommends that the Southwest Retention Basin be approved for drainage subject to the following conditions, as set forth in it's letter dated May 14, 2008:
 - 1.) The Consultant reviewed part of the drainage for the Southwest Basin as part of the Building 241 Site Plan, which they gave final acceptance with respect to drainage in its March 12, 2008 letter to the Planning Board. This final acceptance was based on Site Plan drawings with a last revised

PB #08-29 – TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 5 of 8

**Wyeth Site Plan – South Retention Basin
Final Site Plan Approval
Subject to Conditions**

**PB #08-29
May 28, 2008**

Continuation of Condition #6....

date of March 7, 2008. Some of the storm drainage utility information on these approved drawings of March 7, 2008 conflict with the current set of drawings, which are dated February 27, 2008. The information contained on the March 7, 2008 drawings shall prevail and be added to the current Site Plan.

- 2.) The Drainage Consultant had requested an emergency overflow be added to the detention basin. The current plans provide a Control Structure Detail (Drawing C-833) that shows an emergency overflow spillway crest elevation of 28.00 through the berm. The emergency overflow spillway shall be set above the 100-year floodplain elevation of 30.00 and an appropriate factor of safety shall be applied to the spillway elevation compared to the top of berm elevation.
- 3.) The location of the emergency spillway shall be shown on the Site Plan and the discharge point of the spillway shall be indicated. Slope stabilization calculations of the spillway (i.e. rip-rap) shall also be provided.
- 4.) A detail of the spillway shall be provided, including length, slope, ground cover, side slopes, etc.
- 5.) There is a discrepancy between the shape of the weir on the Control Structure on the Site Plan versus the detail that shall be corrected. It is recommended that Control Structure cover be an open grate instead of a solid cover.
- 6.) The overall Drainage Study shall be rerun based on the new data.
- 7.) Steps shall be added to the Control Structure and Catch Basin Details.
- 8.) The 24 inch pipe connection the Control Structure to the existing storm drainage system shall be increased in size to match the downstream 30-inch pipe. The slope of this pipe shall be provide on the plan.
- 9.) A detail showing the typical trench section of the Control Structure outlet pipe. Located under the west side of the berm, shall be provided.

PB #08-29 – TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 6 of 8

**Wyeth Site Plan – South Retention Basin
Final Site Plan Approval
Subject to Conditions**

**PB #08-29
May 28, 2008**

Continuation of Condition #6....

10.) As per the conditions of Final Approval, existing runoff from the south is diverted into the detention basin. The outlet of the basin ties into an existing 30" RCP pipe. The applicant shall show that this pipe has capacity to convey the peak flows leaving the detention basin.

11.) Construction standards for the berm on the west side of the Southwest Basin shall be provided, including compaction requirements, soil material and permissivity rates, etc. Similarly, a clay liner is shown below the basin maintain a permanent wet pool; soil permissivity rates shall also be provided.

12.) As per the conditions of Final Approval, trench drains shall be added at the Existing access roads north and south of the western portion of the contractors parking lot, near Catch Basins A7 and A2.

13.) Calculations for riprap pad at ES-SW! shall be provided. This riprap pad is shown only the erosion control drawings, whereas this riprap pad should remain post construction. Therefore, the riprap pad shall be shown on the Site Plan (Drawing C-112) and the detail shall be moved from the Erosion Control Detail Drawing to the Site Plan Detail Drawing; a note shall be added to the Site Plan referencing the detail. The detail shows a 42" pipe and the site plans shows a 48" pipe; this discrepancy shall be corrected.

14.) Water Quality calculations meeting NYSDEC standards shall be provided. These shall include design of a forebay at the pipe inlet to the detention basin.

15.) The Grading Plan indicates die slopes of 3 horizontal to 1 vertical within the detention basin and berm. This shall be labeled on the detention basin sections shown on the Profiles – 1 and -2 Drawings and the Site Plan. This shall be graphically corrected on the profiled.

16.) Dimensions shall be shown on the detention basin sections, including bottom of basin and tip of basin widths. There shall be layout location dimensions of the detention basin added to the Site Plan to facilitate the inspection of the construction.

PB #08-29 – TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 7 of 8

**Wyeth Site Plan – South Retention Basin
Final Site Plan Approval
Subject to Conditions**

**PB #08-29
May 28, 2008**

Continuation of Condition #6....

