

**Meeting of July 18, 2012
Town of Orangetown Planning Board**

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

MEMBERS ABSENT: Kevin Garvey, Chairperson

ALSO PRESENT: John Giardiello, Director, Office of Building, Zoning, Planning Administration and Enforcement, Rick Pakola, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Cheryl Coopersmith, Chief Clerk

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

Temple Israel Memorial Park Roadway Extension Plan Final Site Plan Review 69.20/2/28; R-15 zoning district	Continued to August 1, 2012	PB #12-32
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67 Tweed Boulevard Site Plan Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review Critical Environmental Area 71.13/1/36; R-22 zoning district	Final Site Plan Approval Subject to Conditions/ Neg. Dec.	PB #12-33
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Pearl River School District Subdivision Plan Final Subdivision Plan Review 68.11/2/41.1; R-15 zoning district	Final Approval Subject to Conditions	PB #12-29
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Quinn Subdivision Plan Request for the first 90 day Extension to File the Subdivision Plan With the Rockland County Clerk's Office 77.08/5/48; CS zoning district	Granted 1st 90 Day Extension to File the Subdivision Plan	PB #12-34
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Organic Recycling – Outside Commercial Subdivision of Space Plan Prepreliminary/ Preliminary/ Final Subdivision Plan and SEQRA Review 74.19/1/3; LI zoning district	Continued: Revise Plans	PB #12-35
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Tracey Subdivision Plan Reapproval of Final Subdivision Plan Approval PB #10-43, September 15, 2010 70.18/2/6; R-15 zoning district	Reapproved Final Subdivision Plan Subject to Conditions	PB #12-36
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Continued Item from January 25, 2012 Meeting

37 Ramland Road Wireless Telecommunication Facilities Plan Prepreliminary/ Preliminary Site Plan Review, Special Permit and SEQRA Review 76.08/1/6; LIO zoning district.	Continued: Submit Alternate Site Plans	PB #11-22
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The decision of the June 27, 2012 Planning Board Meeting was reviewed, edited and approved. The motion for adoption was made and moved by Michael Mandel and seconded by William Young and carried as follows: John Foody, aye; Kevin Garvey, absent, Jeffrey Golda, aye, Robert Dell, abstain; Bruce Bond, abstain; Michael Mandel, 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 Robert Dell and seconded by William Young and agreed to by all in attendance. The meeting was adjourned at 9:35 p.m. The next Planning Board meeting is scheduled for August 1, 2012.

DATED: July 18, 2012
Town of Orangetown Planning Board

**P B #12-33: 67 Tweed Boulevard Site Plan – Final Site Plan Approval
Subject to Conditions- Critical Environmental Area**

**Town of Orangetown Planning Board Decision
July 18, 2012**

TO: Pat Esgate, 739 Route 9W South, Nyack, New York, 10960
FROM: Orangetown Planning Board

RE: 67 Tweed Boulevard Site Plan: The application of Pat Esgate, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review, at a site located in the Critical Environmental Area, to be known as “**67 Tweed Boulevard Site Plan**”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 67 Tweed Boulevard, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.13, Block 1, Lot 36 in the R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held, **Wednesday, July 18, 2012** at which time the Board made the following determinations:

Pat Esgate, Tom Skrable and Robert Hoene appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated July 11, 2012.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated July 18, 2012.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated July 12, 2012.
4. Letters from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated July 9 and July 17, 2012, with attachments.
5. A letter from Rockland County Department of Highways, signed by Sonny Lin, P.E., dated July 12, 2012.
6. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated June 27, 2012.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated June 26, 2012.

8. A letter from William Mowerson, Chairman, Town of Orangetown Zoning Board of Appeals, dated June 20, 2012.
9. A Short Environmental Assessment Form, dated June 14, 2012, signed by Pat Esgate.
10. A letter from Patricia Esgate and Brenda Reichelderfer, dated June 14, 2012.
11. A copy of prior decision on same property, PB #11-10, dated March 23, 2011.
12. Final Site Plan prepared by Thomas W. Skrable, P.E., dated May 24, 2012.
13. Architectural Plans prepared by Robert Hoene, R.A., dated July 28, 2011:
 - 1 of 7: A1.0 - Front & Right Elevations
 - 2 of 7: A2.0 - Rear & Left Elevations
 - 3 of 7: A3.0 - Basement/Foundation Floor Plan
 - 4 of 7: A4.0 - First Floor Plan
 - 5 of 7: A5.0 - Second Floor Plan
 - 6 of 7: A6.0 – Elevations & Floor Plan of Study

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

The proposed action is classified as an “unlisted action” as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA.

