

**TOWN OF ORANGETOWN PLANNING BOARD**  
**Virtual Meeting of Wednesday, January 13, 2021**

Thomas Warren, Chairman	William Young, Vice-Chairman
Michael Mandel	Michael McCroly
Andrew Andrews	Stephen Sweeney
Bruce Bond (alternate)	Robert Dell

**MEMBER ABSENT:** None

**ALSO, PRESENT:** Jane Slavin, Director, Office of Building, Zoning, Planning Administration and Enforcement; Rick Pakola, Deputy Town Attorney; Cheryl Coopersmith, Chief Clerk Boards and Commissions

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

<b>Sansone Subdivision Plan</b>	<b>PB#20-56</b>
Prepreliminary/ Preliminary/ Final Subdivision Plan and SEQRA Review	Preliminary Subdivision Plan Approval Subject to Conditions/ Neg. Dec.
483 Kings Highway, Sparkill 74.20/3/5; RG zoning district	

<b>St. Aedan's Site Plan</b>	<b>PB#21-01</b>
Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review	Final Site Plan Approval Subject to Conditions Neg. Dec.
23 Reid Drive, Pearl River 69.09/4/5; R-15 zoning district	

<b>Johnston Site Plan</b>	<b>PB#21-02</b>
<b>Critical Environmental Area</b>	<b>Continued: Revise</b>
Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review	<b>Plan, not to scale</b>
155 Tweed Boulevard, Upper Grandview 75.05/1/16; R-22 zoning district	

<b>Rockland Car Care Site Plan</b>	<b>PB#21-03</b>
Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review	Final Site Plan Approval Subject to Conditions Neg. Dec.
552 N. Middletown Road, Pearl River 64.17/1/76; CO zoning district	

OFFICE CLERK'S OFFICE  
11:11 AM 91 034 1702  
TOWN OF ORANGETOWN

January 13, 2021 Planning Board Meeting

Camp Shanks – RHHH Phase II Site Plan

PB #21-04

Homes for Hero's

Final Site Plan Approval

Final Site Plan Review

Subject to Conditions

335 Western Highway, Tappan

74.18/3/48; R-15 zoning district

The decisions of the December 9, 2020 Planning Board Meeting were reviewed, edited, and approved. The motion for adoption was made and moved by Bruce Bond and seconded by Robert Dell and carried as follows: Thomas Warren – Chairman, absent; William Young - Vice-Chairman, aye; Michael Mandel, aye; Stephen Sweeney, absent; Robert Dell, aye; Michael McCroy, aye; Bruce Bond, aye and Andrew Andrews, aye.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by William Young - Vice-Chairman and seconded by Michael Mandel and agreed to by all in attendance. The meeting was adjourned at 11:17 p.m. The next Planning Board meeting is scheduled for January 27, 2021.

DATED: January 13, 2021

Cheryl Coopersmith  
Town of Orangetown Planning Board



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TOWN OF ORANGETOWN  
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**PB #20-56: Sansone Subdivision Plan  
Preliminary Subdivision Plan Approval  
Subject to Conditions  
Neg. Dec.**

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**TO: Steven Griffin, 27 Sunrise Lane, Pearl River, New York, 10965  
FROM: Orangetown Planning Board**

**RE: Sansone Subdivision Plan:** The application of Steven Griffin, applicant, for Griff Construction, for Prepreliminary/ Preliminary/ Final Subdivision Plan Review, at a site to be known as "**Sansone 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 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 483 Kings Highway, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.20, Block 3, Lot 5 in the RG zoning district.

Heard by the Planning Board of the Town of Orangetown at virtual meetings held **Wednesday, December 9, 2020 and January 13, 2021**, at which time the Board made the following determinations:

**December 9, 2020**

Steven Griffin and Paul Gdanski appeared and testified. The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, RA, Director, dated December 7, 2020.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated December 8, 2020.
3. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated December 8, 2020.
4. Letters from Rockland County Department of Highway, signed by Dyan Rajasingham, Engineer II dated October 30, 2020.
5. A letter from Rockland County Drainage Agency, signed by Vincent Altieri, Executive Director, dated November 6, 2020.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated December 2, 2020.

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7. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated November 4, 2020.
8. Percolation Test Results, prepared by Fairway Testing, dated October 2, 2020.
9. A Full Environmental Assessment Form signed by Steven Griffin dated October 13, 2020.
10. Project Narrative prepared by the applicant, dated September 22, 2020.
11. Subdivision Plan prepared by Paul Gdanski, P.E., dated September 15, 2020:
  - 1 of 3: Subdivision Plan
  - 2 of 3: Grading, Utility and Soil Erosion Plan
  - 3 of 3: Detail Sheet
12. An interdepartmental memorandum from the Office of Recreation & Parks, Town of Orangetown, signed by Aric Gorton, Superintendent of Parks, Recreation and Building Maintenance, dated December 9, 2020.
13. An Email from Grant Parrish, dated December 9, 2020.

