

**TOWN OF ORANGETOWN
PLANNING BOARD MEETING
OCTOBER 10, 2007**

MEMBERS PRESENT:

Bruce Bond, Chairperson	Kevin Garvey, Vice-Chairperson
Anthony Iurica	Jeffrey Golda
William Young	John Foody

MEMBERS ABSENT:

Robert Dell

ALSO PRESENT:

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

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

Hillside Commercial Park Subd. Plan PB #07-44 - Continued

Prepreliminary/Preliminary/Final Subdivision Plan and SEQRA Review
68.16/1/1 and 68.11/3/39 & 40; LI zone

Hillside Commercial Park Site Plan PB #07-45 - Continued

Prepreliminary/Preliminary Site Plan and SEQRA Review
68.16/1/1 and 68.11/3/39 & 40; LI zone

Hunter Douglas Site Plan PB #07-43 - Preliminary Site Plan Approval Subject to Conditions/Neg. Dec.

Prepreliminary/Preliminary Site Plan and SEQRA Review
73.10/1/6; OP zone

Student Bus Company Site Plan PB #07-55 - Continued: Referred to the Zoning Board of Appeals

Prepreliminary/Preliminary/Final Site Plan and SEQRA Review
74.07/1/15; LI zone

Pointe at Lake Tappan Site/ Subdivision (Condominium) Plan PB #07-56 – Final Site/Subdivision(Condominium) Approval Subject to Conditions

Final Site/Subdivision Review
73.10/1/4; OP & PAC zones

Palladino Minor Resubdivision Plan PB #07-57 – Continued

Prepreliminary/Preliminary/Final Resubdivision Plan and SEQRA Review
65.15/1/1; LO/R-40 zone

Palladino Subdivision Plan PB #07-58 – Continued

Prepreliminary/Preliminary Subdivision Plan and SEQRA Review
65.15/1/1; LO/R-40 zone

The decisions of the September 26, 2007 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: Bruce Bond, abstain; Anthony Iurica, aye; Jeffrey Golda, aye, Robert Dell, absent; Kevin Garvey, aye, 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 Kevin Garvey, seconded by Anthony Iurica and agreed to by all in attendance. The meeting was adjourned at 10:20 P.M. The next Planning Board meeting is scheduled for October 24, 2007.

DATED: October 10, 2007 Planning Board Town of Orangetown
TOWN OF ORANGETOWN PLANNING BOARD
Cheryl Coopersmith, Chief Clerk

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

**Hunter Douglas World Headquarter Site Plan
Preliminary Site Plan Approval
Subject to Conditions
Neg. Dec.**

**PB #07-43
October 10, 2007**

FROM: Orangetown Planning Board

RE: The application of Hunter Douglas, owners for Prepreliminary/Preliminary Site Review for a seven story 82,000 square foot office building on a 22.58 acre site to be known as "**Hunter Douglas World Headquarter 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 abutting the New York/New Jersey State Line, approximately 700 feet south of on Veterans Memorial Drive, and 500 feet west of Blue Hill South Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 73.10, Block 1, Lot 6 in the OP zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held July 11 and October 2, 2007, at which time the Board made the following determinations:

July 11, 2007

John Collins, Steve Bilheimer, Keith Mack and Donald Brenner appeared and testified.

The Board received the following communications:

1. A Project Review Report dated July 5, 2007.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated July 5, 2007.
3. Letters from Greater Hudson Engineering and Land Surveying, signed by Thomas Vanderbeek, P.E., President dated July 11 & 10, 2007.
4. Letters from the Rockland County Department of Planning, signed by Eileen Miller, dated July 2, 2007 and Salvatore Corallo, Commissioner of Planning, dated July 6, 2007.
5. A letter from Rockland County Department of Highways, signed by Joseph Arena, Principal Engineering Technician, dated June 20, 2007.
6. A letter from Rockland County Drainage Agency, signed by Edward Devine, Executive Director, dated June 18, 2007.
7. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated June 13, 2007.
8. A letter from Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated June 22, 2007.

9. A letter from the Town of Orangetown, Zoning Board of Appeals, signed by William Mowerson, Chairperson, dated June 6, 2007.
10. Plans prepared by HDR Architecture and Engineering, dated May 31, 2007, Revision Index dated June 1, 2007:

GENERAL

Cover

V-1.01: Site Plan

SITE WORK

C-1.02: Utility Plan

C-1.03: Grading Plan

C-1.04: Erosion Control Plan

C-2.01: Overall Pond Layout

C-2.02: Pond Layout

C-2.03: Dry Pond Layout

C-2.04: Pond Cross Sections

C-3.01: Profile – Sheet 1

DETAILS

C-5.01: Drainage and Utility Details

C-5.02: Detention Pond Details

C-5.03: Landscaping Details

C-5.04: Erosion Control Details

11. Short Environmental Assessment Form dated June 5, 2007, signed by Richard Bottuso for Hunter Douglas.
12. A Full Environmental Assessment Form dated June 1, 2007, signed by Steve Bilheimer of HDR Architecture and Engineering.
13. Traffic Impact Study prepared by John Collins Engineers, PC, dated June 5, 2007.

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

October 10, 2007

John Collins, Steve Bilheimer and Donald Brenner appeared and testified.

The Board received the following communications:

1. Project Review Reports dated October 3 and September 19, 2007.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated October 10 and September 26, 2007.

3. Interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated September 21, 2007.
4. A letter from Greater Hudson Engineering and Land Surveying, signed by Thomas Vanderbeek, P.E., President dated October 3, 2007.
5. Drainage Report & Stormwater Management Plan prepared by HDR/LMS, dated May 2007, revised August 2007.
6. Plans prepared by HDR Architecture and Engineering, dated May 31, 2007, Revision Index dated September 12, 2007:

GENERAL

Cover

- V-1.01: Existing Conditions Plan
- V-1.02: Existing Constraints Plan

SITE WORK

- C-1.01: Site Plan
- C-1.02: Utility Plan
- C-1.03: Grading Plan
- C-1.04: Erosion Control Plan
- C-2.01: Entryway Layout Plan
- C-2.02: Pond Layout
- C-2.03: Dry Pond Layout
- C-2.04: Pond Cross Sections
- C-3.01: Profile – Sheet 1
- C-3.02: Profile – Sheet 2
- C-3.03: Profile – Sheet 3
- C-3.04: Profile – Sheet 4
- C-3.05: Profile – Sheet 5

DETAILS

- C-5.01: Drainage and Utility Details
- C-5.02: Structure Schedules and Pond Details
- C-5.03: Erosion Control Details

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

The proposed action is classified as an “unlisted action” as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Kevin Garvey, seconded by John Foody and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, William Young, aye, Robert Dell, absent, 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. In addition, it will have no impact upon the aesthetics, agricultural or cultural resources of the neighborhood and no vegetation, fauna or wildlife species will be affected as a result of the proposed action. The proposed action is consistent with the Town’s Master Plan and will not have any adverse economic or social impacts upon the Town of Orangetown.

On motion by Kevin Garvey seconded by John Foody and carried as follows: Bruce Bond, aye, Anthony Iurica, aye, Robert Dell, absent, 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 A PRELIMINARY SITE PLAN APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

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

3. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
4. The Bulk Table needs to be revised for "Maximum Lot Coverage" and remove "Maximum Building Coverage". The maximum lot coverage includes all parking lots, driveways, building, etc, therefore the 1.4% proposed value will need to be revised to reflect lot coverage.
5. Parts 2 and 3 of the Full Environmental Assessment Form are completed. This project is classified as a Type I Action and may be subject to further review under SEQRA.
6. The applicant is requesting to land bank 109 parking spaces, however, the drainage facilities must be designed and built for the entire project as if no land banking was to occur.
7. The following Board of Appeals variances need to be sought:
 - Maximum Building Height allowed is 94 feet and 120 feet is proposed
 - Based on the square footage of the Professional Office, four (4) loading berths are required, however, the plan indicates only two (2) loading berths.
- The Rockland County Department of Planning requests the opportunity to review any variances that may be requested from the Town of Orangetown Zoning Board of Appeals in order to implement this Site Plan.**
8. All refuse containers/dumpster locations shall be shown on the Site Plan.
9. All turning radius for the driveway, pavement dimensions, parking stall dimensions, aisle widths, etc. shall be labeled on the Site Plan.
10. Electrical service shall be shown on the Site Plan.
11. The site engineer shall provide additional sediment control devices well beyond just silt fences.
12. Erosion and sediment control devices shall be shown as part of the sanitary sewer line installation on the slopes of the property and offsite.
13. A Lighting Plan and Landscaping Plan shall be submitted to the Town of Orangetown Architecture and Community Appearance Board of Review for review and approval.
14. All handicap facilities, such as drop curbs, access routes, etc. shall be labeled on the Site Plan.
15. The revised drainage calculations are currently under review by DEME.
16. The drawings shall indicate whether the proposed new sanitary mains are to remain private or are to be easemented to the Town of Orangetown.

17. Sanitary calculations for the proposed site, prepared and sealed by a New York State Licensed Professional Engineers, shall be submitted to DEME for review and approval.

18. A post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for the proposed stormwater systems 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 schedule, inspection check list, contact person with telephone number, yearly report to be submitted to DEME, etc.

19. "Grasscrete" or other approved material shall be installed over the proposed sanitary mains where they are to be located "off-road".

20. The revised soil erosion and sediment control plans and details are unclear review by DEME.

21. The Planning Board requests further clarification and additional details prior to making a determination from Town of Orangetown, Department of Environmental Management and Engineering, (DEME) regarding its request as outlined in condition #1 in the Interdepartmental memorandum signed by Bruce Peters, P.E., dated September 21, 2007,.

"The applicant shall install a new electric service for the existing traffic light at the entrance to this site from Veterans Drives. The service will then be turned over to the Town of Orangetown upon completion."

22. The Drainage Consultant to the Planning Board, Greater Hudson Valley Engineering & Land Surveying, recommends approval of the drainage design, subject to the attached comments/conditions:

The Consultant provided its review by listing previous comments from its July 10, 2007 review and any additional comments from its October 3, 2007 are noted in **bold** type.

This is the second review (October 3, 2007) of this submission

Previous Comments on EAF

- 1 The EAF (B.1.b) indicates 10.94 acres to be developed. This should be coordinated with the site description (A.2). This still needs to be coordinated.

Previous Comments on Planset

- 2 The wetlands should be labeled on the maps, indicating jurisdiction and acreage. The Consultant was not able to find the labeling on the revised plans.

- 3 Land banked parking appears to encroach upon the limits of the forebay. In the event that the applicant is permitted to land bank a portion of the required parking, it should be configured such that it does not encroach upon the proposed stormwater controls. In addition, the applicant should consider including the potential impervious areas in the drainage calculations, to avoid modifications to the drainage infrastructure should the additional spaces be required in the future. Land banked parking appears to be revised. The design engineer represents that these areas have been included in the impervious area/water quality volume calculations.
- 4 The 10' wide weir on the forebay should be labeled on the plans and the 5' wide weir should be labeled on the dry pond. The forebay weir has been labeled. The weir in the dry pond should be labeled on the plans as 4' wide, as it was revised in the new report.
- 5 Construction details should be provided for all outlet controls. This was provided for the outlet control structure in the dry pond. A generic detail should be provided for the weir structures.
- 6 The dimensions for the bioretention swale detail do not match those in the report. The dimensions should be coordinated. The dimensions on the Bioretention Swale Detail still do not match the dimensions in the report, and should be corrected.
- 7 The WQv permanent pool elevation and the 1-, 10- and 100-year storm elevations should be added to the Longitudinal Cross Section on sheet C-2.04 (Pond Cross Sections). In addition, please provide a cross section of the overflow spillway between the forebay and first permanent pool showing the 100-year storm elevation. This information has been shown on the Storm Basin Outlet detail on sheet C-2.03 for the dry pond. The 100-year storm elevation is shown as 203.75 and the top of berm is noted as 205. The design engineer should ensure proper grading transition at the access road and provide a detail for the access road crossing the overflow weir. The storm elevations should also be added to the Longitudinal Cross Section as previously requested to ensure proper freeboard. The cross section of the overflow spillway previously requested is not necessary since it is a pilot channel between the forebay (Pond 1) and the first permanent pool (Pond 2).

