

**Meeting of April 25, 2012
TOWN OF ORANGETOWN PLANNING BOARD**

MEMBERS PRESENT: Kevin Garvey, Chairman;
Bruce Bond, Vice - Chairman; William Young; John Foody; Michael Mandel;
Jeffrey Golda and Robert Dell

MEMBERS ABSENT: None

ALSO PRESENT: Bert von Wurmb, Department of Building, Zoning, Planning
Administration and Enforcement; Robert Magrino, Deputy Town Attorney;
Ann Marie Ambrose, Stenographer and Cheryl Coopersmith, Chief Clerk

Kevin Garvey, Chairman 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:

Schuyler Associates LLC Subdivision Plan Final Subdivision Plan 65.15/1/7; R-40 zoning district	Final Approval Subject to Conditions	PB #12-15
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4 & 6 Depot Square Site Plan Final Site Plan Review 77.08/4/25 & 26; CS zoning district	Final Site Plan Approval Subject to Conditions	PB #12-16
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Crestron Electronics Generator Plan Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review 77.05/1/37; LIO zoning district	Final Site Plan Approval Subject to Conditions/ Neg. Dec.	PB #12-17
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Tappan Free Library Resubdivision Plan Reapproval of Resubdivision Plan Tappan Historic Area 77.11/3/65&66; CS zoning district	Reapproved Final Subdivision Approval Subject to Conditions	PB #12-18
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Other Business:

Tappan Shopping Center/Retro Fitness Gym Site Plan - PB #10-59
Final Internal Commercial Subdivision Approved Subject to Conditions.
Review of Condition # 17: "The contractor's trailer, if any is proposed, shall be
located as approved by the Planning Board."

The Board reviewed a plan noting the location of the contractor's trailer,
submitted to the Buildings Department and determined the following:

The trailer shall be removed at the end of this year, December 31, 2012 or within
one week of substantial completion of construction, whatever comes first.

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 John Foody and seconded by Bruce Bond and
agreed to by all in attendance. The meeting was adjourned at 9:00 p.m. The
next Planning Board meeting is scheduled for May 9, 2012.

**DATED: April 25, 2012
Town of Orangetown Planning Board**

PB #12-15: Schuyler Associates LLC. Subdivision; Final Subdivision Plan Approval Subject to Conditions/ Neg. Dec.

**Town of Orangetown Planning Board Decision
April 25, 2012**

TO: Donald Brenner, P.E., LL.B., 4 Independence Avenue, Tappan,
New York 10983
FROM: Orangetown Planning Board

RE: Schuyler Associates LLC. Subdivision Plan: The application of Dan Foley, applicant, for Schuyler Associates, LLC. owner, (Donald Brenner, Attorney for the owner), for Final Subdivision Plan Review, for a 4 lot subdivision at a site to be known as "**Schuyler Associates LLC. Subdivision Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located at 45 Schuyler Road, Nyack, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.15, Block 1, Lot 7 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, April 25, 2012**, the Board made the following determinations:

Donald Brenner, Jay Greenwell and Dan Foley appeared and testified.

The Board received the following communications:

1. Project Review Committee Reports, dated April 18, 2012.
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 April 25, 2012.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 23, 2012.
4. A letter from Brooker Engineering, signed by Kenneth DeGennario, P.E., dated April 18, 2012.
5. A letter from Rockland County Department of Planning signed by Thomas B. Vanderbeek, Commissioner of Planning, dated April 20, 2012.
6. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated April 24, 2012.
7. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated March 27, 2012.
8. A copy of a letter to Jay Greenwell, PLS, from Rockland County Department of Health, signed by Brian Hunderfund, Sr. Environmental Health Specialist, dated April 4, 2012.

