

**Meeting of October 12, 2011
TOWN OF ORANGETOWN PLANNING BOARD**

MEMBERS PRESENT: Kevin Garvey, Chairperson;
Bruce Bond, Vice Chairperson; Jeffrey Golda; John Foody; and Robert Dell

MEMBERS ABSENT: William Young and Andy Stewart

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

Kevin Garvey, 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:

New Items:

Lhotak Site Plan

Prepreliminary/Preliminary
Site Plan and SEQRA Review
Critical Environmental Area
75.05/1/6; R-22 zoning district

PB #11- 45

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

**Beckerle Lumber & Supply
Company Site Plan**

Final Site Plan Review
74.15/1/5; LI zoning district

PB #11- 46

**Final Site Plan
Approval Subject
to Conditions**

Roshong Tree Remediation Plan
Prepreliminary/Preliminary/Final Tree
Remediation Plan and SEQRA
Review/ Critical Environmental Area
71.17/1/8; R-15 zoning district

PB #11- 47

**Final Tree
Remediation Plan
Approval Subject to
Conditions/ Neg. Dec.**

Continued Item:

**37 Ramland Road Wireless
Telecommunications Facilities
Plan and Special Permit**

Prepreliminary/Preliminary Site Plan,
Special Permit and SEQRA Review
76.08/1/6; LIO zoning district

PB #11- 22

**Continued to
December 14th
Meeting**

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.

**Meeting of October 12, 2011
TOWN OF ORANGETOWN PLANNING BOARD**

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 Bruce Bond and agreed to by all in attendance. The meeting was adjourned at 10:15 p.m. The next Planning Board meeting is scheduled for **Wednesday, October 26, 2011.**

**DATED: October 12, 2011
Town of Orangetown Planning Board**

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

**Town of Orangetown Planning Board Decision
October 12, 2011
Page 1 of 11**

TO: Donald Brenner, 4 Independence Avenue, Tappan, New York
FROM: Orangetown Planning Board

RE: Lhotak Site Plan: The application of Steven Lhotak, applicant, for Richard Whitton, owner, (Donald Brenner, Attorney for the owner), for Prepreliminary/ Preliminary Site Plan Review, located in the Critical Environmental Area, at a site known as "**Lhotak 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 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 867 Route 9W, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 75.05, 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, October 12, 2011** at which time the Board made the following determinations:

Donald Brenner appeared and testified for the applicant

The Board received the following communications:

1. A Project Review Committee Report dated October 5, 2011.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated October 12, 2011.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 7, 2011.
4. A letter from Maser Consulting, dated September 29, 2011.
5. A letter from Rockland County Department of Planning, signed by Thomas B. Vanderbeek, P.E., Commissioner of Planning, dated October 6, 2011.
6. Letters from Rockland County Department of Highways, signed by Joseph Arena, Principal Engineering Technician, dated October 7, 2011.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated October 11, 2011.
8. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated September 1, 2011.

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

**Town of Orangetown Planning Board Decision
October 12, 2011
Page 2 of 11**

9. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael B. Bettmann, Chief Fire Inspector, dated October 5, 2011.
10. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, Chairman, dated September 7, 2011.
11. A Short Environmental Assessment Form signed by Steven Lhotak, dated August 23, 2011.
12. Plans prepared by Leonard Jackson Associates, dated August 23, 2011:
 - Drawing 2: Layout Plan
 - Drawing 3: Grading Plan & Cross Sections

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

A motion was made to reopen the hearing by Kevin Garvey and second by Bruce Bond and agreed by all in attendance.

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

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

**Town of Orangetown Planning Board Decision
October 12, 2011
Page 3 of 11**

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 Leonard Jackson Associates and Donald Brenner, Esq., 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: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Highways, Rockland County Department of Health, Rockland County Sewer District #1, and having reviewed a proposed Site Plan by prepared by Leonard Jackson Associates, 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 Jeffrey Golda and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Andy Stewart, absent; Robert Dell, aye; John Foody, aye; William Young, absent; and Jeffrey Golda, aye, the Board made a Negative Declaration pursuant to SEQRA.