- 8 Page 2 of the report states that the site will be curbed. Information should be added to the plans indicating how the stormwater runoff will enter the bioretention swales. In addition, water quality and hydraulic calculations should be provided for the bioretention swales. The revised report also states that the proposed site will be curbed, making it unclear how stormwater will enter the bioretention swales. The design engineer has stated that the decision on curbing or no curbing will be made by the Planning Board. If curbing is chosen, details of curb cut access for runoff should be added to the plans. The design engineer has also represented (and we concur) that the water quality volume provided in the wet ponds is well over and above that which is required. Therefore, these swales are redundant and calculations need not be required.

Previous Comments on SWPPP/Drainage Report/Calculations

- 9 A soils map should be added to the report in order to confirm the onsite soils composition. The soils map has been added to the report. No further comment necessary.
- 10 The report discusses a ridge (in the Executive Summary) with the existing runoff to the west of the ridge flowing toward an existing swale which flows toward the entrance of Blue Hill Plaza and the existing runoff to the east of the ridge flowing toward the existing wetlands and Cherry Brook and eventually to Lake Tappan. However, the model is based on one design point. The existing conditions model should be broken into the two existing design points to more accurately model the existing conditions. This will affect the existing conditions peak flows. The model has been revised. No further comment necessary.
- 11 The time of concentration path is not shown for proposed development on the Post Development Drainage Map. This information is necessary in order to verify the time of concentration used in the model. The time of concentration path has been shown. However, it appears that runoff jumps the curb in the vicinity of point *B*. This should be clarified.
- 12 How is the rooftop runoff collected and conveyed to the forebay? Page 2 of the report states "Rooftop runoff will be collected and conveyed by roof leaders, draining into nearby catch basins or the bioretention swales. The utility plan in the full plan set shows the location of these roof leaders in detail." However, the location of the roof leaders is unclear. Please revise the plans accordingly.

- 13 Please provide sizing calculations for the proposed stormwater piping. A spreadsheet titled "Storm Drain Pipe Run Calculations" has been added to the report. Please explain how the *Proposed Flow* values were obtained. In addition, please coordinate the *Storm Sewer Structure Schedule* on sheet C-5.02 with the *Storm Drain Pipe Calculations* spreadsheet in the report. The inverts for structures S-5, S-6 and S-7 do not match.
- 14 We do not believe that the stream referred to in the report is Cherry Brook. Please refer to comment #22 of the drainage review comments provided for Pointe at Lake Tappan, dated 5 June 2007. The report has been revised and now refers to this body of water as an *unnamed stream*. No further comment necessary.

New Comments

Comments on Planset

- 15 The *storm structures note* and *sanitary structures note* in the legend refer to sheet C-2.08. This sheet does not appear in the plan set. It appears that these notes should refer to sheet C-5.02 as the Storm Sewer Structure and Sanitary Sewer Structure schedules appear on that sheet.

Comments on SWPPP/Drainage Report/Calculations

- 16 The length of sheet flow for Bypass 1 is 150 ft. in the model. The SMDM states on p. 4-6 that the length of overland flow used in time of concentration calculations is limited to no more than 100 feet for post development conditions. It is our opinion that this design requirement only applies to disturbed areas, and not to bypassed areas.

Neg. Dec.

- 17 There are several warnings within the model output. For examples, see top of pages 31 and 36. The warning on page 31 states, "Exceeded Pond 1P by 0.68' @ 12.42 hrs." This seems to suggest an overtopping occurrence. The warning on page 36 states, "Submerged 2% of Reach 1R inlet." The design engineer should address these warnings.

The Drainage Consultant reserves the right to modify these comments should the submittals be modified.

23. A review shall be completed by the Borough of River Vale, New Jersey, and any concerns addressed.

24. The U.S. Army Corps of Engineers shall be contacted to make a jurisdictional determination regarding the proposed activity for its effect on the federal wetlands, and all required permits from the ACOE shall be obtained.

25. A review shall be completed by the New York State Department of Environmental Conservation (NYSDEC) and all required permits must be obtained. No Site Plan approval shall be granted until the Town has received documentation from the NYSDEC regarding wetland boundary determinations and the restrictions that will apply to these areas and to its respective buffer areas.

26. Wetlands to be preserved and any wetland buffers or setbacks shall be shown as Conservation Areas on the Site Plan.

27. All wetland and wetland buffer areas to be preserved shall be clearly marked in the field prior to any clearing or construction. Notes shall be placed on the Site Plan regarding this field-marking requirement, as well as to explain the long-term use restrictions for these areas, including that no accessory structures shall be placed in these areas.

28. To better understand how the structures and site improvements are planned to fit within the environment, a separate plan sheet showing all portions of the property with over 10 to 15 percent slopes shall be provided.

29. A more detailed pedestrian circulations plan shall be provided on the Site Plan. The plan shall tie into compatible surrounding land uses.

30. A landscape and lighting plan that meets all Town requirements and reflects the maximum possible preservation of existing vegetation shall be provided.

31. Notes explaining the entity with maintenance responsibilities for access easement to Lot B and any other easements to be provided on the site shall be added to the Site Plan.

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

33. Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Towns, Villages and County with an adequate supply of water. A letter from the public water supplier, stamped and sealed by a NYS licensed professional engineer, shall be issued to the municipality for this project, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.

34. 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.

35. The Fire Zones must be clearly marked on the Site Plan. Access to the Fire Zones shall be unimpeded by other parking areas and maneuverability on the site feasible.

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

37. 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.

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

39. The Rockland County Department of Highways (Highway) reviewed the Site Plans and information and offers the following comments for consideration:

1) Highway questions if this Site Plan was incorporated into the traffic signal design for the current and proposed development along Veterans Memorial Drive?

2) Highway questions when the traffic study for the Development of Blue Hill Plaza was prepared and should it be updated due to the additional traffic that will be generated along the Blue Hill Plaza access road? If a current traffic study is warranted, at a minimum, it should include the following items:

A discussion as to whether the current traffic signal configuration can handle the increased traffic volume generated from this site.