The hearing was then opened to the Public.

**Public Comment:**

Marlo Presly, 25 Haring Avenue: requested if the Board conducted a traffic study on Haring and Kings Highway. Also, raised concerns regarding the demolition of the existing house. The houses in the neighborhood are small, however the new house will be larger than the existing houses and it will be out of place.

Applicant requested a **CONTINUATION**.

**January 13, 2021**

Steven Griffin, Paul Gdanski AND Lino Sciarretta appeared and testified. The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, RA, Director, dated January 8, 2021.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated January 12, 2021.
3. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated January 11, 2021.
4. A Revised Environmental Assessment Form, revise December 21, 2020, by Steven Griffin.
5. Subdivision Plan prepared by Paul Gdanski, P.E., dated September 15, 2020, last revision date of December 14, 2020:
  - 1 of 3: Subdivision Plan
  - 2 of 3: Grading, Utility and Soil Erosion Plan
  - 3 of 3: Detail Sheet

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6. A letter from the Tappantown Historical Society, signed by Carol LaValle, President, dated January 12, 2021.
7. A letter from Larry Vail, dated January 8, 2021.
8. An Email from Kyle Weiss, dated January 11, 2021; EMT-B Lieutenant, South Orangetown Ambulance Corps.
9. An Email from Denise and Rich Weigand, dated January 22, 2021.
10. An Email from Rosalie and Jim Sauter, dated January 13, 2021.
11. An Email from Mara and Ed LoPresti, dated January 13, 2021.
12. An Email from Eileen Grimm and Kenneth Greenblatt, dated January 13, 2021.
13. An Email from Peter McGarrigle, dated January 13, 2021.

The hearing was then opened to the Public.

**Public Comment:**

Richard Weigand, 4 Dederer Street: raised concerns regarding the impact of drainage to his property. He requested the construction of a berm or a concrete wall to be constructed to stop the water entering his property.

Mario Presty, 25 Haring Avenue: wanted to know if the Board visited the site.

Donna Donahue, 27 Haring Avenue: raised concerns that the existing houses are small and that larger houses would be constructed and not blend in with the neighborhood.

Sandy Bond, area resident: noted that the street is narrow and the roadway will be over taxed with cars, garbage trucks, snow plows and people will struggle to get in and out of their driveways.

Cathy Hilderbran, 10 Haring Avenue: noted school buses can not back up on the street since it is so narrow.

Celcelia Hickey, 5 Haring Street: believes the subdivision should only be 3 lots and the shapes of the lots should be changed.

Peter McGarrigle, 4 Dederer Street: noted that a tree adjacent to his property creates a hazard and should be removed.

Carl Weise, 490 Kings Highway: noted that if the existing structure is taken down it would destroy the character of the neighborhood. The subdivision should be 3 lots.

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Larry Vale, 389 Kings Highway: noted that the area is Historic and it is a real opportunity to save the structure, it is a 150-year-old house. There is a beech tree (#23 noted on the plan) and a drainage structure under it. The tree is beautiful and adds a lot of character to Kings Highway and should be saved.

Jim Sauter, Kings Highway: held that the subdivision is being squeezed. He requested information regarding the design of the houses and the landscaping.

Mike Puddle, Haring Avenue: noted that Haring Avenue is too narrow to handle 4 houses and will increase traffic. He noted that the road surfaces will be damaged during construction and who will fix it after construction.

Elizabeth Carraka, Kings Highway: wanted to know how long construction will take.

There being no one else to be heard from the Public, a motion was made to close the Public Hearing portion of the meeting by Andrew Andrews and second by Michael Mandel and carried as follows: Thomas Warren - Chairman; aye, William Young, Vice-Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, aye; Bruce Bond, aye; Robert Dell, aye and Michael McCrory, aye.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (al) 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 second by William Young and carried as follows: Thomas Warren - Chairman; aye, William Young, Vice-Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, aye; Bruce Bond, abstain; Robert Dell, aye and Michael McCrory, 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.

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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, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): 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 Highway Department, Rockland County Drainage Agency, Rockland County Sewer District #1, and having reviewed the drawings presented by Paul Gdanski, P.E., 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.

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On motion by Andrew Andrews and seconded by William Young and carried as follows: Thomas Warren - Chairman; aye, William Young, Vice-Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, aye; Bruce Bond, abstain; Robert Dell, aye and Michael McCrory, aye, the Board made a Negative Declaration pursuant to SEORA.