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

**Town of Orangetown Planning Board Decision
October 12, 2011
Page 4 of 11**

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 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. On the South side of the property, at the 210 contour, place a Contract Limit Line extending in a Northerly direction for a distance of 80 feet, extend the line Westerly to the Western property line. At the 230 contour, place a Contract Limit Line within 5 feet of the property line and then move in a Westerly direction to protect the grouping of trees, to include the 12 inch Maple Tree, as noted on submitted the Site Plan.
4. The net lot area and gross lot area need to be reversed.
5. The following variance will need to be sought from the Town of Orangetown Zoning Board of Appeals:
 - A. Minimum Front Yard of 40 feet is required and 25.35 feet is proposed.
(R-22: Section 3.12, Column 8)
 - B. Maximum Building Height allowed is 19 feet and 51 feet is proposed.
(R-22: Section 3.12, Column 12)
6. All utilities shall be shown on the Site Plan.
7. An Erosion and Sediment Control Plan and details shall be submitted for review and approval to DEME.

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

**Town of Orangetown Planning Board Decision
October 12, 2011
Page 5 of 11**

8. A drainage plan shall be submitted showing roof and leader drain discharge locations.
9. All retaining walls shall be designed by a New York State Professional Engineer.
10. A New York State Department of Transportation approval to fill in the right of way shall be obtained.
11. All trees to be removed shall be "X"d on the Site Plans.
12. The Short Environmental Assessment Form, item #8 shall be answered "No" and "ZBA Variances" added.
13. Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to DEME for review and approval.
14. The applicant's engineers shall design onsite storage to achieve a zero increase in runoff from the proposed site.
15. The proposed sanitary sewer house connections, with connection detail, shall be shown on the plan, including all inverts.
16. A Legend shall be added to the Site Plan.
17. The Tax Lot Numbers for the adjoining properties shall be indicated on the Site Plan.
18. Iron pins shall be drawn and labeled at each property corner.
19. The datum for the contours shall be given. Also a note shall be added to the Site Plan indicating the source benchmark for the referenced datum, including the BM elevation.
20. The Planning Board's Drainage Consultant has reviewed the plans and letters from the applicant and found that if the comments noted below are adequately addressed, the consultant recommends acceptance subject to the following conditions:
 - Due to the generally steep nature of the site and its location with the Upper Grandview and Environs Critical Environmental Area, additional measures shall be taken with implementation of erosion control measures both during the construction process and permanent measures.
 - A Sediment and Erosion Control Plan shall be prepared and submitted.
 - The limit of disturbance shall be shown to accurately reflect the disturbed area during the construction process and to adequately locate the erosion control measures.
 - Any proposed grading resulting in slopes greater than 3H:1V shall be stabilized.

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

Town of Orangetown Planning Board Decision

October 12, 2011

Page 6 of 11

Continuation of Condition #20.....

- Details for construction entrance shall be provided on the plans.
- Amount of impervious area shall be added to the plans.
- Any required stormwater mitigation shall be provided.
- Trees to be removed and trees to remain shall be depicted. Tree protection details shall be provided for those trees to remain within the limits of disturbance.
- Roof leaders and footing drains shall be shown and if discharging to the east, stabilization shall be considered.
- A Grading Plan depicting proposed contours shall be provided.
- A spot grade of 274.5 is shown at the Northeast portion of the entrance area. This appears to be a low spot that will pond and shall be revised.
- The grading at the South end of the retaining wall shall be revised to eliminate the proposed 1H:1V slope.
- The grading does not reflect the change in elevation between the parapet wall and parking deck as shown in Section C-C.
- All utilities shall be indicated, existing and proposed (gas, water sewer, and electric.)
- Specifications for "fill material" shall be provided. (Source, compaction, etc.)
- Details for Retaining Walls, Parking Deck, and Support Columns shall be submitted to the Building Department and DEME.
- The Plan shall be submitted to NYSDOT for review of the driveway entrance and drainage along Route 9W.