A discussion regarding the overall traffic flow in and around the site.

Offer comments as to the type of vehicles anticipated on utilizing the site.

A discussion of Turning Movements and Hours of Operation.

3) Highway feels that this site development is yet another example of why a comprehensive traffic study should be prepared, to consider the cumulative effects that the major development currently being proposed, approved and the process of construction (The Hollows at Blue Hill Planned Adult community, Point at Lake Tappan Adult Housing, STEJ/Orangetown Sports Center Complex/Town Recreation Facilities, Rockland Hospital Guild and Orangeburg Commons) will have upon traffic generation, traffic patterns and congestion along the entire Orangeburg Road/Veterans Memorial Drive Corridor. Therefore, Highway once again recommends that this project be incorporated into a comprehensive Veterans Memorial Drive Corridor Study due to the above mentioned large scale projects being considered for development and/or in the process of construction within the area. The study should include, but not limited to many of the following items for consideration:

A) A Volume analysis including truck and bus traffic.

B) The timing of traffic that will be generated other than just peak hours. Weekend, evening and nighttime traffic flow should be considered.

C) The current timing of existing traffic signals and any need to adjust the phasing sequence.

- D)** The anticipated need for turning lanes to assist traffic flow.
 - E)** The need for enhanced lighting, increased traffic safety devices, increased size and reflectivity of street signs, road markings and other traffic devices to increase safety and assist drivers.
 - F)** Current pedestrian traffic flow; the need and locations for bus stops and the need and locations of various crosswalks and various pedestrian safety devices.
 - G)** A pedestrian crossing count analysis should be performed to assess the generation of pedestrian traffic in and around the site, to determine any and all public improvements necessary to enable the safe pedestrian crossing of County and Town Roads.
 - H)** Current levels of service and future levels of service anticipated along the Orangeburg Road/Veterans Memorial Drive Corridor from Route 303 to South Middletown Road and the cumulative effect the combined proposed development projects currently being considered and/or in the process of being developed will have along Orangeburg Road/Veterans Memorial Drive. Comment should be offered regarding how future levels of service will impact the current level of service.
4. A Rockland County Highway Department Work Permit will be required for the proposed construction within 500 feet of the County right of way, and must be obtained prior to the start of any excavation or construction on site.

40. Based upon the Rockland County Drainage Agency's (RCDA) evaluation of available mapping and the information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is not requested based upon its review of the information provided. However, the site appears to be located in close proximity to mapped federal wetlands. The RCDA suggests that the U.S. Army Corps of Engineers be contacted by the Lead Agency and requested to make a jurisdictional determination regarding the proposed activity.

41. Rockland County Department of Health, Environmental Health Program has the following conditions:

A formal application for sewer extension approval is to be made to the Rockland County Health Department (RCDOH).

Application is to be made to the RCDOH for a water main extension. This application is to be made through United Water New York.

Separate application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code. Applicant's Engineer should contact Brian Hunderfund at 364-2593 to coordinate.

42. 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.

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

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

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

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

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

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

One (1) foot radius from trunk per inch DBH

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

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

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

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

47. 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.

48. 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.

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

**Subject to Conditions
Neg. Dec.**

50. 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).

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

52. 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

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

The foregoing Resolution was made and moved by Anthony Iurica, seconded by John Foody and carried as follows: Bruce Bond, aye; Anthony Iurica, aye; William Young, aye; John Foody, aye; Robert Dell, absent; 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 10, 2007

Cheryl Coopersmith, Chief Clerk

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: Hunter Douglas World Headquarter Site Plan

SEQR STATUS: Type I _____
Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____
No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located abutting the New York/New Jersey State Line, approximately 700 feet south of on Veterans Memorial Drive, and 500 feet west of Blue Hill South Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 73.10, Block 1, Lot 6 in the OP zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

**TOWN OF ORANGETOWN
PLANNING BOARD DECISION**

Subject to Conditions

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

FROM: Orangetown Planning Board
RE: The application of Pearl River Veterans, LLC, owners for Final Site Plan/Subdivision (Condominium) review for a proposed Adult Community to be known as "**The Pointe at Lake Tappan Site Plan Site Plan/Subdivision (Condominium) 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 on the west side of Blue Hill South Road at the intersection of Veterans Memorial Drive and Blue Hill South Road, Pearl River, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 73.10, Block 1, Lot 4 in the OP & PAC zoning districts.

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

Steve Bilheimer and Donald Brenner appeared and testified. The Board received the following information:

1. A Project Review Report dated October 3, 2007.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated October 10, 2007.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 5, 2007.
4. A letter from Greater Hudson Valley Engineering and Land Surveying, signed by Thomas Vanderbeek, P.E., President, dated October 10, 2007.
5. A letter from the Rockland County Department of Planning, signed by Salvatore Corallo, Commissioner of Planning, dated October 10, 2007.
6. Letters from Rockland County Highway Department, signed by Joseph Arena, Principal Engineering Technician, dated October 1 and May 21, 2007.
7. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated September 14, 2007.

8. An interdepartmental memorandum from the Office of Parks and Recreation, Town of Orangetown, signed by Richard Rose, Superintendent, dated September 14, 2007, with an attachment.
9. A letter from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief, dated October 2, 2007.
10. A Letter of Agreement, Town of Orangetown, signed by Thom Kleiner, Supervisor, dated March 27, 2007.
11. An interdepartmental memorandum from the Office of the Town Attorney, Town of Orangetown, signed by Robert V. Magrino, Deputy Town Attorney, dated October 10, 2007, with an attachment of the Town of Orangetown Special Town Board Meeting, Monday, December 5, 2005.
12. Plans prepared by HDR, dated February 16, 2007, last revision date of September 7, 2007:

GENERAL

- Sheet C-0.01 Cover
- Sheet V-1.01 Existing Conditions-Plan
- Sheet V-1.02 Environmental Constraint Map