On motion by Michael Mandel and seconded by William Young and carried as follows: Kevin Garvey, absent; Bruce Bond, aye; William Young, aye; Michael Mandel, aye; Robert Dell, aye; John Foody, aye and Jeffrey Golda, aye; the Board declared itself Lead Agency.

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency, for the reasons articulated in this Board’s analysis of all of the submissions by the applicant, interested agencies, departments and the public, with respect to this project including the Environmental Assessment Form, which reasons are summarized in the motion, hereby determines that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant’s professional representatives, namely Thomas Skrable and Robert Hoene, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering, and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Health Department, Rockland County Sewer District No. 1, Rockland County Department of Highways, and having reviewed the proposed plan, 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 John Foody and seconded by Michael Mandel and carried as follows: Kevin Garvey, absent; Bruce Bond, aye; Robert Dell, aye; John Foody, aye; William Young, aye; Michael Mandel, aye and Jeffrey Golda, 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 sewage disposal system will require the Rockland County Department of Health approval.
4. The existing and / or proposed water service shall be shown on the Site Plan.
5. All utilities shall be labeled on the Site Plan.
6. The demolition of the existing residence will require a Demolition Permit.
7. The Site Plan and House Plans shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.
8. The Short Environmental Assessment Form appears to be in order.
9. The drainage calculations are currently under review by DEME. However, the calculations shall be revised and resubmitted for the 100 year, 24 hour storm.
10. Any overflow pipes required by the drainage design can not be daylighted to the street.
11. The applicant is reminded that the sanitary septic system for the lot must be reviewed and approved by the Rockland County Health Department. Copies of this approval shall be supplied to the Planning Board and DEME prior to signing the Final Map.
12. The soil erosion and sediment control plans and details are under review by DEME. However, because of the existing slope, the proposed silt fence shall be reinforced with hay bales. A detail for same shall be provided.
13. The proposed driveway slope shall not exceed 10%.
14. The Drainage Consultant to the Planning Board recommends that the 67 Tweed Boulevard project be approved for drainage subject to the following conditions, as updated in the Consultant's July 18, 2012:
 - 1) Drainage calculations have been provided based on two inches of rainfall over the additional impervious area. Drainage calculations shall be provided based on a 100-year, 24 hour design storm. Separate design points of interest shall include runoff to the east property line and runoff to

he west property line. Increases in impervious surfaces for each drainage basin shall be clearly shown. Calculations for volume provided per drywell shall be provided. **July 18, 2012 Status: Comment Partially Addressed:** drainage calculations have been provided based on a 100-year rainfall of 7.2 inches; the updated value of 24-hour rainfall in Rockland County is now considered to be 7.5 inches. A drainage report has been provided that shows points of interest as the west and east property lines. The drainage basin divide delineated in the report should be verified; it appears the drainage basin divide should be the eastern edge of the driveway at the existing retaining wall to remain. Portions of the existing roof (near the driveway) direct runoff to the west to Tweed Boulevard; the existing conditions calculations should be updated. The drainage calculations show stormwater runoff from the entire new roof as being directed to the east. A note should be added to the plan indicating this. Main roof leader downspout locations should be shown on the plan and adequate arming of ground cover provided.

2) Proposed grading west of the garage directs runoff to the neighbor to the north (near the 553 spot grade). The grading shall be modified to direct this runoff in a sheet flow manner towards Tweed Boulevard. Grading in this area also shows a two feet cut in an area where a 30 inch oak is proposed to be saved with a treewell. It is recommended either modifying the grading in this area to reduce the excavation or else show the tree as being removed. **July 18, 2012 Status: Comment Partially Addressed:** no proposed grading is shown in this area, which would indicate that the trees in question are to remain. The existing drainage pattern will remain and no runoff is being directed to the property to the north. However, additional grading should be added in the area south of the detached garage and north of the new driveway. Proposed contours should be added in this area that show how the “existing wall to remain” will tie into the new driveway.