**DECISION:** In view of the foregoing and the testimony before the Board, the application was granted **Preliminary Subdivision 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. 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. A motion was made to waive the need to appear in front of the Town of Orangetown Architecture and Community Appearance Board for review of the Subdivision and only appear at the time for Site Plan Review. The motion was made by Michael Mandel and second by Andrew Andrews and carried as follows: Thomas Warren - Chairman; aye, William Young, Vice-Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, aye; Bruce Bond, abstain; Robert Dell, aye and Michael McCrory, aye.
4. Application shall be made to the Planning Board and ACABOR for review and approval of the Subdivision, house design, site and landscaping plans for each lot, with the option of appearing all at the same time or individually.
5. The note on Page #2 on the northwest corner of the plan shall note that the arborvitae shall be changed to green giant trees.
6. On Lot #2, move the driveway off of Haring Avenue onto King Highway.
7. On Lot #4, move the house over by 10 feet to the north.

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8. The precipitation rate listed in the drainage calculation, sheet 2 of 3, is incorrect. The current 100 yr. precipitation rate for this area is 9.07 inches. The drainage calculations shall be revised accordingly.
9. Note #40, on sheet 1 of 3, indicates that perc tests were run on the project site in October of this year. DEME was **NOT** notified of these tests. This is critical because if DEME had been notified, the applicant/ builder/ owner/ design engineer would have been informed that soil borings are also required for the proposed subsurface (drywell) locations. **The applicant/ building/ owner/ design engineer is hereby advised, that in the future, DEME MUST be notified prior to any soil borings, perc and/or determination of ground water tests being performed in order to have opportunity to witness the tests and advise of any other requirements in connection with stormwater.**
10. Soil borings still need to be performed at all of the subsurface detention system (drywell) locations. These tests shall be performed **PRIOR** to this proposal receiving Final Approval to ensure the adequacy of the proposed design.
11. The locations of the perc test, soil boring, groundwater determination locations shall be shown on the plans.
12. Profiles for all proposed drainage piping shall be added to the plans.
13. The layout for the proposed drainage piping (including roof leader piping) appears to show "sweeping" curves. This is incorrect. Straight line piping, with correct change in direction angles shall be shown on the drawings.
14. Emergency overflow piping for all proposed drywell systems shall be shown on the plan, including profiles.
15. Post construction stormwater maintenance agreements for the proposed subsurface stormwater systems (drywells) shall be submitted to DEME and the Town Attorney's Office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contract person with telephone number, yearly report to be submitted to DEME, etc.
16. Cleanouts for the proposed sanitary house connections shall be added to the lines immediately outside the new homes and shown on the plans. Also, the invert elevations for the proposed sanitary cleanouts shall be listed in the plans.
17. The soil erosion and sediment control symbols shall conform to NYSDEC standards.
18. Copies of all correspondence (including any and all approvals) with the New York State Department of Environmental Conservation, U.S. Army Corps. Of Engineers, the Rockland County Drainage Agency, etc., in connection with this proposed subdivision, shall be supplied to the Planning Board and DEME, prior to signing the map.

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**19. Drainage Review Recommendation – Brooker Engineering**

The Drainage Consultant to the Planning Board, Brooker Engineering has reviewed the submitted information and found that sufficient information to demonstrate that potential significant adverse impact with respect to drainage can be mitigated. Brooker Engineering therefore recommends that the Sansone Subdivision be approved for drainage subject to the following Project Comments.

This is the second drainage review report for this project; the last review was dated December 8, 2020. The project consists of a four-lot subdivision located at the southwest corner of Kings Highway and Haring Avenue. The overall parcel contains an existing dwelling that will remain on proposed Lot 2. Portions of the existing driveway and detached garage will be removed. The land is lightly wooded and slopes downhill to the north towards Kings Highway. There is no storm drainage system in the Town right-of-way at this location.

The proposed construction adds 5842 square feet of new impervious area and proposes five 6-foot diameter drywells surrounded by three feet of crushed stone for stormwater mitigation. Soil percolation tests were performed by Fairway Testing on October 2, 2020 and yielded a percolation rate of 13.75 inches per hour.

**Project Comments**

1. As per the December 8, 2020 review letter, show the lengths, diameters, and slopes of the proposed drainage pipes on the Grading Plan and Utility Plan.
2. As per the December 8, 2020 review letter, show the overflow path from each drywell to the street; provide a design where potential overflows are not directed to downhill properties.
3. As per the December 8, 2020 review letter, the drainage calculations are performed for the entire site. Provide calculations that demonstrate the distribution of drywells over individual lots is consistent with the calculations.
4. As per the December 8, 2020 review letter, update the soil infiltration calculations for percolation through the bottom of drywell in Section 6 of the drainage calculations.
5. As per the December 8, 2020 review letter, provide existing and proposed drainage area maps that show the areas directed to the drywells and show the breakdown of the existing and proposed conditions impervious areas.