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

A review shall be completed by the NYSDOT and all required permits obtained.

The Village of Grand View-on-Hudson shall be given the opportunity to review the proposal and their comments considered and satisfactorily addressed, as well as any additional concerns about site plan.

There shall be no net increase in peak rate of stormwater discharge from the site.

Prior to the start of remediation, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

**Town of Orangetown Planning Board Decision
October 12, 2011
Page 7 of 11**

Continuation of Condition #21.....

Earth tone colors shall be used on the exterior of the house so that it better blends visually with the environment and to enhance the view of the property as seen from the adjacent hiking trail in the Village of Grand View-on-Hudson.

The terms “gross” and “net” appear to have been reversed on the Layout Plan and shall be corrected. (See notes on the map below and to the left of where the building footprint is shown, the calculations above the Bulk Table and information in the Bulk Table.)

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

22. The Rockland County Department of Highways reviewed the Site Plan and information provided and found the proposed tree remediation will have no foreseeable adverse impact upon the County Highway System. The Town of Orangetown Land Use Boards shall ensure a zero net increase in runoff from the site shall be achieved to minimize any possible adverse impact upon roadways east of the parcel (River Road) and neighboring parcels down slope.

23. The Rockland County Department of Health (RCDOH), Environmental Health Program reviewed the Site Plan and found that no Rockland County Health Department approvals were needed for this application.

24. 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.

25. In regard to the supported section of the driveway, it is the opinion of the Town of Orangetown Bureau of the Fire Prevention Bureau, that the section of the driveway should be engineered in the event an Ambulance, Fire Engine or delivery vehicle drives upon it, the following are 2 sections of the Fire Code in regard to emergency access:

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

**Town of Orangetown Planning Board Decision
October 12, 2011
Page 8 of 11**

Continuation of Condition #25.....

§FD102

Required Access:

§FD102.1 Access and Loading. Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighting at least 75,000 pounds.

§F511

§F511.1 Emergency Vehicle Access for Detached one and Two Family Dwellings. Emergency vehicle access for one or two Group R-3 buildings and detached one- and two- family dwellings constructed by the Residential Code of New York State hereafter constructed or moved into the jurisdiction shall be provided in accordance with this section.

Exceptions:

1. Construction of dwellings on premises which have had local site plan approval prior to the adoption of this Code.
2. Accessory storage buildings.
3. Dwellings without electrical service and permitted to not have electrical service by the Residential Code of New York State.

§F511.2 Driveways. Driveways shall be provided when an exist door required by Residential code of New York State §RR311.4 is located more than 300 feet (91 440 mm) from a fire apparatus access road or public street.

Exception: The measurement is permitted to be increased beyond 300 feet (91 440mm) if driveways cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions and the building is protected by an automatic sprinkler system in accordance with §F903.3.1.1, §F903.3.1.2 or , §F903.3.1.3.

§F511.2.1 Dimensions. Driveways shall provide a minimum unobstructed width of 12 feet (3658 mm) and a minimum unobstructed height of 13 feet, 6 inches (4115 m.)

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

**Town of Orangetown Planning Board Decision
October 12, 2011
Page 9 of 11**

Continuation of Condition #25...

§F511.2.2 Turnaround. When driveways are in excess of 500 feet (152 400 mm) in length and does not exit to another fire apparatus access road or public street, a turnaround shall be provided suitable for use by fire apparatus.

§F511.2.3 Turnouts. Driveways in excess of 500 feet (152 400 mm) in length and less than 20 feet (6096 mm) in width shall be provided with turnouts along the driveway that are a minimum 20 feet in width for a length of 50 feet (15 240 mm) in length. The turnouts shall be placed at intervals not to exceed 500 feet (152 400 mm) along the driveway.

§F511.2.4 Stability. Driveways, including bridges and other supporting structure or driveways shall be constructed to support fire apparatus in all weather conditions.