9. Plans prepared by Jay Greenwell, PLS and Paul Gdanski, P.E.:

Sheet 1: Subdivision, 5/14/11, rev. 3/2/12

Sheet 2: Grading, Drainage and Utility Plan, 5/14/11, rev. 3/2/12

Sheet 3: Detail Sheet, 5/14/11, rev. 3/2/12

Sheet 4: Details, 5/14/11, rev. 3/4/12

Sheet 5: Road & Driveway, Drainage Plan & Profiles, 3/2/12

S1: Subsurface Sewage Disposal System, 5/14/11, rev 12/27/11

S2: Subsurface Sewage Disposal System Details, 9/7/11

10. Board Decisions: ZBA #11-84 Extension of Non-Conforming Bulk, Gravel Driveway and Front Yard Variances Approved, dated October 5, 2011, ACABOR #11-48, Approved Subject to Conditions, dated December 1, 2011 and PB #11-36, Preliminary Subdivision Approval Subject to Conditions, dated July 27, 2011.

Public Comments:

Watson Morgan, member of the Orangetown Parks Committee, noted that this project site is located adjacent to Buttersmill Park. He raised concerns regarding maintaining the natural surroundings of the park, rather than residential.

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

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

1. The following note shall be placed on the subdivision plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations
3. The applicant shall comply with all pertinent and applicable conditions of all Board Decisions: ZBA #11-84, Extension of Non-Conforming Bulk, Gravel Driveway and Front Yard Variances Approved, dated October 5, 2011, ACABOR #11-48, Approved Subject to Conditions, dated December 1, 2011 and PB #11-36, Preliminary Subdivision Approval Subject to Conditions, dated July 27, 2011.
4. The applicant must appear before the Town of Orangetown Architecture and Community Appearance Board of Review before any construction, grading or removal of trees on the site. This was condition #1 of ACABOR #11-48.
5. The fire companies have the authority to use the water pumps located on the applicant's property.
6. The proposed drainage easement on Lot #4 shall be extended, covering the existing stream to the northerly property line of Lot #4.
7. A second trench drain shall be added to each driveway to assist in capturing runoff, space about 10 feet apart.
8. The drainage calculations shall be modified to include the total amount of disturbance.
9. Post construction stormwater maintenance plans shall be prepared and required for each individual lot.
10. The Planning Board's Drainage Consultant, Brooker Engineering, recommends that the Schuyler Subdivision be approved for drainage with the following conditions:
 - a. The latest SPDES regulations require a Stormwater Pollution Prevention Plan (SWPPP) and post construction stormwater quality for disturbances greater than one acre for single family development. The applicant shall provide documentation to quantify the area disturbed by

the proposed project. If the disturbed area is greater than one acre, a SWPPP and post construction stormwater quality system shall be provided.

- b. The proposed driveways will create swales along the south side of each driveway, which eventually will overtop the proposed driveway curb and enter the detention system. The detention system has not been designed to receive such a drainage area. More details shall be provided at the driveways to demonstrate that this additional runoff will not enter Schuyler Road or enter the detention system.
- c. The driveway for Lot #4 utilizes fill to raise the existing grade and create a crossing of the ditch adjacent to Schuyler Road. There is also an existing storm drain pipe that crosses Schuyler Road and continues north along the west side of Schuyler Road before discharging to the ditch on Lot #4. The drainage calculations submitted to size the new pipe shall include a drainage basin map so the calculations may be verified. The calculations were performed for the 25-year recurrence interval storm; it is recommended that the calculations be performed for the 100-year design storm. The elevated driveway with an undersized pipe has the potential to increase flooding on Schuyler Road.
- d. The proposed pipe on the west side of Schuyler Road has a proposed drainage easement over Lot #4 in favor of the Town of Orangetown. It is recommended that this drainage easement be extended to the existing swale to the northern property line of Lot #4 in order to facilitate maintenance of the drainage channel by the Town of Orangetown.
- e. Invert elevations of each detention system gallery shall be added to each of the lots. Elevations for each outlet structure shall be added to the Grading and Utility Plan and/or detail.
- f. The drainage calculations show a one foot long weir at elevation 376 and a four feet long weir at elevation 378; the outlet structure detail shows a four feet long weir at elevation 378. The drainage calculations show two low flow orifices, the outlet structure shows one low flow orifice. The calculations and detail shall be consistent.
- g. Calculations to support the riprap size at the flared end section on Lot #4 shall be provided.
- h. A maintenance schedule for the detention system shall be provided and included on the plans.
- i. The detention galleries shall provide a means to allow leaves and debris to settle out before being conveyed to the gallery.