3) The drywell detail shall have a frame and solid cover that is flush with the proposed grade. Modify the detail to show this and ensure the drywells are not buried during finished grading. Provide a sump or hood to collect debris from the driveway trench drain prior to entering the drywell. **July 18, 2012 Status: Comment Partially Addressed:** Trench Drain Detail modified to address comment. However, for ease of future access, change the concrete lid on the drywells to a frame and solid iron casting cover.

15. The Planning Board grants the applicant the ability to remove, and in some instances replant existing vegetation in order to administer soil testing, prior to stamping of the final site plan.

16. The driveway slope shall not exceed a maximum slope of 2% for the first 30 feet of the driveway entrance.

17. The applicant shall submit a copy of the drainage calculations to the Rockland County Department of Highways to demonstrate a zero net increase for the runoff toward the county highway for the proposed development.

18. A Rockland County Highway Permit will be required for the proposed development. Additional Rockland County Highway Department road opening permit will be required for any utility connections within the county highway. A drainage maintenance fee of \$500.00 will be imposed by the Rockland County Highway Department for this Site Plan.

19. Based on the information provided the Rockland County Health Department held that the subsurface disposal system plans need to be revised to address the expansion area. The Town should not issue building Permits until revised plans have been approved by the Rockland County Health Department.

20. 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.

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

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

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from trunk per inch DBH
 - Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence

or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:

- Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
- Light Impacts Only – Installation of $\frac{3}{4}$ inch of plywood or boards, or equal over the area to be protected.

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

24. 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.

25. 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.

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

27. 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).

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

29. 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

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

31. 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.

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

- New York State Department of Environmental Conservation
- Town of Orangetown Zoning Board of Appeals
- Rockland County Department of Highways
- Rockland County Sewer District No. 1
- Rockland County Health Department

The foregoing Resolution was made and moved by Robert Dell and seconded by William Young and carried as follows: Kevin Garvey, absent; Bruce Bond, aye; William Young, aye; John Foody, aye; Michael Mandel, 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: July 18, 2012

Town of Orangetown Planning Board

attachment

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

**67 Tweed Boulevard Site Plan – Final Site Plan Approval Subject to
Conditions- Critical Environmental Area**

**Town of Orangetown Planning Board Decision
July 18, 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: 67 Tweed Boulevard Site Plan

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION :Site Plan Review - Critical Environmental Area

LOCATION: The site is located at 67 Tweed Boulevard, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.13, Block 1, Lot 36 in the R-22 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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

PB #12-29: Pearl River School District Subdivision – Final Approval Subject to Conditions

**Town of Orangetown Planning Board Decision
July 18, 2012**

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

RE: Pearl River School District Subdivision Plan: The application of Pearl River Union Free School District, owner, (Donald Brenner, Attorney for the owner), for Final Subdivision Plan Review for a site to be known as “**Pearl River School District 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 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 135 West Crooked Hill Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.11, Block 2, Lot 41.1 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 18, 2012**, the Board made the following determinations:

Donald Brenner and Quinton Van Wynen appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Reports dated June 20 and July 11, 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 June 27, 2012.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., June 21 and July 12, 2012.
4. A letter from the Rockland County Department of Planning, signed by Thomas B. Vanderbeek, Commissioner of Planning, dated June 21, 2012.
5. A letter from the Rockland County Department of Highways, signed by Joseph Arena, Principal Engineering Technician, dated June 25, 2012.
6. A letter from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated June 5, 2012.
7. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief, dated June 14, 2012.
8. A letter from Mary Jo Russo, Rockland County Permit Engineer, New York State Department of Transportation, dated June 12, 2012.
9. Subdivision Plan prepared by Robert Rahnenfeld, PLS, dated April 18, 2011, last revised May 10, 2012.
10. A copy of the following Board Decisions: ZBA #11-98, Amendment to ZBA Decision #79-03 Granted, dated November 16, 2011, ZBA #11-99, Lot Width, Side Yard, Total Side Yard, Rear Yard, Building Height Variance Approved, dated November 16, 2011 and PB #11-32, Preliminary Subdivision Plan Approval Subject to Conditions/ Neg. Dec., dated July 13, 2011.