§F511.2.5 Design. The design of driveways, including turning radius and grade, shall facilitate passage of fire apparatus and be approved.

§F511.2.6 Driveway and portions thereof, that serve more than four buildings shall meet the design requirements of fire apparatus access roads in §F503.34 (50 kg).

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

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

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

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

29. 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:

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

Town of Orangetown Planning Board Decision

October 12, 2011

Page 10 of 11

Continuation of Condition #29...

- 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.

30. 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.

31. 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.

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

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

Town of Orangetown Planning Board Decision

October 12, 2011

Page 11 of 11

33. 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).

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

35. 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

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

The foregoing Resolution was made and moved by Bruce Bond and seconded by John Foody and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Andy Stewart, absent; William Young, absent; 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: October 12, 2011

Town of Orangetown Planning Board

attachment

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

**PB #11-45: Lhotak Site Plan– Preliminary Site Plan Approval
Subject to Conditions/ Neg. Dec.; Critical Environmental Area**

**Town of Orangetown Planning Board Decision
October 12, 2011**

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: Lhotak Site Plan– Preliminary Site Plan Approval

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review – Critical Environmental Area

LOCATION: The site is located at 867 Route 9W, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 75.05, Block 1, Lot 6 in the R-22 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

PB #11-46: Beckerle Lumber and Supply Company Site Plan – Final Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision

October 12, 2011

Page 1 of 5

TO: Laurence Pete Beckerle, Jr., 3 Chestnut Street, Spring Valley,
New York 10977
FROM: Orangetown Planning Board

RE: Beckerle Lumber and Supply Company Site Plan: The application of Beckerle Lumber and Supply Company, Inc, owner, for Final Site Plan Review at a site known as “**Beckerle Lumber and Supply Company Site Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 219 Route 303, Orangeburg, Town of Orangetown, Rockland County, New York; and as shown on the Orangetown Tax Map as Section 74.15, Block 1, Lot 5; in the LI zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **October 12, 2011** at which time the Board made the following determinations:

Steven Collazuol, Larry Beckerle and Pete Beckerle appeared and testified. The Board received the following communications:

1. A Project Review Committee Report dated October 5, 2011.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated October 12, 2011.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 7, 2011.
4. A letter from Rockland County Department of Planning, signed by Thomas B. Vanderbeek, P.E., Commissioner of Planning, dated October 11, 2011.
5. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated September 16, 2011.
6. Letters from Rockland County Drainage Agency, signed by Vincent Altieri, dated October 3 and August 9, 2011, with attachments.
7. A letter from John E. Collazuol and Associates, P.C., signed by Steven J. Collazuol, PE & LS, dated October 11, 2011.
8. Copies of prior Board Decisions: PB #1-46, Preliminary Site Plan Approval Subject to Conditions, dated December 8, 2010, ZBA #11-59, Approved with Conditions, dated July 20, 2011 and ACABOR #11-39, Approved Subject to Conditions, dated September 22, 2010.
9. Plans prepared by John E. Collazuol & Associates, P.C.:
 - Title Sheet, dated January 5, 2010, revised September 13, 2010
 - Sheet 2 of 3 - Site Plan; dated September 13, 2010, revised July 26, 2011
 - Sheet 3 of 3 – Boundary & Topographic Survey, dated November 10, 2009

PB #11-46: Beckerle Lumber and Supply Company Site Plan – Final Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision

October 12, 2011

Page 2 of 5

10. Architectural Plans prepared by Sunbelt Consult/ Design/ Construct and Gary K. Munkelt and Associates Structural Engineers, last revision date of May 4, 2011:

Sheet 1: Cover Sheet, dated January 31, 2011

Sheet 2: Storage Shed 'B' – Plan & Front View, dated January 27, 2011

Sheet 3: Storage Shed 'B' – End View, dated January 27, 2011

Sheet 4: Storage Shed 'C' – 3- View, dated January 27, 2011

Sheet 5: L-Shed – 3 – View, dated January 27, 2011

The Board reviewed the plan.