17.) The plans shall show the gravel area west of the new berm of contractors parking lot to be removed and replaced with grass ground cover.

18.) A maintenance plan and schedule shall be prepared and approved by the Town of Orangetown.

7. The application states that two basins shall be constructed, however, the plans only include the southwest basin. The north basin plans and details shall be added to the drawings.

8. An updated copy of the SWPPP for this proposed work shall be submitted to the Planning Board and DEME.

9. The location of the emergency overflow spillway shall be given on the site layout plans.

10. Copies of all correspondence (including any and all approvals) with the New York State Department of Environmental Conservation, U.S. Army Corps of Engineers, the Rockland County Drainage Agency, etc. in connection with the proposed detention basins, shall be supplied to the Planning Board and DEME, prior to signing the map.

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

12. As indicated in the April 17, 2008 and April 25, 2008 letter from the Rockland County Drainage Agency, will be required and application materials are under review.

13. The Rockland County Department of Planning recommends that the applicant submit a Soil Erosion and Sediment Control Plans and details. The Soil Erosion and Sediment Control Plan shall meet the NYS Guidelines for Urban Erosion and Sediment Control.

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

15. Based on the information provided and maps available to Rockland County Drainage Agency (RCDA), the site (for both Southwest and North Basins) Has been determined to be within jurisdiction of the RCDA. Accordingly, a permit from the RCDA pursuant to the Rockland County Stream Control Act, Chapter 846, is required. The applicant shall submit an application to RCDA immediately.

PB #08-29 – TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 8 of 8

**Wyeth Site Plan – South Retention Basin
Final Site Plan Approval
Subject to Conditions**

**PB #08-29
May 28, 2008**

16. The Rockland County Department of Health (RCDOH) requests that application be made for review of the stormwater management system for compliance with the County Mosquito Code. The applicant shall contact Brian Hunderfund at RDCOH. No other Rockland County Department of Health approvals are needed for this application.

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

18. The Town of Clarkstown Planning Board requests that a copy of the drainage report and structure calculations be provided for its review. The drawing does not detail the northerly basin.

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

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

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

Dated: May 28, 2008

Town of Orangetown Planning Board

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

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

May 28, 2008

PB #08-29: Wyeth Site Plan – South Retention Basin Plans

Andrew Karcz; Wyeth, Facilities Manager; 401 North Middletown Road;
Pearl River, NY 10965

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: Wyeth Site Plan – South Retention Basin Plans

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 401 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 68.08, Block 1, Lot 1 in the LI zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown's Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.

If Conditioned Negative Declaration, the specific mitigation is provided on an attachment.

For Further Information contact:

John Giardiello, P.E., Director, Office of Building, Zoning and Planning
Administration and Enforcement
Town of Orangetown
20 Greenbush Road
Orangeburg, NY 10962
Telephone Number: 845-359-5100

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC - Town Supervisor, Applicant, Involved Agencies

PB #08-31: TOWN OF ORANGETOWN PLANNING BOARD DECISION

**Hanlon Subdivision
Granted 1st 90-Day Extension
To File the Subdivision Plan
With the Rockland County Clerk's Office**

**PB #08-31
May 28, 2008
Page 1 of 1**

TO: Donald Brenner, 4 Independence Avenue, New York 10983
FROM: Orangetown Planning Board
RE: The application of the Carole Hanlon, owner for 1st 90 day Extension to File the "**Hanlon Subdivision**" with the Rockland County Clerk's Office, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown and Chapter 21 of the Code of the Town of Orangetown. The site is located at 65 Western Highway, Tappan, Town of Orangetown. Rockland County, New York and shown on the Orangetown Tax Map as Section 77.10, Block 2, Lot 41 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 28, 2008**, at which time the Board made the following determination:
The Board received the following communications:

1. Project Review Committee Report dated May 21, 2008.
2. An interdepartmental memorandum signed by John Giardiello, P.E., Director of the Office of Building, Zoning and Planning Administration and Enforcement, Town of Orangetown, dated May 28, 2008.
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering (DEME), Town of Orangetown, dated May 21, 2008.
4. PB #07-68, Final Subdivision Approval Subject to Conditions, dated November 28, 2007.
5. A Letter signed by Donald Brenner, dated May 7, 2008.

The Board discussed the 1st day Extension to file the subdivision plan.
Public Comment: Eileen Larkin, resident of Palisades, wanted to know where the site was located.