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

1) The Town of Clarkstown is one of the reasons this proposal was referred for review. The subject property abuts the Town line along its northern boundary. New York State General Municipal Law states that the purposes of Section 239-1, 239-m and 239-n of the law shall be to bring pertinent intercommunity and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county – wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominate land uses, population density, and the relation between residential and nonresidential area. In addition, Section 239-nn was recently enacted to encourage the coordination of land use development and regulation among adjacent municipalities, so that, as a result, development occurs in a manner that is supportive of the goals and objections of the general area. The Town of Clarkstown must be given the opportunity to review the proposal and its impact on community character,

traffic, water quantity and quality, drainage stormwater runoff and sanitary sewer service. In a letter dated August 31, 2011, the Town of Clarkstown Planning Board indicated that they had reviewed the preliminary plat, requested additional information and expressed certain concerns. The areas of countywide concern noted above that directly impact the Town of Clarkstown must be considered and satisfactorily addressed. The additional information must be provided and the Town's concerns addressed.

- 2)** A review shall be completed by the Rockland County Park Commission and any concerns addressed.
- 3)** If the wetlands are considered to be federal wetlands, a review shall be completed by the U.S. Army Corps of Engineers and any required permits obtained.
- 4)** There shall be no net increase in stormwater runoff from the site at all design points.
- 5)** A stormwater pollution prevention plan (SWPPP) was not provided. The SWPPP, if required shall conform to the current regulations, including the New York State Stormwater Management and Design Manual (August 2010) and local ordinances.
- 6)** Prior to any grading or construction on the site, a soil and erosion control plan shall be developed that meets the New York State Guidelines for Urban Erosion and Sediment Control.
- 7)** As required by the Rockland County Stream control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the Rockland County Clerk will accept same for filing.
- 8)** A review shall be completed by the Rockland County Health Department, with regard to planned wells and septic systems, and all required permits obtained.

12. The Rockland County Department of Highway reviewed the plans and found that the requested action will have no foreseeable adverse impact to county roads in the area.

13. The applicant is reminded that the sanitary septic system for the lot must be reviewed and approved by the Rockland County Health Department (RCDOH). Copies of this approval shall be supplied to the Planning Board and DEME prior to signing of the Final Map.

14. RCDOH reviewed the plans and found that the plans are compliance with Article 19 of the Rockland County Sanitary Code (Mosquito Control). Other RCDOH approvals may be necessary for this project.

15. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, the site has been determined to be outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act is not requested based upon review of the information provided. Please be advised that that pursuant to the Rockland County Stream Control Act, Chapter 846, requires that all subdivision maps must be signed by the Chairman of the Rockland County Drainage Agency before the Rockland County Clerk will accept same for filing.

16. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

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

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

19. TREE PROTECTION: The following note shall be placed on the Subdivision 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.

20. 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.

21. 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.

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

23. 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).

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

25. 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

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

Override

The Board made a motion to override Condition #3 of the April 20, 2012 letter from Rockland County Department of Planning, signed by Thomas B. Vanderbeek, P.E., Commissioner of Planning, for the following reasons:

“3) A 25 foot buffer shall be maintained along all Park property. This buffer shall remain undisturbed by construction vehicles in order to protect the root systems of trees on the park property.”

The Board required as Condition #4 of the Preliminary Approval, PB #11-36, that the applicant create a Contract Limit Line during construction in the rear of the property and along the north property line.

(Condition # 4 of PB #11-36: Contract Limit Lines shall be placed 25 feet from the rear property line and 15 feet from the Northern property line (property line between the Towns of Clarkstown and Orangetown).)