20. The Town of Orangetown Office of Recreation & Parks requires that pursuant to the Orangetown Zoning code Section 21-20.E, that the Planning Board waive the requirement for the reservation of parkland and condition approval on the payment of **\$27,000.00** in lieu of parkland. Funds shall be made available prior to stamping of the subdivision plan.

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S. KRZYWON

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21. 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.
22. The Rockland County Drainage Agency Review the plans and found that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act, Chapter 846, is not required based upon its review of the information provided.
23. 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.
24. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
- Town of Orangetown Zoning Board of Appeals
  - Rockland County Sewer District #1
  - Rockland County Highway Department
  - Rockland County Drainage Agency
25. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivisions and Board Decisions prior to signing the final plans.
26. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.
27. 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:

11:11 AM 91 FEB 1202  
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**Continuation of Condition #27...**

- 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.
- 28.** 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.
- 29.** 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.
- 30.** The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.

OFFICE  
SARAH S. JEFFERS  
91 FEB 17 10:11 AM '21  
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31. 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).

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

33. 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

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

The foregoing Resolution was made and moved by Michael Mandel and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman; aye, William Young, Vice-Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, aye; Bruce Bond, abstain; Robert Dell, aye and Michael McCrory, 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: January 13, 2021  
Cheryl Coopersmith  
Town of Orangetown Planning Board**



Attachment

RECEIVED TOWN CLERK  
JAN 13 2021 11:11 AM  
TOWN OF ORANGETOWN

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

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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: Sansone Subdivision Plan Preliminary Subdivision Plan Approval**

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

**DESCRIPTION OF ACTION: Subdivision Plan Review**

**LOCATION:** The site is located at 483 Kings Highway, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.20, Block 3, Lot 5 in the RG 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:

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

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MA01EDNVR0 JO MM01

**Final Site Plan Approval Subject to Conditions  
Neg. Dec.**

**Town of Orangetown Planning Board Decision**

**January 13, 2021**

**Page 1 of 9**

**TO: Thomas Kohany, Hudson Engineering & Consulting, 45 Knollwood  
Road, Suite 201, Elmstford, New York 10523**  
**FROM: Orangetown Planning Board**

**RE: St. Aedan's Site Plan:** The application of ADNY Church of St Aedan Msgr. Emmet Nevin, owner, for Preliminary/ Preliminary/ Final Site Plan and SEQRA Review at a site known as "St. Aedan's 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 23 Reid Drive, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.09, Block 4, Lot 5 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a virtual meeting held **Wednesday, January 13, 2021**, at which time the Board made the following determinations:

Michael Stein appeared and testified.

The Board received the following communications:

1. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated January 8, 2020.
2. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., January 12, 2021.
3. Letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated January 11, 2021.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief, dated November 19, 2020.
5. Letter from Rockland County Department of Planning, signed by Arlene Miller, Principal Planner, dated November 16, 2020.
6. Letters from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated November 12, 2020.
7. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated January 5, 2021.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel W. Sullivan, Chairman, dated December 2, 2020.
9. A Short Environmental Assessment Form signed by Michael Stein, P.E., President, Hudson Engineering & Consulting, dated October 27, 2020.
10. A Stormwater Management Plan & Drainage Analysis, prepared by Hudson Engineering & Consulting, P.C., dated July 17, 2020, revised September 11, 2020.

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**Town of Orangetown Planning Board Decision  
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11. Plans entitled Proposed Driveway Improvements Church of Saint Aedan prepared by Hudson Engineering & Consulting, P.C.:
- C-1: Pavement Replacement Plan, dated January 23, 2019, last revised December 2, 2019
  - C-2: Drainage Improvements, dated January 23, 2019, last revised September 2, 2020
  - WS-E: Watershed – Existing, dated April 6, 2020, last revised July 17, 2020
  - WS-P: Watershed- Proposed, dated April 6, 2020, last revised July 17, 2020

The hearing was then opened to the Public.

**Public Comment:**

Lisa Lanzaro, 186 Ehrhardt Road, raised concerns regarding the redevelopment of the site and the underlying water problem of the site. She noted that there is a concrete pipe coming off the property that flows onto her property, and wanted to know who is responsible for cleaning it out.

Patricia Kelly, 145 Ehrhardt Road, wanted to know if the grassy area on the site would be made into parking and if the trees would be taken down. She now gets water in her basement after recent renovations to the site.

Shawn Sullivan, 182 Ehrhardt Road, noted that there use to be a pond on the site.