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

DECISION: In view of the foregoing, the Board GRANTED the 1st 90 Day Extension in time to file the Hanlon Subdivision with the Rockland County Clerk's Office.

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

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

Dated: May 28, 2008 Town of Orangetown Planning Board

PB #08-32: TOWN OF ORANGETOWN PLANNING BOARD CONSULTATION

**Childcare Consultation
Daycare Center Consultation**

**PB #08-32
May 28, 2008
Page 1 of 1**

TO: Kathy and Thomas Zambrano, P.O. Box 455, Nanuet, New York 10954
FROM: Orangetown Planning Board
RE: The application of the Kathy and Thomas Zambrano, applicants, for Fern Lambert, owner for Consultation, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown and Chapter 21A of the Code of the Town of Orangetown. The site is located at 407 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York and shown on the Orangetown Tax Map as Section 63.20, Block 1, Lot 1 in the LO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 28, 2008**, at which time the Board made the following determination:

Kathy and Thomas Zambrano appeared and testified. The Board received the following communications:

1. Project Review Committee Report dated May 21, 2008.
2. An interdepartmental memorandum signed by John Giardiello, P.E., Director of the Office of Building, Zoning and Planning Administration and Enforcement, Town of Orangetown, dated May 28, 2008.
3. An interdepartmental memorandum signed by Bruce Peters, P.E., Department of Environmental Management and Engineering (DEME), Town of Orangetown, dated May 21, 2008.
4. A letter explaining the applicants proposed use of the site, signed by Kathy and Thomas Zambrano, and a sketch site plan.

The Board discussed the proposed use and site plan. The Board advised the applicant to consider submitting the plan for Planning Board review. The Board offered the following comments:

1. The applicant will need to submit a Site Plan in Accordance with Chapter 21A "Site Development Plan Approval".
2. A Condition Use for "Child Daycare" will need to be obtained from the Town of Orangetown Planning Board.
3. All outdoor play areas, parking spaces, handicap facilities, and driveway access must be shown on the Site Plan.
4. The applicant shall consider a separate entrance and exist for the site.
5. The existing 2 car garage is in disrepair and shall either be demolished or renovated.
6. An NFPA 72 compliant fire alarm system must be installed. In addition, the fire alarm system must have 2 dedicated phone lines with a direct connection to 44-Control (Rockland County Fire Dispatch).
7. An Amber strobe light must be installed on the front exterior of the building, this is to indicate a general fire alarm.
8. A keybox for fire department access to the building after hours in the event of a fire alarm must be installed on the exterior adjacent to the front entrance. (Order form will be provided by the Town of Orangetown Bureau of Fire Prevention upon request).
9. Carbon Monoxide detectors must be installed on each level of the building.
10. A written emergency/evacuation plan must be established.

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 28, 2008 Town of Orangetown Planning Board

PB #08-33: TOWN OF ORANGETOWN PLANNING BOARD DECISION

**St. Thomas Aquinas College Site Plan
Final Site Plan Approval
Subject to Conditions**

**PB #08-33
May 28, 2008
Page 1 of 10**

TO: Atzl, Scatassa & Zigler; 234 North Main Street; New City, NY 10956
FROM: Orangetown Planning Board
RE: The application of Joseph Donini, Vice President of Administration, applicant, for St. Thomas Aquinas College, owner for Final Site Plan Review to construct an addition to an existing dormitory with parking facility improvements. The Site is known as “**St. Thomas Aquinas College**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the code of the Town of Orangetown. The site is located at 125 Route 340, Sparkill, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 74.12, Block 1, Lot 29 and Section 74.16, Block 1, Lot 1 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **May 28, 2008**, at which time the Board made the following determinations:

John Atzl and Joseph Donini appeared and testified. The Board received the following communications:

1. A Project Review Report dated May 21, 2008.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated May 28, 2008.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated May 23, 2008.
4. A letter from HDR, signed by Harvey Goldberg, P.E., dated May 22, 2008.
5. A letter from Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner, dated May 21, 2008.
6. A letter from Rockland County Department of Highways, signed by Joseph Arena, Principal Engineering Technician, dated April 28, 2008.
7. Letters from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated April 18 & May 13, 2008.
8. A Sewer Analysis prepared by Edward Maikish, P.E., dated April 10, 2008.
9. Plans prepared by Atzl, Scatassa & Zigler, July 20, 2007, revised April 14, 2008