Public Comments: Marilyn Gionta, 75 Margaret Keahon Drive, Pearl River, requested information regarding the number of units in the structure. She also wanted to know the number of bedrooms and the selling price for each unit.

A motion was made to close the Public Hearing portion of the meeting by Michael Mandel and second by William Young and carried as follows:
Kevin Garvey, absent; Bruce Bond, recused; 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 APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

1. The following note shall be placed on the Subdivision": 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. Any modification to the site must return to the Planning Board for Site Plan review.
4. In the event that the property is no longer under the same ownership, cross easement will be required. This shall be placed as a note on the subdivision plan.
5. The metes and bounds, as well as proposed ownership for the sanitary and storm sewer lines / easements shall be given on the plans.
6. The sanitary building connections for all of the existing buildings shall be given on the plans.
7. Iron pins at the new lot line shall be drawn and labeled at each property corner.
8. The Subdivision Plan shall list the party responsible for the maintenance of the fire hydrant.
9. The upper and lower easements shall be listed on the property.
10. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
 - 1) As indicated in the June 8, 2011 letter from the Rockland County Drainage Agency, no permit is required from this agency since no construction is proposed at this time. However, the note specified in the letter must be added to the subdivision map and the map must be signed by the Chairman of the RCDA before the Rockland County Clerk will accept the map for filing.
 - 2) The subdivision map contains double asterisks in the bulk table, but the meaning of the double asterisks is not indicated. This shall be corrected and the table shall clearly indicate which conditions have been granted approval the Town of Orangetown Zoning Board of Appeals.
11. The Rockland County Highway Department reviewed the material provided and found the proposed action will have no foreseeable adverse impact upon County Roads in the area.
12. Based on the information provided, the Rockland County Department of Health held that no Rockland County Health Department approvals are associated with this application.

13. Based upon the Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, it has been determined that the parcel is within RCDA jurisdiction. However, the current proposal is for a subdivision of property only, with no construction proposed at this time. Therefore, this proposal will not require a permit from the RCDA.

14. Pursuant to the Rockland County Stream Control Act, the subdivision map must be reviewed and approved by the Chairman of the Rockland County Drainage Agency before the Rockland County Clerk will accept same for filing. The following note must be added to the subdivision mylar prior to review by RCDA:

The site is located within the jurisdiction of the Rockland County Drainage Agency pursuant to the Rockland County Stream Control Act, Chapter 846. A valid permit must be obtained from the Rockland County Drainage Agency prior to the commencement of any work within the jurisdiction of the Rockland County Drainage Agency.

15. The Town of Orangetown Bureau of Fire Prevention requests the following:

1. The existing private hydrant located on the main driveway just south of the "Apartment Building" must be maintained and inspected/tested annually.

2. Access to both the School District Administration Building and the "Apartment Building" must continue as it now exists from both the upper and lower driveways.

16. New York State Department of Transportation has reviewed the plans and found the proposed development would not have a significant impact on the state transportation system.

17. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plans 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. 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 §21. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Plan Approval pursuant to Town Code §21 and §6A.

20. 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.

21. All landscaping shown on the Subdivision 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.

22. 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.

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

24. 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).

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

26. 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

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

The foregoing Resolution was made and moved by Michael Mandel and seconded by John Foody and carried as follows: Kevin Garvey, absent; Bruce Bond, recused; 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: July 18, 2012

Town of Orangetown Planning Board

PB #12-34: Quinn Subdivision Plan– 1st 90 Day Extension Granted to File the Subdivision Plat

**Town of Orangetown Planning Board Decision
July 18, 2012**

TO: Donald Brenner, 4 Independence Avenue, Tappan, New York
10983
FROM: Town of Orangetown Planning Board

RE: Quinn Subdivision: The application of Sean Quinn, owner, (Donald Brenner, attorney for the applicant) for the first 90 day Extension to File the Subdivision Plan, for a subdivision to be known as “**Quinn 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 3 Union Street, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.08, Block 5, Lot 48 in the CS – Mixed Use zoning district and Sparkill Hamlet Overlay Zone.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 18, 2012**, at which time the Board made the following determinations:

Donald Brenner appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report dated July 11, 2012.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated July 18, 2012.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated July 12, 2012.
4. Copy of PB #11-41, Final Subdivision Approval Subject to Conditions, dated September 14, 2011 and PB #11-42, Final Site Plan Approval Subject to Conditions, dated September 14, 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 William Young and second by John Foody and carried as follows: Kevin Garvey, absent; 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, the Board GRANTED the 1st 90 Day Extension in time to file the Ramsay Subdivision with the Rockland County Clerk’s Office, subject to the following Conditions:

1. The applicant still needs to comply with PB #10-60, Condition #5:
“5. Monuments shall be drawn and labeled at all subdivision corners and along the entire right of way.”
2. On the Site Plan, the applicant still needs to comply with PB #10-61, condition #12
“12. A SWPPP shall be prepared for this Site Plan.”
3. The applicant shall comply with all pertinent and applicable conditions of previous Board decisions: PB #11-41, Final Subdivision Approval Subject to Conditions, dated September 14, 2011 and PB #11-42, Final Site Plan Approval Subject to Conditions, dated September 14, 2011.

The foregoing Resolution was made and moved by John Foody and seconded

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

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

Dated: July 18, 2012

Town of Orangetown Planning Board

PB #12-36: Tracey Subdivision; Reapproval of Final Subdivision Plan, PB #10-43, dated September 15, 2010 Approval subject to Conditions/ Reaffirmation of Neg. Dec.

**Town of Orangetown Planning Board Decision
July 18, 2012**

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

RE: The application of the Patricia and Michael Tracey, owners for Reapproval of Final Subdivision Plan, PB #10-43, dated September 15, 2010, for a 2 lot subdivision to be known as "**Tracey 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 525 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.18, Block 2, Lot 6 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 18, 2012**, at which time the Board made the following determinations:

Donald Brenner appeared and testified for the applicant.

The Board received the following communications:

1. A Project Review Report dated July 11, 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 July 18, 2012.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated July 12, 2012.
4. Subdivision Plans prepared by William Youngblood Land Surveying, dated September 20, 2006:
 - Drawing 1: Final Subdivision, last revised January 10, 2011
 - Drawing 2 of 4: Grading, Utility Plan, last revised January 10, 2011
 - Drawing 3 of 4: Detail Plan, last revised January 10, 2011
 - Drawing 4 of 4: Tree Plan
5. Copies of PB #11-15, 1st 90 Day Extension to File Subdivision, dated March 23, 2011, ZBA #10-86, Street Frontage Variance for Lot #2 and Front Yard Variance for Lot #1 Reaffirmed, dated November 3, 2010 and PB #10-43, Final Subdivision Approval Subject to Conditions, dated September 15, 2010.
6. A copy of a letter from HDR, signed by Harvey Goldberg, P.E., dated March 6, 2009.

The Board reviewed the plans.

Public Comment: Len Feroldi, Building Manager for St. Catherine's Church, raised concern regarding sufficient parking at the site.

A motion was made to close the Public Hearing portion of the meeting by John Foody and seconded by William Young and carried as follows:

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

REAFFIRMATION

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 Michael Mandel 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, absent, 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.

On motion by John Foody and seconded by Michael Mandel 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, absent, the Board **REAFFIRMED** the Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing and the testimony before the Board, the application was GRANTED FINAL SUBDIVISION REAPPROVAL 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. The following note shall be placed on the Subdivision Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall comply with all pertinent and applicable conditions of the previous Board decisions: ZBA #10-86, Street Frontage Variance for Lot #2 and Front Yard Variance for Lot #1 Reaffirmed, dated November 3, 2010 and PB #10-43, Final Subdivision Approval Subject to Conditions, dated September 15, 2010, PB #09-40, 1st 90 Day Extension to File Subdivision, dated July 8, 2009; PB #08-42, Reapproval of Final Approval Subject to Conditions, dated November 12, 2008; PB #07-42, Final Planning Board Approval Subject to Conditions, dated June 27, 2007; ACABOR #07-33, Approved Subject to Conditions, dated May 15, 2007, ZBA #07-32, Approved with Conditions, dated April 12, 2007, and PB #06-84, Preliminary Approval Subject to Conditions, dated January 24, 2007.
4. The applicant is advised the “Reaffirmed” variances, ZBA #10-86, dated November 3, 2010 will require reaffirmation.
5. Because the Perc Rate is assumed, a field Perc Test shall be administered prior to receiving final approval for the Subdivision plan, to ensure adequacy of designed drainage system. The applicant’s engineer shall provide a copy of the field Perc Test to DEME and the Building Department.