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 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 existing storage space at the rear of the existing "showroom/ retail" building, which is noted as to be renovated on Drawing 2 of 3, is currently encroaching in Town of Orangetown sewer easement, it shall be "pulled back"/ removed from the existing easement. Also, the existing "bins" along the eastern property line shall be relocated out of the existing Town owned sanitary sewer easement.
4. The proposed interlocking concrete block retaining wall, also along the eastern property line, shall be relocated out of the existing Town owned sanitary sewer easement.
5. All existing sanitary mains and manholes along the northern and eastern property lines shall be shown on the drawings.
6. A letter from the applicant's engineer shall be submitted indicating how much, if any, impervious surface will be added to this site due to the proposed construction.
7. The existing sanitary building connection(s) shall be shown on the Site Plan.

PB #11-46: Beckerle Lumber and Supply Company Site Plan – Final Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision

October 12, 2011

Page 3 of 5

8. The Planning Board's Drainage Consultant reviewed the submitted plans and believed that the proposed development will not have a significant impact on drainage and recommend acceptance for drainage without conditions.

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

- The concerns expressed in the July 12, 2011 letter from the New York State Department of Transportation shall be addressed and all required permits obtained.

- The Town shall be satisfied that the Site Plan complies with the applicable provisions of the Route 303 Overlay Zone.

- As indicated in the October 22, 2010 letter from the Rockland County Drainage Agency, A permit must be obtained from this agency.

- There shall be no net increase in the peak rate of discharge from the site at all design points.

- Prior to the start of construction or grading, a soil and erosion control plan shall be developed in place for the entire site that meets the New York State Guidelines for Urban Erosion and Sediment Control.

- The cover sheet of the plans indicates that that plans are for Tax Lots 74.15/1/5 and 74.15/1/6, while General Note 2 on the Site Plan indicates that only Tax Lot 74.15/1/5 is included. It may be for case that no Tax Lot 74.15/1/6 exists at this time. A clarification or corrections shall be provided.

- The parking calculations table shall be revised to indicate the number of parking spaces provided.

- A North arrow shall be added to the Vicinity Map.

- A notation should be added to the Bulk Table that specifies the date and action number of the variances approved by the Zoning Board of Appeals.

10. Based on the information provided there are no Rockland County Health Department approvals needed for this application.

11. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and 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 the Rockland County Stream Control Act, Chapter 846, is required.

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

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

PB #11-46: Beckerle Lumber and Supply Company Site Plan – Final Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision

October 12, 2011

Page 4 of 5

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 $\frac{3}{4}$ inch of plywood or boards, or equal over the area to be protected.
- The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

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.

PB #11-46: Beckerle Lumber and Supply Company Site Plan – Final Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision

October 12, 2011

Page 5 of 5

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 Jeffrey Golda and carried as follows: Bruce Bond, aye; Andy Stewart, absent; William Young, absent; John Foody, aye; Robert Dell, 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: October 12, 2011

Town of Orangetown Planning Board

P B #11-47: Roshong Tree Remediation Plan – Final Approval Subject to Conditions- Critical Environmental Area

Town of Orangetown Planning Board Decision

October 12, 2011

Page 1 of 5

TO: Lawrence B. McCarron, 100 Dutch Hill Road, Suite 390, Orangeburg Road, Orangeburg, New York
FROM: Orangetown Planning Board

RE: Roshong Tree Remediation Plan: The application of Gail Roshong, owner, (Rogers McCarron & Habas, Attorney for the owner), for Prepreliminary/Preliminary/Final Tree Remediation Plan Review, located in the Critical Environmental Area, at a site known as “**Roshong Tree Remediation 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 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 909 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 8 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held, **Wednesday, October 12, 2011**, at which time the Board made the following determinations:

Gail Roshong and Lawrence McCarron appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated October 5, 2011.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated October 12, 2011.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 7, 2011.
4. A letter from Rockland County Department of Planning, signed by Thomas B. Vanderbeek, Commissioner of Planning, dated October 11, 2011.
5. Letters from Rockland County Department of Highways, signed by Joseph Arena, dated October 7, 2011.
6. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated September 16, 2011.
7. A letter from the Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated October 11, 2011.