A motion to override Condition #3 of the April 20, 2012 letter from Rockland County Department of Planning was made and moved by Bruce Bond and seconded by William Young and carried as follows: Bruce Bond, aye; Kevin Garvey, aye; Robert Dell, aye; Michael Mandel, aye; Jeffrey Golda, aye; William Young, aye and John Foody, aye.

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

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

Dated: April 25, 2012
Town of Orangetown Planning Board

PB #12-16: 4 & 6 Depot Square Site Plan– Final Site Plan Approval Subject to Conditions/ Neg. Dec.

**Town of Orangetown Planning Board Decision
April 25, 2012**

TO: Jay Greenwell, 85 Lafayette Avenue, Suffern, New York 10901
FROM: Orangetown Planning Board

RE: 4 & 6 Depot Square Site Plan: The application of Joseph Printz, applicant, for Real Buy, LLC and ELP LLC, owner, (David Englander, Attorney for the applicant), for Final Site Plan Review for a site to be known as “**4 & 6 Depot Square 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 4 & 6 Depot Square, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.08, Block 4, Lots 25 & 26 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, April 25, 2011**, the Board made the following determinations:

Jay Greenwell and Joseph Printz appeared and testified.

The Board received the following communications:

1. Project Review Committee Report, dated April 18, 2012.
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 April 25, 2012.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 23, 2012.
4. A letter from Dominick R. Pilla Associates, signed by Dominick R. Pilla, PC., P.E., C.E., S.E., R.A., dated April 2, 2012.
5. A letter from the Rockland County Department of Planning, signed by Thomas B. Vanderbeek, Commissioner of Planning, dated April 23, 2012.
6. A letter from the Rockland County Department of Highways, signed by Sonny Lin, P.E., dated April 23, 2012.
7. A letter from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated March 27, 2012.
8. Plans prepared by Jay Greenwell, PLS, LLC, and Paul Gdanski, P.E.:
 - Site Development Plan, dated January 31, 2011, revised March 12, 2012
 - Details, dated May 25, 2011, revised March 12, 2012
9. Landscape Planting Plan prepared by Bio*Logic Landscape Architecture, dated December 20 2011.
10. Copies of Board Decisions: ACABOR #12-12, Approved Subject to Conditions, dated February 16, 2012, ZBA #11-81, Variances Approved, dated October 19, 2011 and PB #11-28, Preliminary Site Plan Approved Subject to Conditions, Neg. Dec., dated July 13, 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; Michael Mandel, aye; William Young, aye; Robert Dell, aye; John Foody, aye; and Jeffrey Golda, aye.

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

1. The following note shall be placed on the Subdivision Plan: "At least one week prior to the commencement of any work, including the installation of

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

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

3. The applicant shall comply with all pertinent and applicable conditions of previous Board Decisions: ACABOR #12-12, Approved Subject to Conditions, dated February 16, 2012, ZBA #11-81, Variances Approved, dated October 19, 2011 and PB #11-28, Preliminary Site Plan Approved Subject to Conditions, Neg. Dec., dated July 13, 2011.

4. The applicant has the option of using the new macadam parking as parking only for their business.

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

1) Prior to any grading or construction on the site, a soil and erosion control plan shall be developed that meets the New York State Guidelines for Urban Erosion and Sediment Control.

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

3) All proposed signage shall be indicated on the Site Plan and shall conform to the municipality’s sign standards.

4) The applicant shall obtain a Work Permit from the Rockland county Highway Department if any such permit is required.

6. Based upon the review of the site plans, the Rockland County Department of Highway found that the requested action should have no foreseeable adverse impact upon the county roads in the area.

7. Based upon Rockland County Drainage Agency’s (RCDA) evaluation of available mapping and information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to Chapter 846, Rockland County Stream Control Act, is not requested based upon its review of the information provided.