George Lanzaro, 186 Ehrhardt Road, held that the pipe elevation is at a higher elevation than his property.

There being no one else 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 Michael Mandel and carried as follows: Thomas Warren - Chairman; aye, William Young; Vice-Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, aye; Bruce Bond, abstain; Robert Dell, aye and Michael McCrory, aye.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (a) 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 second by Michael Mandel and carried as follows: Thomas Warren - Chairman; absent, William Young, Vice-Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, absent; Bruce Bond, aye; Robert Dell, aye and Michael McCrory, aye, the Board declared itself Lead Agency.

3011430 S.MR373 MM01

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**PB #21-01: St. Aedan's  
Final Site Plan Approval Subject to Conditions  
Neg. Dec.**

**Permit #49597**

**Town of Orangetown Planning Board Decision  
January 13, 2021  
Page 3 of 9**

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, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): 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 Highway Department, Rockland County Sewer District #1, and having reviewed the drawings presented by Hudson Engineering & Consulting, P.C, 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;

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TOWN OF ORANGETOWN

- 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 Andrew Andrews and seconded by William Young and carried as follows: Thomas Warren - Chairman; absent, William Young, Vice-Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, absent; Bruce Bond, aye; Robert Dell, aye and Michael McCroy, aye, the Board made a Negative Declaration pursuant to SEORA.

**DECISION:** In view of the foregoing and the testimony before the Board, the application was granted **Final Site Plan Approval Subject to the Following Conditions:**

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.

OFFICE OF THE TOWN ENGINEER

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TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision**  
**January 13, 2021**  
**Page 5 of 9**

4. A stop work order was issued on November 22, 2020 for site work being performed without approvals and permits. This work included excavations, removal and replacement of portions of the existing drainage system and repaving.
5. The applicant must revise the Short Environmental Assessment Form as follows:
  - Page 2 #5b. Should be "YES"
  - Page 2 #9. Should indicate N/A
6. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped by the Chief Clerk to the Board and the construction plans are reviewed and approved by the Inspector.
7. The drainage calculations, last revised September 11, 2020 are currently under review by DEME. However, the attached HydroCAD report, dated July 17, 2020 is dated earlier than the HydroCAD Report, dated September 3, 2020 attached previously supplied drainage calculations – last revised September 3, 2020. The drainage calculations shall be updated so that the latest/ up-to-date HydroCAD report is made part of the latest/ up to date drainage report.
8. All of the "proposed" work that is already completed, shall be labeled as such on the drawings.
9. The datum for the contours shall be given.
10. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum, including the BM Elevation.
11. **Drainage Review Recommendation – Brooker Engineering**  
The application has provided sufficient information to demonstrate that potential significant adverse impacts with respect to drainage can be mitigated. Brooker Engineering, the Planning Board's Drainage Consultant, therefore recommends that the Church of St. Aedan's Site Plan be approved for drainage subject to the following Project Comments.

**Project Description**

This is the first drainage review report for this project. The project consists of repaving the parking lot at St. Aedan's Church, located on the east side of Erhardt Road. The property has driveway access to Erhardt Road and Reid

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**Continuation of Condition #11...**

Drive. There is an existing storm drainage system on the property that outlets to a storm drainage system on Erhardt Road. There is an off-site watershed of 10.6 acres that flows through the site; there is wooded area in the northeast corner of the property that contains a swale that enters the piped drainage system through the site. Replacement of the existing storm drainage system is proposed with new structures at the same locations as existing structures and new pipes. It is not clear if the pipe capacity is being increased.

The work area is limited to the existing parking lot. No new impervious areas are being proposed. An outlet structure with a weir is proposed at the catch basin on the south side of the access driveway to Erhardt Road, which regulates stormwater runoff before leaving the property and entering the municipal drainage system on Erhardt Road.

**Project Comments**

1. Include an existing conditions plan in the drawing set that shows all existing drainage features prior to any improvements.
  2. Show the outlet of the catch basin on the north side of the access drive to Erhardt Road, which presumably discharges to the existing catch basin on the east side of Erhardt Road. Show all invert information for this catch basin on Erhardt Road.
  3. Show the pipe connection to the headwall in the woods to the catch basin on the east side of the northern parking lot.
  4. Provide more information (i.e. type and discharge location) for the manholes shown in the front yard of the property on the east side of Erhardt Road.
  5. Explain in the drainage narrative the historical flooding observed on the property. The drainage report includes a section for "failure of drainage system" at 2.87 inches of rainfall and mentions on-site ponding. The ponding limits shall be shown. Overflow paths for the ponding shall be shown.
12. The Town of Orangetown Bureau of Fire Prevention reviewed the submitted information and had no comments in regard to this project.
13. The Rockland County Department of Planning returned the application since the parcel is outside its area of jurisdiction.
14. 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.