P B #11-47: Roshong Tree Remediation Plan – Final Approval Subject to Conditions- Critical Environmental Area

Town of Orangetown Planning Board Decision

October 12, 2011

Page 2 of 5

8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by William Mowerson, Chairperson, dated September 21, 2011.

9. A Tree Location Survey prepared by William Youngblood Land Surveying, dated August 9, 2011.

10. A Narrative Summary entitled “Roshong Remediation Plan, prepared by William D. Youngblood, PLS, dated August 18, 2011.

11. A Short Environmental Assessment Form signed by Gail Roshong, dated September 1, 2011.

The hearing was then opened to the Public. There being no one to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Bruce Bond and second by John Foody and carried as follows:

Kevin Garvey, aye; Bruce Bond, aye; Andy Stewart, absent; William Young, absent; Robert Dell, aye; John Foody, 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 Bruce Bond and seconded by John Foody and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Andy Stewart, absent; William Young, absent; Robert Dell, aye; John Foody, aye and Jeffrey Golda, 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

P B #11-47: Roshong Tree Remediation Plan – Final Approval Subject to Conditions- Critical Environmental Area

Town of Orangetown Planning Board Decision

October 12, 2011

Page 3 of 5

applicant, the applicant's professional representatives, namely William Youngblood Land Surveying, 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: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Highways, Rockland County Department of Health, Rockland County Sewer District #1 and having reviewed a proposed Tree Remediation Plan by prepared by William Youngblood Land Surveying, 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 Jeffrey Golda and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Andy Stewart, absent; Robert Dell, aye; John Foody, aye; William Young, absent; and Jeffrey Golda, aye, the Board made a Negative Declaration pursuant to SEQRA.

P B #11-47: Roshong Tree Remediation Plan – Final Approval Subject to Conditions- Critical Environmental Area

Town of Orangetown Planning Board Decision

October 12, 2011

Page 4 of 5

DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED A FINAL TREE REMEDIATION 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 applicant shall plant 40 trees in the area under discussion. Each tree shall be a minimum height of 36 inches and planted by hand. Place this as a note on the plan.
4. A total of 27 trees had been cut down to their stumps.
5. The applicant shall indicate how the remediation work will be performed such as access to the disturbed area, type of machinery to be used, erosion control, etc.
6. All underground utilities such as sewage system and the water line shall be shown on the plans.
7. The Short Environmental Assessment Form appears to be in order.
8. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

P B #11-47: Roshong Tree Remediation Plan – Final Approval Subject to Conditions- Critical Environmental Area

Town of Orangetown Planning Board Decision

October 12, 2011

Page 5 of 5

Continuation of Condition #8...

The Village of Grand View-on-Hudson shall be given the opportunity to review the proposal and their comments considered and satisfactorily addressed, as well as any additional concerns about site plan.

Prior to the start of remediation, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.

9. The Rockland County Department of Highway reviewed the plans and information provided and found the proposed tree remediation plan and any plantings required will have no foreseeable adverse impact upon the County Highway System.

10. 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.

11. Based on the information provided there are no Rockland County Health Department approvals needed for this application.

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

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

The foregoing Resolution was made and moved by Bruce Bond and seconded by John Foody and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Andy Stewart, absent; William Young, absent; 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: October 12, 2011

Town of Orangetown Planning Board

attachment

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

**P B #11-47: Roshong Tree Remediation Plan – Final Approval Subject to
Conditions- Critical Environmental Area**

**Town of Orangetown Planning Board Decision
October 12, 2011**

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: **Roshong Tree Remediation Plan**

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

**DESCRIPTION OF ACTION: Tree Remediation Plan Review– Critical
Environmental Area**

LOCATION: The site is located at 909 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 8 in the R-15 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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