SITE WORK

- Sheet C-1.01 Demolition Plan
- Sheet C-1.02 Site Plan
- Sheet C-1.03 Overall Utility Plan
- Sheet C-1.04 Overall Storm Drainage Plan
- Sheet C-1.05 Overall Water Plan
- Sheet C-1.06 Overall Sanitary Plan
- Sheet C-1.07 Grading Plan
- Sheet C-1.08 Soil Erosion Control Plan
- Sheet C-1.09 Overall Roadway Geometry Plan

- Sheet C-2.01 Enlarge Grading & Utility Plans - Pods A & B
- Sheet C-2.02 Enlarge Grading & Utility Plans - Pods C, D & E
- Sheet C-2.03 Enlarge Grading & Utility Plans - Pods F & G
- Sheet C-2.04 Enlarge Grading & Utility Plans - Pods H & J
- Sheet C-2.05 Enlarge Grading & Utility Plans - Pods K & L
- Sheet C-2.06 Enlarge Grading & Utility Plans - Pods M, N, P, Q, R & S
- Sheet C-2.07 Enlarged Pond Grading & Utility Plan & Details
- Sheet C-2.08 Structure Schedules
- Sheet C-3.01 Profiles – Sheet 1

Sheet C-3.02 Profiles – Sheet 2
Sheet C-3.03 Profiles – Sheet 3
Sheet C-3.04 Profiles – Sheet 4
Sheet C-3.05 Profiles – Sheet 5
Sheet C-3.06 Profiles – Sheet 6
Sheet C-3.07 Profiles – Sheet 7
Sheet C-3.08 Profiles – Sheet 8

DETAILS

Sheet C-5.01 Drainage and Utility Details
Sheet C-5.02 Detention Pond Outfall Details
Sheet C-5.03 Landscaping Details
Sheet C-5.04 Soil Erosion Control Details
Sheet C-5.05 Site Details

13. Landscape Plans prepared by Ann Brooke Design Inc., dated June 29, 2007:
LA-1: Landscape Plan
LA-2: Landscape Plan Cluster 1 Detail
LA-11: Landscape Plan Site Entrance
LA-12: Lighting Design, Guidelines & Details

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

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

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

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

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

DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED FINAL 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. All plans shall be signed and sealed by both a Professional Engineer and Professional Land Surveyor.
3. 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. Since the Seth House is shown on the Site Plan as an “existing house” and is to be restored/refurbished as a single family dwelling, then the applicant shall appear before the Town of Orangetown Architecture and Community Appearance Board of Review (ACABOR) to assure the historic appearance of the structure is preserved. ACABOR may want to refer the applicant to the Town of Orangetown Historic Areas Board of Review (HABR) for its comments and suggestions on preservation of the Seth House’s historic appearances.
5. All retaining walls shown on the Site Plan need engineering details.
6. All supporting calculations for lot coverage, floor area ratio, etc., shall be provided for review.

Subject to Conditions

7. The dumpster location (s) and proper screening shall be shown on the Site Plan.
8. All decks and /or patios shall be labeled on the Site Plan and the separation distances between them and/or other structures be labeled.
9. The square footage of the Recreation Center shall be provided on the Site Plan.
10. The Utility Plan shall show all utility locations, including gas lines.
11. The revised drainage report/stormwater management plans is currently under review by DEME. However, because the site is to be private, a maintenance agreement, in accordance with NYSDEC Phase II Regulations, for the proposed stormwater systems, 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 schedule, inspection check list, contact person with telephone number, yearly report to be submitted to DEME, etc.
12. The sanitary pumping design shall be modified to reflect the following changes:
 - The entire 50 ft X 50 ft parcel to be dedicated to the Town shall be paved;
 - The fencing shall be relocated to the perimeter of the parcel;
 - The station shall be relocated on the parcel to allow 20 feet between the eastern side of the station and the fence line;
 - The seal fittings on the wet well side of the terminal boxes (for each pump) shall be removed;
 - The proposed property line for the station shall be shown in the pumping station design drawings;
 - The common header for the station shall be redesigned to reflect Wyes entering the header, not Tees.
13. The location of the safety bench for the detention basin appears to be missing, this shall be corrected and shown on the drawings and details.
14. The proposed fencing around the detention basin shall be relocated encompass the "grass-crete" access that surrounds the basin.
15. An easement labeled to the Town Sewer Department shall be given along the proposed access road to the pumping station.
16. All proposed sanitary mains shall be easemented to the Town Sewer Department for access and maintenance, this shall be reflected on the drawings. The easements shall be at least **15 feet wide (off road) and 24 feet wide (in the road, i.e. the proposed width of the road)** and in a form acceptable to DEME and the Town Attorney's Office. The metes and bounds for the easements shall be depicted on the drawings.

17. The sanitary calculations are under review by DEME.
18. "Grass-crete" or approved equal shall be depicted on the plans in all area where the proposed sanitary mains are to run in grass.
19. 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 this proposed Site Plan/subdivision, shall be supplied to the Planning Board and DEME, **prior to signing the Site Plan.**
20. Iron pins shall be drawn and labeled at each property corner.
21. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum, including the BM elevation.
22. The proposed streets, on the Site Plans, shall be labeled as to which pavement detail corresponds to which road.
23. Detailed information regarding the proposed retained wall around the storage pond/basin shall be supplied.
24. The Drainage Consultant to the Planning Board, Greater Hudson Valley Engineering & Land Surveying, P.C., letter of October 10, 2007 found that the applicant submitted sufficient information for it to accept the overall design, subject to comments and conditions of it June 5, 2007 letter. The primary two needs are pre- and post development drainage maps corresponding to the report and revised storm sewer calculations to include entrance and junction losses. The following are the comments and conditions of the June 5, 2007 letter:
 1. Rim, invert and pipe information is not complete.
 2. Sizing calculations have not been included.

The drainage documents shall be revised and resubmitted pursuant to the following comments/conditions:

Wetland Report Comments:

(3) The drawing incorporated in the report does not show the wetlands point numbers or labels. It should also be prepared by a licensed surveyor, as some of the points do not appear to be exactly located (for example, one of the points appears to be in the pavement of Veterans Memorial Drive). Please label the streams with their DEC designations and classifications.

(or non-jurisdictional) letters shall be obtained from the New York State Department of Environmental Conservation and the U.S. Army Corps of Engineers.