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Town of Orangetown Planning Board Decision  
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15. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
- Town of Orangetown Zoning Board of Appeals
  - Rockland County Department of Highways
  - Rockland County Sewer District #1

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

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

18. 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:

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

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TOWN OF ORANGETOWN MNO1

**Town of Orangetown Planning Board Decision**

**January 13, 2021**

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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 §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.
20. 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.
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 of any required public improvements or private sanitary or storm sewer improvements, 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 (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification 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 (applicant's engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicant's engineer'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. Federal 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.

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ORANGETOWN

PB #21-01: St. Aedan's  
Final Site Plan Approval Subject to Conditions  
Neg. Dec.

Town of Orangetown Planning Board Decision

January 13, 2021

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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.

The foregoing Resolution was made and moved by Bruce Bond, seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, absent; William Young- Vice Chairman, aye; Michael Mandel, aye; Michael McCrory, aye; Robert Dell, aye; Andrew Andrews, aye, Stephen Sweeney, absent, and Bruce Bond, 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: January 13, 2021

Cheryl Coopersmith

Town of Orangetown Planning Board

Attachment



OFFICE SUPERVISOR

41:11 A 91 833 1707

ORANGETOWN TOWN

**State Environmental Quality Review Regulations  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance  
PB #21-01: St. Aedan's  
Final Site Plan Approval Subject to Conditions  
Neg. Dec.**

**Permit #49597**

**Town of Orangetown Planning Board Decision  
January 13, 2021**

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: St. Aedan's Final Site Plan Approval Subject to  
Conditions/ Neg. Dec.**

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

**DESCRIPTION OF ACTION: Site Plan Review**

**LOCATION:** The site is located at 23 Reid Drive, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.09, Block 4, Lot 5 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 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:

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

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**Final Site Plan Approval Subject to Conditions  
Neg. Dec.**

**Town of Orangetown Planning Board Decision**

**January 13, 2021**

**Page 1 of 8**

**TO: Kyle Bardwell, 21 Fox Street, Poughkeepsie, New York 12601**  
**FROM: Orangetown Planning Board**

**RE: Rockland Car Care Site Plan:** The application Kyle Bardwell; Chazen, applicant for Joseph Iannuzzi, owner, for Preliminary/ Preliminary/ Final Site Plan and SEQRA Review at a site known as “**Rockland Car Care 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 552 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 64.17, Block 1, Lot 76 in the CO zoning district.

Heard by the Planning Board of the Town of Orangetown at a virtual meeting held **January 13, 2021** at which time the Board made the following determinations:

Kyle Bardwell appeared and testified before the Board.

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Jane Slavin, Director, Deputy Building Inspector dated January 12, 2021.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated January 12, 2021.
3. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated January 8, 2021.
4. Letters from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated December 18, 2020 and Michael Kezner, dated December 11, 2020.
5. A letter from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III dated December 10, 2020.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II dated January 5, 2021.
7. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated December 2, 2020.
8. A Short Environmental Assessment Form signed by Joe Fannuzzi, dated October 8, 2020.
9. Building Permit Referral to the Planning Board dated October 8, 2020 prepared by Rick Oliver, Building Inspector.
10. Site Plan C130 prepared by Chazen dated July 25, 2019.
11. Map of Survey prepared for Gas Lan Petroleum prepared by Chazen dated August 20, 2020.

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The Board reviewed the plans. The hearing was then opened to the Public. There being no one from the Public, a motion was made to close the Public Hearing portion of the meeting by Michael Mandel and second by Andrew Andrews and carried as follows: Thomas Warren - Chairman, absent; William Young- Vice Chairman, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, absent, Bruce Bond, aye; Andrew Andrews, aye and Michael McCrory, aye.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (a) 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 second by Andrew Andrews and carried as follows: Thomas Warren - Chairman; absent, William Young, Vice-Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, absent; Bruce Bond, aye; Robert Dell, aye and Michael McCrory, 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's consultant Chazen and having heard from the following offices, officials and/or Departments: (Town of Orangetown): 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: Rockland County Department of Highway, Rockland County Sewer District #1, Town of Orangetown Zoning Board of Appeals, and having reviewed the drawings presented by the applicant's professional consultant; Chazen, a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

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ORANGETOWN JO NMO1

- 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 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 Michael Mandel and second by Bruce Bond and carried as follows:  
Thomas Warren - Chairman, absent; William Young- Vice Chairman, aye;  
Michael Mandel, aye; Bruce Bond, aye; Robert Dell, aye; Andrew Andrews, aye;  
Stephen Sweeney, absent, and Michael McCrory, 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 **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."