- 6.** The applicant shall provide DEME with the written approvals for both the new septic system for proposed Lot #2 as well as the approval for the existing septic system for Lot #1 to remain on proposed Lot #2, from the Rockland County Health Department.
- 7.** The Drainage Consultant to the Planning Board recommendations acceptance for drainage without conditions.
- 8.** The Rockland County Department of Health approved plans for the proposed subsurface disposal system for this project on July 16, 2009 and has no objection to the existing dwelling continuing to use of the existing system.
- 9.** Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, it has been determined that the proposed activity is in close proximity to the Sparkill Creek floodplain. The RCDA is unable to make a jurisdictional determination concerning the proposed project based upon the information submitted. In that regard, the applicant shall submit it proposed stormwater management plan, drainage plan and drainage calculations and any and all environmental impact statements, environmental assessment forms or environmental studies regarding the proposed site development to RCDA for further review.
- 10.** Prior to signing the Subdivision Map, the applicant shall provide Money in Lieu of Recreational Land, in accordance with Section 21-20 of the Land Development Regulations of the Town of Orangetown; \$9,000.00 for every new residential lot created. The applicant shall also provide money to be placed into the Stream Maintenance Fund, at the amount of \$80.00 for every new residential lot created.
- 11.** The Town of Orangetown Fire Prevention Bureau recommends that the driveway be constructed to allow access for fire apparatus in all weather. This shall include features of both width and weight. The driveway should support the weight of heavy apparatus. Some apparatus exceeds 45,000 pounds. Also, the construction should include drainage pipes install under the driveway. Secondly, the Fire Prevention Bureau recommends that the entrance to the driveway should not be impeded by planting or columns, which would affect the turning radius of fire apparatus entering the driveway.
- 12.** Driveway shall be stabilized to support emergency response equipment (75,000 lbs) as per the 2003 building code. Also, there shall be no parking fire zone lane along the entire length of the long driveway. Any necessary signage shall be installed before a Certificate of Occupancy is issued for the houses, and shown on the Final Approved Site Plan.
- 13.** A note shall be placed on the plan in regards to an agreement to maintain the required signage by the homeowner for the long driveway.
- 14.** The applicant's eastern proposed lot borders Town of Orangetown property which is a Rail-Trail. This section of the Rail-Trail will be further developed in the future. The applicant shall re-label the map to reflect this and consider additional screening at the rear of lots #2 and #3.
- 15.** The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats prior to signing the final plans.
- 16.** All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.
- 17. 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.

18. All landscaping shown on the subdivision 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.

19. 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.

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

21. 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).

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

23. 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 DEMA 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

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

25. 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 §21. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Plan Approval pursuant to Town Code §21 and §6A.

The foregoing Resolution was made and moved by Jeffrey Golda and seconded by William Young, aye 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, absent.

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: July 18, 2012

Planning Board

BY: _____

decd.

Planning Board	OBZPAE	RC Planning	RC Drainage	RC Highway
Env. Mgt. Eng.	HDR	Town Board	Assessor	Town Attorney
PRC	Supervisor			

attachment

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

PB #12-36: Tracey Subdivision; Reapproval of Final Subdivision Plan, PB #10-43, dated September 15, 2010 Approval subject to Conditions/ Reaffirmation of Neg. Dec.

**Town of Orangetown Planning Board Decision
July 18, 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: Tracey Subdivision; Reapproval of Final Subdivision Plan, PB #10-43, dated September 15, 2010

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Subdivision Plan

LOCATION: The site is located at 525 Western Highway, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.18, Block 2, Lot 6 in the R-15 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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

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