Continuation of condition #24.....

Planset Comments:

(6) There are no rim or invert elevations on the drainage structures. Please number or label field inlets and catch basins. Please provide rims and inverts on all, and provide pipe slopes and lengths. Rims and inverts still not shown in plan view on the main road, pipes are not labeled on the main road and pipes and some basins are not labeled or sized on Sheet C-2.06. Pipe sizes, types and slopes need to be labeled on the profiles. The invert appears to be incorrect at catch basin S-13A1. Pipe flow calculations are important; for example, on Sheet C-2.06 there is a catch basin in front of Unit S2 which appears to receive flow from a large drainage area, is relatively shallow, and the pipes are at less than right angles, creating the potential for surcharging at those driveways.

(8) Sizing and calculations and stream crossings shall be presented.

(9) Storm sewers shall be designed for a minimum of a 15 year storm. Calculations were not provided.

(11) A delineation of those wetland areas to be disturbed shall be provided with the disturbed area calculated. This shall not only include the crossings, roads and driveways, but also those buildings which are situated adjacent to the wetland line, as their construction will create a disturbance. Also, a legend is needed on the existing conditions plan to clarify the different hatching of the wetland areas. Also, Sheet C-1.02 labels a 100 foot wetland buffer, but it does not appear to maintain a 100 foot at all locations.

(12) On detail Sheet 5.01 it states that catch basins C-3 and E-1 shall have 2 foot sump, and there are no sumps on the other catch basins. None of the catch basins are labeled. Field inlets shall also have sumps. All catch basins should have sumps. It also says to refer to the schedule for inlet casting types, but no schedule is provided and catch basins C-3 and E-1 cannot be located.

(13) No details on the detention pond structures have been provided. Some details have been presented. A cross section of the emergency overflow has not been provided. Also, the plans and the drainage report do not exactly match.

(15) Please show a typical roof leader layout and discharge points. This has not been addressed and could easily be done in one of the POD sections.

(22) There should be a greater discussion of the general hydrology of the site, which is crossed by at least two streams. There should also be a discussion of the design point(s) for runoff leaving the site and its hydrologic path to Lake Tappan. Text has been added to the report. However, the drainage consultant does not believe this is the Cherry Brook, which is farther to the west and is a separate drainage improvement project in the Town. This stream originates north of Gilbert Drive and appears to take all the drainage from Blue Hill Plaza, the Hilton, the Hollows at Blue Hill, and the Promenade. Knowing the upstream drainage basin is important for two reasons – first, to size the stream crossing, and secondly, in sizing the on-site detention basin. The flow reported at DP-2 is only on-site and does not reflect upstream contributions. Therefore, the actual percentage of flow increase and flow reduction due to site development and controls will be less, and the size of the detention basin may be less. In addition, Lake Tappan is a 4th order stream. Should the hydrologic path from the site to Lake Tappan be adequate, only water quality and Cpv controls will be required, not 10 and 100 year controls.

(32) The report states that there will be a “substantial amount of disturbance.” In accordance with DEC regulations, a phasing plan shall be prepared showing no more than 5 acres of disturbance at one time, or a formal waiver request shall be prepared for DEC review. If a waiver request is going to DEC, they are allowed 60 days to review. If other permits are required, the stormwater pollution prevention plan (SWPPP) must also be submitted for review. In either case, a SWPPP in accordance with the DEC permit regulations must be submitted for the drainage consultant review prior to final approval.

The Drainage Consultant reserved the right to modify these comments should the submittals be modified.

- 25.** The applicant shall provide a tabulated response for the disposition of the Rockland County Department of Highways previous comments.
- 26.** Add hatched lines and lines between houses to the Legend.
- 27.** A drawing shall be added to show the stormwater pollution prevention plan.
- 28.** On the Soil Erosion Control Plan, notes are necessary to show the sequence and approach at the construction stage.
- 29.** The Site Plan shall clearly indicate the existing Right of Way Line and the Designated Street Line along Veterans Memorial Drive.
- 30.** The cover sheet shows the correct County Route number as #20, the rest of the site plan shall indicate Veterans Memorial Drive as county Route #20, not #80.
- 31.** In review of the proposed forced sewer main, the Rockland County Highway Department will not allow open cutting of Veterans Memorial Drive/ Orangeburg Road. The applicant shall provide means for jacking under Veterans Memorial Drive, and/or alternate means shall be provided.
- 32.** Rockland County Department of Highway comment (May 21, 2007 letter, Comment #4) regarding relocation of the Emergency Access/Construction Access to Blue Hill Road South was discussed and the Board determined that this road would remain as presented by the applicant, however would be used for Emergency access only, the Fire Department would have a Key. It would not be for temporary construction use.
- 33.** The Site Plan shall demonstrate the location of the existing utilities along Orangeburg Road/Veterans Memorial Drive and Blue Hill West.
- 34.** The Rockland County Highway Department requires the applicant to submit a copy of the stormwater management plan and drainage study with calculations for its review.

35. The applicant shall return to the Town of Architecture and Community Appearance Board of Review for review and approval of “Senior Enhanced” site lighting and signage.

36. The Rockland County Department of Health (RCDOH) has the following comments:

Formal application for sewer extension approval is to be made to the Rockland County Health Department. Application is to include an Engineer’s report for the proposed pump station.

Application is to be made to RCDOH for a water main extension. This application is to be made through United Water New York.

Separate application is to be made to the RCDOH for review of the Storm Water Management System for compliance with the County Mosquito Code. The applicant’s engineers shall contact Brian Hunderfund at 364-2503 to coordinate.

37. The applicant, as a condition of the Zone change for this property, offered to make a recreation contribution of \$700,00.00 upon Final Site Plan Development Approval; Town Board Resolution #05-771. this Town Board Resolution also contained language referring to the Perry/David Seth House.

38. The Town of Orangetown Chief of the Bureau of Fire Prevention has the following comments:

All roadways, turnarounds, etc,. must provide a proper turning radius to accommodate a 55 foot long piece of apparatus.

All roadways must be a minimum of 20 feet in width with vertical clearance of 13 feet 6 inches. Including access roads to pump stations etc...