Drawing 1: Proposed Dormitory Site Plan

Drawing 2: Proposed Dormitory Site Plan

Drawing 3: Proposed Dormitory Site Plan

Drawing 4: Proposed Parking Area Detail Plan

Drawing 4: Proposed Dormitory Detail Sheet

PB #08-33: TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 2 of 10

St. Thomas Aquinas College Site Plan

Final Site Plan Approval Subject to Conditions

PB #08-33

May 28, 2008

10. Copies of the following Board Decisions: PB #07-71, Preliminary Site Plan Approval Subject to Conditions, dated January 23, 2008, ZBA #08-19, Approved with Conditions – Section 8-2 Item A (number of Beds and Item D (Building Height) Variances, dated March 5, 2008 and ACABOR #08-08, Approved subject to Conditions, dated March 18, 2008.

The Board reviewed the plans.

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

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

1. The Site Plan shall be signed and sealed by both a Professional Land Surveyor and a Professional Engineer.
2. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
3. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
4. The drainage calculations are currently under review by DEME. However, a post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for the **entire site** (i.e. all proposed and existing stormwater control facilities) shall be submitted to DEME and the Town Attorney's Office for review and approval, in substance and form. Said agreement shall include a maintenance and management schedules, inspection check lists, contact person with telephone number, yearly report to be submitted to DEME, etc.

PB #08-33: TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 3 of 10

St. Thomas Aquinas College Site Plan

Final Site Plan Approval Subject to Conditions

PB #08-33

May 28, 2008

5. The revised drainage calculations are currently under review by DEME.
6. A legend shall be added to the plans to distinguish between existing and proposed facilities.
7. The Soil Erosion and Sediment Control Plans and Details are under review by DEME.
8. A construction entrance shall be added to the erosion control plan.
9. The sanitary calculations are under review by DEME.
10. The Drainage Consultant to the Planning Board recommends acceptance for drainage subject to several conditions. On May 19, 2008, the Drainage Consultant contacted the Applicants drainage engineer to discuss and clarify the current plans (dated July 20, 2007 last revised April 14, 2008) and calculations (dated April 14, 2008). As a result of this discussion and review of the plans, the Drainage Consultant found that the Applicant had revised his drainage mitigation method from infiltration to detention storage. This change is due to the high groundwater levels and standing water found in the existing Stormtech chambers by the Applicant.

Under the current plan, the increase in runoff rate will be mitigated by providing one new Stormtech Chamber detention storage system for the new pavement areas and by expanding and converting the existing Stormtech Chamber infiltration system into a detention storage system. The Planning Board's Drainage Consultant is in agreement with the Applicant that this change is necessary and they therefore recommend acceptance of the new plan subject to the following conditions:

- The Stormtech system for the mitigation of pavement runoff will consist of 90 new chambers in nine rows of 10. There will be three Isolator rows (row 2, 5 and 8) and six Passive rows. Each Isolator row will have a 12-in inlet pipe on the bottom that is connected to a precast concrete inlet chamber with a 24-in deep sump and either a catch basin trap or 90 degree El. Each Isolator row will have three separate inspection ports. At the discharge end of the system, each Passive row will have a 6-in pipe outlet at the bottom that connects to a 12-in header that drains into a 4-ft by 8-ft precast concrete Outlet Control Structure with a concrete partition wall. The partition wall will have an outlet orifice at the bottom and will also serve as an overflow weir.

PB #08-33: TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 4 of 10
St. Thomas Aquinas College Site Plan
Final Site Plan Approval Subject to Conditions

PB #08-33
May 28, 2008

Continuation of Condition #10.....