8. Comments from the Rockland County Department of Health letter of dated June 1, 2011 have been adequately addressed. No additional Rockland County Health Department approvals are needed for this project.

9. The Town of Orangetown Fire Prevention Bureau had the following comments:
- In the restaurant:

1) Install and maintain an NFPA 72 compliant Fire Alarm System to cover both buildings. Connected to Rockland County 44-Control, with amber strobes as per Orangetown Town Code.

2) Make the hood system compliant to NFPA 96.

3) Install “K” type extinguisher in the kitchen.

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

5) Install Emergency Lighting as per NEC.

- In the former single family “Change of Use” to M & B:

1) Install and maintain an NFPA 72 compliant Fire Alarm System.

2) Provide Portable Fire Extinguishers as per NFPA 10.

3) Install Emergency Lighting as per NEC.

4) Provide fire separation as per Table 302.3.2 and Table EB 812.4.3.

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

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

12. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

13. 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.

14. 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.

15. 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.

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

17. 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).

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

19. 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

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

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

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

Dated: April 25, 2012
Town of Orangetown Planning Board

PB #12-17: Crestron Electronics Generator Final Site Plan Approval Subject to Conditions/ Neg. Dec.

**Town of Orangetown Planning Board Decision
April 25, 2012**

TO: Steven Grogg, McLaren Engineering, 100 Snake Hill Road, West Nyack, New York 10994
FROM: Orangetown Planning Board

RE: Crestron Electronics Generator Plan: Application of 38 Ramland Road, LLC, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review at a site to be known as "**Crestron Electronics Generator 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 38 Ramland Road South, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.05, Block 1, Lot 37 in the LIO zoning district

Heard by the Planning Board of the Town of Orangetown at a meeting held **April 25, 2012** at which time the Board made the following determinations:

Steven Grogg and Daniel Feldstein appeared and testified.

The Board received the following communications:

1. Project Review Committee Report, dated April 18, 2012.
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 April 25, 2012.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 23, 2012.
4. Letters from Rockland County Department of Planning, signed Thomas B. Vanderbeek, Commissioner of Planning, dated April 24, 2012.
5. A letter from Rockland County Department of Highways, signed by Joseph Arena, Principal Engineering Technician, dated April 25, 2012.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated March 28, 2012.
7. A letter from Rockland County Department of Health, signed by Gregory Price, P.E., Public Health Engineer, dated March 26, 2012.
8. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated April 13, 2012.
9. A Short Environmental Assessment Form signed by Steven Grogg, P.E., dated March 19, 2012.
10. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Patricia Castelli, dated March 21, 2012.
11. Plan C-111 Generator Plan prepared by McLaren Engineering Group, dated February 9, 2012.
12. Specification Information for Enclosures and Tanks 250-1000kW gensets, manufactured by Power Generation Cummins, dated 2009.
13. Submitted at the meeting by the applicant, a site plan noting location of proposed generator and photographs of fencing.

The Board reviewed the plan.

Public Comments:

Dr. Spencer, resident of Orangeburg, raised concerns regarding the noise from Chromalloy and devaluation of his property. He held that it was the responsibility

of the Town of Orangetown to maintain the Town Codes to keep noise levels down.

Melissa Stone, 35 Constitution Avenue, raised concerns regarding the potential noise from the proposed generator

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

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

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board's analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the

Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely McLaren Engineering Group, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration, Enforcement and the 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 Planning, Rockland County Department of Highways, Rockland County Department of Health, Rockland County Sewer District No.1 and having reviewed proposed Plans by prepared by McLaren Engineering Group 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 Jeffrey Golda and seconded by William Young and carried as follows: Bruce Bond, aye; Michael Mandel, aye; Robert Dell, aye; John Foody, aye; William Young, aye; Jeffrey Golda, aye and Kevin Garvey, aye the Board made a Negative Declaration pursuant to SEQRA.