71:11 V 91 03 1707

TOWN OF ORANGETOWN

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. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. This is an existing non-conforming use in the CO zoning district. The property has received the following approvals:
  - a) March 10, 1966 – C of O for installation of gasoline tank.
  - b) April 15, 1970 – ZBA 70-85 expansion of existing non-conforming use to enlarge a gas filling station.
  - c) November 2, 2005 – ZBA 05-77 extension to an existing non-conforming service station with proposed food mart.
  - d) May 2, 2007 – ZBA 07-43 – Change of one non-conforming use to another.
5. Per Chapter 43, Table 3.11, the following variances are required:
  - a) Front Yard required = 30' with 27.3' proposed.
  - b) Canopy Height allowed = 13.65' with 17.5' proposed.
6. Review and approval is required by the Town of Orangetown Architecture and Community Appearance Board of Review.
7. Is signage proposed on the canopy? If yes, the drawings must be updated to show the signage and compliance with zoning regulations.
8. The Short Environmental Assessment Form appears to be in order.
9. The applicant is reminded that no work is permitted and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped by the Chief Clerk to the Board and the construction plans are reviewed and approved by the inspector.

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**Final Site Plan Approval Subject to Conditions  
Neg. Dec.**

**Town of Orangetown Planning Board Decision**

**January 13, 2021**

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**10. Project Recommendation – Brooker Engineering**

The application has provided sufficient information to demonstrate that potential significant adverse impacts with respect to drainage can be mitigated and therefore recommend that the Rockland Car Care Site Plan be approved for drainage subject to no conditions.

**Project Description**

This is the first drainage review report for this application. The property consists of a canopy addition over four gas fueling stations at the Rockland Car Care property at the 552 North Middletown Road. The new canopy is located over existing concrete and asphalt pavement. The canopy has a footprint of 2,808 SF and the total land disturbance for the project is 0.06 acres. There is no new impervious area being added to the site and the existing drainage patterns will be maintained.

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

- As per their letter of December 10, 2020, the applicant must obtain a right of way permit from the Rockland County Highway Department prior to the start of construction.
- The Town of Clarkstown is one of the reasons this proposal was referred for review. The municipal boundary is 443 feet north of the site. As required under Section 239n of the State of General Municipal Law, the Town of Clarkstown must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the Town of Orangetown.
- All proposed signage must be shown on the Site Plan, and conform to all Town requirements.
- Prior to the start of construction or grading, a soil and erosion control plan shall be developed that meets the New York State Guidelines for Urban Erosion and Sediment Control. The Rockland County Department of Planning requests the opportunity to review the variances that are needed to implement the proposed subdivision, as required by NYS General Municipal Law, Section 239-m(3)(a)(v).

**12. The Rockland County Highway Department reviewed the plans and offered the following comment:**

- A right of way permit shall be obtained from the County Highway Department prior to starting any construction activities in the site, if requested is approved by the Town.

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MAINTENANCE OF ROAD

13. 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 no future correspondence is requested for this site.

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

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

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. **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:

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TOWN OF ORANGETOWN



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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 DEME 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.

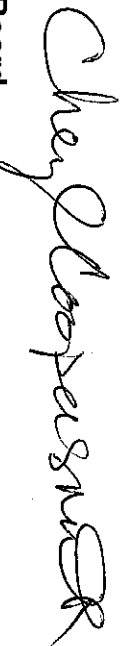
25. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:

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

The foregoing Resolution was made and moved by Michael Mandel and second by William Young- Vice Chairman and carried as follows: Thomas Warren - Chairman, absent; William Young- Vice Chairman, aye; Michael Mandel, aye; Bruce Bond, aye; Robert Dell, aye; Stephen Sweeney, absent; Andrew Andrews, aye and Michael McCrory, 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: January 13, 2021  
Cheryl Coopersmith  
Town of Orangetown Planning Board



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State Environmental Quality Review Regulations  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance  
PB#21-03: Rockland Car Care  
Final Site Plan Approval Subject to Conditions  
Neg. Dec. Permit #50641

**Town of Orangetown Planning Board Decision**  
**January 13, 2021**

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: Rockland Car Care -Final Site Plan Approval Subject to Conditions/ Neg. Dec.**

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

**DESCRIPTION OF ACTION: Site Plan Review**

**LOCATION:** The site is located at 552 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 64.17, Block 1, Lot 76 in the CO 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:

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

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ORANGETOWN

PB#21-04: Camp Shanks Homes for Hero's Site Plan      Permit #49045  
Final Site Plan Approval Subject  
to Conditions and a Conditional Use Permit  
Neg. Dec.