- The calculations for the pavement area Stormtech system are based on a total stone depth of 2.5-ft (30-in). The Stormtech cross-sectional detail on Sheet 4 must be revised to show 8-in of stone above the chambers (not 6-in).
- The Stormtech system for the mitigation of runoff from the existing building and proposed addition will consist of 30 new chambers in six rows of 5. There will be two Isolator rows (row 2 and 5) and four Passive rows. Each Isolator row will have a 12-in inlet pipe on the bottom that is connected to a precast concrete inlet chamber with a 24-in deep sump and either a catch basin trap or 90 degree El. Each Isolator row will have two separate inspection ports. The two systems will be interconnected by adding a 12-in connection pipe between each Passive row of the existing system and the Passive row of the new system. At the discharge end of the system, each row (Passive and Isolator) will have a 6-in pipe outlet at the bottom that connects to a 12-in header that drains into existing catch basin CB-1. Catch basin CB-1 will connect to a 4-ft by 8-ft precast concrete Outlet Control Structure with a concrete partition wall. The partition wall will have an outlet orifice at the bottom and will also serve as an overflow weir. The interconnection of the two systems can only work if the invert elevations of both systems are the same. The Applicant must verify that these elevations are the same and include the elevations on the plans.
- The calculations for the dormitory Stormtech system are based on a stone depth of 12-in below the chambers. The Stormtech cross-sectional detail on Sheet 5 must be revised to show 12-in of stone below the chambers (not 6-in).
- A plan for maintenance of the Stormtech Infiltration System by the owner must be added to the drawings (not attached) and should provide for the maintenance (cleaning) of the chambers should they become clogged. Notes should be added to the Site Plan that state that the system will be maintained by the Owner, and that it will be inspected at regular intervals (e.g. at least once every three months) and after periods of heavy rainfall. Damaged components of the existing system shall be shown on the plans and shall indicate that they are to be repaired.

PB #08-33: TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 5 of 10

**St. Thomas Aquinas College Site Plan
Final Site Plan Approval Subject to Conditions**

PB #08-33

May 28, 2008

Continuation of Condition #10.....

- The Drainage Consultant notes that an existing gravel emergency fire lane will pass directly over the proposed infiltration chambers. The Response to Comments states that the proposed Stormtech system will be designed to handle H-20 loads and that notes have been added to the plans regarding this issue. However, the Drainage Consultant could not find these notes on the plans. Notes must be placed on the Site Plan stating that the Stormtech Infiltration Chamber System has been designed to support H-20 loading. Roof leaders and other pipes that pass under roadways and other paved surfaces with less than 18-in minimum cover, must be Ductile Iron Pipe.
- A note must be added to the plan that states, "All roof leaders from the existing building and the proposed building addition must be connected to the Stormtech Chamber Detention System." The plan does not show how the roof drains on the northwest side of the proposed building addition will be connected to the new Stormtech system. Provide details as necessary (i.e. existing and proposed chambers, catch basins, manholes, drain pipes, roof drains etc).
- The Applicant must obtain a permit from the Rockland County Drainage Agency (RCDA). In the event that drainage revisions are required by the RCDA, the Applicant must submit the revised plans for review and approval of the changes.
- The covers for the chambers and catch basins in the gravel fire lane should all be solid covers to prevent gravel from entering the chamber. If it is necessary for the chamber to allow the entrance of surface runoff, the grate openings should be smaller than the minimum stone size.
- All dimensions for the Stormtech beds must be shown on the large scale plans on Sheets 4 and 5 (e.g. overall width and length, spacing between rows, chamber location, etc).
- The Drainage Report must be updated to agree with the revisions and must be resubmitted.
- The existing roof drain system is to be revised. The plans must show all of the roof drains, and shall indicate which are to remain and which are to be removed or abandoned. All proposed roof drains must also be shown.

PB #08-33: TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 6 of 10

St. Thomas Aquinas College Site Plan

Final Site Plan Approval Subject to Conditions

PB #08-33

May 28, 2008

11. A review shall be completed by the New York State Department of Transportations and any required permits obtained.
12. There shall be no net increase in storm water runoff from the site.
13. Soil Erosion and Sediment Soil Erosion and Sediment Control Plans and details shall be submitted to the Town of Orangetown Department of Environmental Management and Engineering for review and approval. The Soil Erosion and Sediment Control Plan shall meet the NYS Guidelines for Urban Erosion and Sediment Control.
14. The fire department connections shall be designated on the Site Plan and kept clear for easy access by the emergency response vehicles.
15. Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. A letter from the public water supplier, stamped and signed by a NYS licensed professional engineer, shall be issued to the municipality for this project, certifying that there will be sufficient water supply during peak demand periods and in a drought situation.
16. If any public water supply improvements are required, engineering plans and specification for these improvements shall be reviewed by the Rockland County Department of Health, prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.
17. The Rockland County Department of Highways (Highway) reviewed the Site Plan and information and found that the project should have not foreseeable adverse effect upon County roads in the area.
18. Based upon the Rockland County Drainage Agency's (RCDA) evaluation of available mapping and the information submitted, it has been determined that the proposed activity is within the jurisdiction of the RCDA. Accordingly, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is required. The applicant shall submit an application to RCDA immediately. In addition, the site also carries a tributary to the Sparkill Creek that appears to contain U.S. Army Corp of Engineers jurisdictional wetlands. The RCDA suggests that the U.S. Army Corp of Engineers be contacted and requested to make a jurisdictional determination regarding the proposed activity.