All dead ends in excess of 150 feet in length must provide a turnaround area with a turning radius to accommodate a 55 foot long piece of fire apparatus.

Bridges, culverts, elevated surfaces shall comply with the following:

Where a bridge or an elevated surface is a part of a fire apparatus access road the bridge shall be constructed and maintained in accordance with AASHTO Standard Specification for Highway Bridges. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicles load limits shall be posted at both entrances to bridges when required by Fire Inspector. Where elevated surfaces designed for emergency vehicles use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the Fire Inspector.

Subject to Conditions

Continuation of condition #38

Fire Hydrants are to be located at the entrance to each cluster of buildings, not in dead ends as shown on the utility map. Hydrants are to be public hydrants connected to United Water.

Provide a Site Plan for Fire Service Features: Turning Radius as required, Fire Hydrants, Turnarounds, Road Widths throughout, etc...

39. The Drainage Consultant to the Planning Board recommends acceptance of drainage subject to conditions of the June 5, 2007 review and the submission of the following: additional information of pre- and post development drainage maps corresponding to the report; revised storm sewer calculations to include entrance and junction losses, and any other conditions of the October 10, 2007 review letter.

40. The applicant must meet all requirements and conditions of the Town of Orangetown Town Board Resolution #2005-770 dated December 5, 2005, and as may be amended, which granted the applicant a PAC Zone change for the subject property location subject to conditions, attached.

41. One of the conditions of PAC Zone approval by the Town Board was that the applicant would offer 10% of the units for a sale price not to exceed \$295,000.00 (adjusted for inflation from the date of the passage of the zone change to the date of the offering of said units for sale). The applicant has identified 12 units to be the so-called "affordable units". **Prior to the signing of the Final Site Plan**, the applicant shall execute a Restrictive Covenant approved by the Town Attorney's Office as to form and substance. Said Covenant shall indicate that any resale of specified units shall not exceed a price that equals the original purchase price plus the increase in the cost of living for the Rockland county area as determined by the United States Department of Labor's consumer price index as measured from the date of original purchase and the date of resale or subsequent resale, plus fair market value for improvements made to the units. The Town or its agent(s) may administer the original sale and/or resale of these units as per the PAC Zone requirements, although the affordability formula is not applicable to this project.

42. A review shall be completed by the Borough of River Vale, New Jersey and any concerns addressed.

43. The Site Plan shall be revised so that the wetlands to be preserved and any wetland buffers or setbacks shall be shown as Conservation areas. Note 24 on the Site Plan indicates that a conservation easement will be required as a condition of site plan approval. However, the location and boundaries of the Conservation Easement are not identified.

Subject to Conditions

44. All wetland and wetland buffer areas to be preserved shall be clearly marked in the field prior to any clearing or construction. Notes shall be placed on the Site Plan regarding this field marking requirement, as well as to explain the long term use restriction for these areas, including that no accessory structure shall be placed in these areas.

45. The existing and proposed contour lines have not been properly tied into one another throughout the site, as illustrated on the overall Site Plan on the Enlarged Site Plan. Many contour lines either cross one another or enter buildings without any existing line shown. Some proposed lines tie back into the existing contours at right or acute angles, resulting in very unnatural contour shapes. Some contour lines have been mislabeled (the elevation numbers). All of these plans shall be revised to address the relationship between existing and proposed contour lines in a coherent manner. Also a separate symbol shall be used on the existing contour lines where portions of existing contour lines will be altered and additional information provided in labels on the various contour lines.

46. Details regarding the grading around structures shown abutting wetland setbacks shall demonstrate that buffer areas will not be disturbed.

47. The Bulk Table shall be revised to include acreage of various land uses, including wetlands;(separate from other water courses), number of residential units by type, planned use of the approximately 4,600 square feet of historic house and its surroundings, and the area of the recreation center facilities.

48. A review shall be completed by both the U.S. Army Corps of Engineers (ACOE) and New York State Department of Environmental Conservation (NYSDEC) and all required permits must be obtained. It is the Rockland County Department of Planning's understanding that the permit regarding the wetlands will be a joint permit of the NYSDEC and the ACOE. No Final Stamping of the Site Plan* shall be granted until the Town has received documentation from the NYSDEC regarding wetland boundary determinations and the restrictions that will apply to these areas and to its respective buffer areas. (*See Over rides at end of decision).

49. The boundaries and purpose of any access, drainage and other easements shall be clearly identified on the Site Plan and notes included that indicate the entity with maintenance responsibilities for these easements and the improvements in them. As a part of addressing this issue, Note 19 on the plan shall be revised to also refer to easements.

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

Subject to Conditions

51. Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Towns, Villages and County with an adequate supply of water. A letter from the public water supplier, stamped and sealed by a NYS licensed professional engineer, shall be issued to the municipality for this project, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.

52. 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.

53. The applicant shall meet with Rockland County Department Public Transportation staff with regards to planning for pick-up of residents at the recreation center and individual housing units by T.R.I.P.S, a paratransit system that serves senior and handicapped residents in Rockland County. The use of speed bumps in the development would be a detriment to the ability of T.R.I.P.S. to serve the residents conveniently and in a manner that would best ensure their comfort. Therefore, it is recommended by Rockland County Department of Planning that an alternative "traffic calming" road design methods be used if possible. In addition, drop offs and pick ups of individuals using the T.R.I.P.S. system would be limited to the loop road, as T.R.I.P.S. vehicles would not be able to enter the housing cluster access drives. This is the case because the buses would have to back-up if they did enter the access drives, which is against T.R.I.P.S. policy. Handicapped accessible curb cuts and other features shall be sited accordingly.

54. A review shall be completed by the Rockland County Office of Fire and Emergency and any concerns addressed.

55. 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.

Subject to Conditions

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

57. The Rockland County Department of Planning requests the opportunity to review any variances that may be needed to implement this site plan.

58. In regards to the Seth House, clarifications shall be provided regarding whether the out kitchen, which is understood to be located approximately 50' to the west of the house, and the family graveyard will be preserved. Both the Demolition Plan (Sheet C-1.01) and the Enlarged Plan Pods K & L (Sheet C-2.05) shall be revised to identify these features and to indicate whether they will be preserved. The Board shall evaluate and determine whether these and all other contributing historical features surrounding the house will be preserved with the proposed site plan such that historic ambiance and associations are preserved.