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 applicant may test the generator during normal business hours for only 20 minutes, once a week.
4. The applicant shall appear before the Town of Orangetown Zoning Board of Appeals for Performance Standard review.
5. The proposed generator shall comply with Section 4.18 of Chapter 43, "Zoning". Noise attenuation shall be in accordance with the above code section.
6. The proposed height and type of retaining wall and fencing shall be noted on the Site Plan.
7. The Short Environmental Assessment form appears to be in order.
8. Prior to the start of construction or grading, 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. A vicinity map for the Crestron Electronics site and a map that shows the proposed generator and related facilities in relation to the overall site plan shall be provided.
10. The Rockland County Health Department advises the applicant that the Rockland County Sanitary code Article XII, Section 12.6.0 requires applications for any combustion equipment with a heat input of greater than 500,000 BTU/hr.
11. 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.
12. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
 - Rockland County Department of Planning
 - Rockland County Department of Highways

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

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

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

15. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

16. 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.

17. 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.

18. 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.

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

20. 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).

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

22. 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

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

24. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

The foregoing Resolution was made and moved by Bruce Bond and seconded by William Young and carried as follows: Bruce Bond, aye; Michael Mandel, aye; William Young, aye; 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: April 25, 2012

Town of Orangetown Planning Board

Attachment

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

PB #12-17: Crestron Electronics Generator Final Site Plan Approval Subject to Conditions/ Neg. Dec.

**Town of Orangetown Planning Board Decision
April 25, 2012**

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: SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Crestron Generator Final Site Plan

LOCATION: The site is located at 38 Ramland Road South, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.05, Block 1, Lot 37 in the LIO zoning district

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

PB #12-18: Tappan Free Library Resubdivision Plan: Reapproval of Final Approval Subject to Conditions

**Town of Orangetown Planning Board Decision
April 25, 2012**

TO: Jane Slavin, R.A., 200 East Erie Street, Blauvelt, New York
FROM: Orangetown Planning Board

RE: Tappan Free Library Resubdivision Plan: The application of Tappan Free Library for Reapproval of Final Resubdivision Plan Review for a site to be known as "**Tappan Free Library Reapproval of Final Resubdivision Plan**", located in the Tappan Historic District, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located 93 Main Street, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.11, Block 3, Lot 65 & 66 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, April 25, 2012**, at which time the Board made the following determinations:

Raleigh Tozer and David Howe appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report, dated April 18, 2012.
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 April 25, 2012.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 23, 2012.
4. A copy of PB #11-23: Final Subdivision Approval Subject to Conditions, dated May 25, 2011.

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 Michael Mandel and carried as follows: Kevin Garvey, aye; Bruce Bond, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; John Foody, aye and Jeffrey Golda, aye.

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

1. The applicant shall comply with all pertinent and applicable conditions of previous Board Decisions: PB #11-23, Final Subdivision Plan Approval Subject to Conditions, dated May 25, 2011, ACABOR #11-02, Approved with Conditions, dated January 6, 2011, HABR #10-16, Approved as Presented, dated December 14, 2010, ZBA #10-75, Rear Yard and Required Parking Space Variances Approved, Dated October 6, 2010 and PB #10-09, Preliminary Subdivision approval Subject to Conditions, dated June 23, 2010.
2. The following note shall be placed on the Resubdivision Plan:" At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."

3. The following note shall be placed on the Resubdivision Plan: Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations
4. The applicant shall relocate the existing property lines and dedicate the portions of property that currently include the public sidewalk and roadway, to the Town of Orangetown for highway purposes.
5. The applicant shall contact the Rockland County Drainage Agency and inquire about the County's willingness to have that portion of the property, which currently extends into the Sparkill creek, be dedicated to the County for drainage purposes. Copies of all correspondence relating to this issue, shall be submitted to the Planning Board.
6. Note #2 on the subdivision plan shall be revised and the word "consider" shall be removed.
7. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats prior to signing the final plans.
8. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Resubdivision Plan.
9. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.

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

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

Dated: April 25, 2012
Town of Orangetown Planning Board