PB #08-33: TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 7 of 10

**St. Thomas Aquinas College Site Plan
Final Site Plan Approval Subject to Conditions**

PB #08-33

May 28, 2008

19. Based on its review of the material submitted, the RCDA offers the following comments:

- Please have your professional delineate the 100-year floodplain boundary and include 100-year floodplain elevation on the project drawings.
- Provide Soil Erosion and Sediment Control measures consistent with the New York State Standards and Specifications for Erosion and Sediment Control to prevent sediment from leaving the site during construction. Proposed location and details for "Silt Fence" and detail for Temporary Construction Entrance have been provided on the drawings, however, please indicate the location of the "Temporary Construction Entrance" on the drawings.
- The Drawing No. 3 and "Drainage Report" both indicate that 6" PVC roof drains will be installed with 12" gravel cover; however, based on the "Drainage Report" the existing 4" PVC roof drains from the dormitory installed with about 5-6" cover were broken by vehicular traffic. Please demonstrate that the proposed 12" gravel cover would provide adequate protection for the proposed 6" PVC roof drain.
- Drawings No. 4 & 5 provide a "Typical Cross Section Detail-Stormtech SC310 Chamber H-20 Loading" with non-woven geotextile on the top, sides and around the underdrain. Please revise the section to show the geotextile at the bottom of the gravel/stone chamber bed also for both storm chambers at the interface of the soil and gravel.
- Drawing No. 3 indicates a 12" ADSN-12 pipe from the existing catch basin to the proposed CB –P2 (new); however, the "Drainage Report", page 8, indicates an 8" pipe from DMH to CB-P2 (new). Please review and revise the drawing or Drainage Report to provide consistent information.
- Please indicate the proposed location of the soil stockpile on the drawing and provide stockpile detail with erosion control measures.
- Please provide certification from the Floodplain Administrator for the Town of Orangetown that the proposed construction is in compliance with Chapter 14B, "Flood Damage Prevention", Town of Orangetown Town Code, as adopted by the Town of Orangetown.
- In accordance with Chapter 846, Rockland County Stream Control Act, provide the RCDA with an environmental impact statement for the proposed project that provides sufficient information and details of the upstream and downstream impact of the proposed project with respect to the impact on aquatic life and habitat, fauna, biota, vegetation and wetlands. The environmental impact statement should also identify and describe any mitigating measures that will address the potential environmental impacts of the proposed project.

PB #08-33: TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 8 of 10
St. Thomas Aquinas College Site Plan
Final Site Plan Approval Subject to Conditions

PB #08-33
May 28, 2008

Continuation of Condition #19....

- Permits and approvals for the proposed project may also be required from the U.S. Army Corps of Engineers. The RCDA recommends that the applicant check with consultants to determine the status of any permits and reviews that may also be required by the aforesaid agency concerning the proposed project. Submit to RCDA any future correspondence between the applicant and this agency regarding jurisdictional determinations and/or permits issued by the U.S. Army Corps of Engineers.

- Provide the above requested information in order for the RCDA to continue its review. As set forth in the permit application guidelines, the requested information must be provided in **triplicate to RCDA**.

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

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

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

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

24. 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:

PB #08-33: TOWN OF ORANGETOWN PLANNING BOARD DECISION

Page 9 of 10
St. Thomas Aquinas College Site Plan
Final Site Plan Approval Subject to Conditions

PB #08-33
May 28, 2008

Continuation of Condition #24.....

One (1) foot radius from truck 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.

25. 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.

26. 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.

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

28. 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

PB #08-33: TOWN OF ORANGETOWN PLANNING BOARD DECISION

**Page 10 of 10
St. Thomas Aquinas College Site Plan
Final Site Plan Approval Subject to Conditions**

**PB #08-33
May 28, 2008**

Continuation of Condition #28.....

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).

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

30. 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

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

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

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

**Dated: May 28, 2008
Town of Orangetown Planning Board**