59. It appears that Building A-1 on the Site Plan should be marked with an asterisk to indicate that it is a two unit structure.

60. Based upon the Rockland County Drainage Agency's (RCDA) evaluation of available mapping and the information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is not requested based upon its review of the information provided. However, the site appears to be located in close proximity to mapped federal wetlands. The RCDA suggests that the U.S. Army Corps of Engineers be contacted by the Lead Agency and requested to make a jurisdictional determination regarding the proposed activity.

61. The New York State Department of Environmental Conservation requires the following permits:

Article 15, Protection of Waters

Compliance with the SPDES General Permit for Stormwater Discharges from Construction Activities

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

Cultural Resources

62. The following note shall be placed on the Site Plan:

TREE PROTECTION: 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.

**(Condominium) Approval
Subject to Conditions**

Continuation of Condition #61...

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.

63. All landscaping shown on the 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.

64. 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.

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

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66. 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).

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

68. 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

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

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

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

72. The applicant shall submit a Restrictive Covenant as to the age and occupancy of the resident of the development, subject to the review and approval in substance and form to the Town of Orangetown Town Attorney's Office, and to be recorded in the Rockland County Clerk's Office.

OVERRIDES:

The Board made a motion to override a sentence in Condition #4, Conditions #1, #9, #11, #21 & #22 of the Rockland County Department of Planning letter, dated October 10, 2007, signed by Salvatore Corallo, Commissioner.

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Condition #4: A review shall be completed by both the U.S. Army Corps of Engineers (ACOE) and New York State Department of Environmental Conservation (NYSDEC) and all required permits must be obtained. It is the Rockland County Department of Planning's understanding that the permit regarding the wetlands will be a joint permit of the NYSDEC and the ACOE. No site plan approval shall be granted until the Town has received documentation from the NYSDEC regarding wetland boundary determinations and the restrictions that will apply to these areas and to its respective buffer areas.

The Planning Board changed the underlined words to **NO FINAL STAMPING OF THE SITE PLAN ..**

The Planning Board overrode this portion of a sentence since it allows the applicant to move head in its environmental review, as discussed with the Board by John Crow, of C & H Consultants for the applicant. The condition is in the decision as Condition #48.

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

Condition #1: In our August 6, 2006 review of the zone change and conceptual plan for the Planned Adult community, we raised concern regarding the encroachment over Blue Hill West Road, a county right of way. Since that time we have not received any documentation regarding any agreements, land swap, or road abandonment plans from either the Rockland County Department of Highways, the applicant, or the Town indicating the final outcome of the deposition of this right of way. If there are plans for abandonment, acquisition, or a land swap, then the appropriate documentation describing this agreement must be provided prior to approval of the Site Plan. If no such plans are proposed, the Site Plan must be redesigned so that no development encroaches into the County right of way.

The Planning Board overrode this condition since it was granting **Final Site Plan approval subject to the condition that the applicant was providing a Land Swap Agreement to the Town of Orangetown before the Site Plan would be signed.**

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

**(Condominium) Approval
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Condition #9: A more detailed pedestrian circulation plan should be provided on the Site Plan. The plan should tie into compatible surrounding land uses, including linking the nearby Town-owned golf course. If bicycles will be used by residents and guests, bike racks should be shown in appropriate locations. The sidewalk proposed along the loop road should be revised to also show sidewalks provided into the Recreation Area.

The Planning Board overrode this condition since the Board is satisfied with the layout as presented.

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

Condition #11: A landscaping and lighting plan that meets all Town requirements and reflects the maximum possible preservation of existing vegetation shall be provided. As required by the Town's Architecture and Community appearance Board of Review, all trees with a diameter of 8" or more shall be noted on the plan. The landscape plan shall identify the landscape features that will be preserved around the historic house site. The lighting plan shall provide fields of illumination information that demonstrates that no light will shine into the County rights of way.

The Planning Board overrode this condition since the Plans have been reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review, as well as for the preservation of the Seth House.

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

Condition #21: We are still concerned with the disposition of the Isaac Perry/David Blauvelt (Seth) House on the property. It is our understanding that the current plan is to rehabilitate the structure as a residential unit to be included in the subject development. As depicted, the house is squeezed into the site plan. The existing driveway to the house is proposed to be removed. The

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placement of the house, instead of celebrating its importance, seems to ignore its existence. In addition, no explanation has been provided regarding the cost and the means for assuring that the house will be appropriately restore or a timetable provided for the restoration. Before the project is granted approval, a plan that guarantees restoration of the house in a timely and appropriate manner must be determined. The site plan should be redesigned to highlight the house and grounds more and to provide a practical and positive use for the structure.

The Planning Board overrode this condition since this condition is subject an Agreement between the Developer and the Town Board. In the event the agreement is to be altered or modified, the applicant shall return to the Town Board for the needed changes.

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

Condition #22: Also, with regards to the Isaac Perry/David Blauvelt (Seth) House, clarifications shall be provided regarding whether the out kitchen, which is understood to be located approximately 50' to the west of the house, and the family graveyard will be preserved. Both the Demolition Plan (Sheet C-1.01) and the Enlarged Plan Pods K & L (Sheets C-2.05) shall be revised to identify these features and to indicate whether they will be preserved. The Board shall evaluate and determine whether these and all other contributing historical features surrounding the house will be preserved with the proposed site plan such that historic ambiance and associations are preserved.

The Planning Board overrode this condition since this condition is subject an Agreement between the Developer and the Town Board. In the event the agreement is to be altered or modified, the applicant shall return to the Town Board for the needed changes. In addition, the Board is satisfied with the plan as presented and held that the graveyard is not a part of the presented plan.

The foregoing Resolution was made and moved by Kevin Garvey, seconded by Jeffrey Golda and carried as follows: Bruce Bond, aye; Kevin Garvey, aye; Anthony Iurica, aye; William Young, aye; John Foody, aye; Robert Dell, absent; 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 10, 2007

Cheryl Coopersmith, Chief Clerk