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

**RE:**            Camp Shanks – RHFH Phase II Site Plan: The application of Rockland Homes for Heroes, owner, for Final Site Plan Review and a Conditional Use Permit at a site to be known as “Camp Shanks – RHFH Phase II Site”, 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 335 Western Highway, Tappan, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.18, Block 3, Lot 48 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a virtual meeting held Wednesday, **January 13, 2021**, the Board made the following determinations:

- Donald Brenner, Ken DeGennaro and John Allen Murphy appeared and testified. The Board received the following communications:
1. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R. A., A.I.A., Director, dated January 11, 2021.
  2. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated January 12, 2021.
  3. Letters from Maser Consulting signed and sealed by Jesse Cokeley, dated January 6 & 11, 2021.
  4. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner, dated January 4, 2020.
  5. A letter from the Rockland County Highway Department, signed by Dyan Rajasingham, Engineer II, dated January 6, 2021.
  6. A letter from the Rockland County Sewer District No. 1, signed by Joseph LaFindra, Engineer II, dated September 13, 2019.
  7. A Sanitary Sewer Report prepared by Brooker engineering, dated August, 2020.
  8. A letter from Brooker Engineering, applicant's engineer, dated December 4, 2020, signed by Kenneth DeGennaro, PE., attachment of plans, dated August 5, 2020, last revised December 4, 2020:  
    Dwg No. IM-EX: Impervious Area – Existing Conditions  
    Dwg No. IM-PR: Impervious Area- Proposed Conditions

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**PB#21-04: Camp Shanks Homes for Hero's Site Plan  
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Neg. Dec.**

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9. Plans prepared by Brooker Engineering, dated June 26, 2019, last revision date of December 4, 2020:

- 1: Title Sheet
  - 2: Existing Conditions & Demolition Plan
  - 3: Proposed Site Plan
  - 4: Proposed Grading
  - 5: Proposed Utility Plan
  - 6: Soil Erosion & Sediment Control Plan
  - 7: Construction Details
  - 8: Planting & Lighting Plan
  - 9: Profiles
10. Stormwater Pollution Prevention Plan, prepared by Brooker Engineering, dated May 26, 2020, revised December 11, 2020.
11. A Project Narrative prepared by Donald Brenner, dated August 12, 2019.
12. A Building Permit Referral dated July 1, 2019, prepared by Rick Oliver, Deputy Building Inspector.
13. The following Board Decisions: ACABOR #20-50: Approved as Presented, dated October 1, 2020; ZBA #20-27, Variances Approved, dated July 1, 2020 and PB #19-68, Preliminary Site Plan Approval Subject to Conditions, dated October 7, 2019.

The Board reviewed the plans. The hearing was then opened to the Public. There being no one from the Public, a motion was made to close the Public Hearing portion of the meeting by Bruce Bond seconded by Michael Mandel and carried as follows: Thomas Warren, Chairman, absent; William Young, Vice Chairman, aye; Michael McCrory, aye; Andrew Andrews, aye; Michael Mandel, aye; Robert Dell, aye; Bruce Bond, aye and Stephen Sweeney, absent.

**Reaffirmation of SEQRA**

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.

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**PB#21-04: Camp Shanks Homes for Hero's Site Plan  
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Neg. Dec.**

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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 Brooker Engineering and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The 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 Sewer District No. 1, Rockland County Drainage Agency No. 1, Rockland County Department of Health, Rockland County Department of Highways, New York State Department of Environmental Conservation and having reviewed proposed Site Plan by prepared by Brooker Engineering, 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;

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TOWN OF ORANGETOWN

**PB#21-04: Camp Shanks Homes for Hero's Site Plan      Permit #49045**  
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- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Bruce Bond and seconded by Michael Mandel and carried as follows: Thomas Warren, Chairman, absent; William Young, Vice Chairman, aye; Michael McCrory, aye; Michael Mandel, aye; Robert Dell, aye; Bruce Bond, aye and Stephen Sweeney, absent, the Board made a Negative Declaration pursuant to SEQRA.

**Conditional Use Permit:**

In view of the foregoing and the testimony before the Board, the application was Granted a Conditional Use Permit, pursuant to Chapter 43, Section 8.1 of the Town of Orangetown Zoning Code. The Board made the following Findings and Comments:

- The proposed use, size and character is in harmony with the development in the district in which it is proposed to be situated and will not be detrimental to the zoning classification of such properties.
- The proposed location and size of the use, nature and intensity of operations involved, and the site layout in relation to access streets will not be hazardous to pedestrian or vehicular traffic.
- The proposed location of the use will not hinder or discourage development or use of adjacent land and buildings.
- The proposed use will not require additional public services or create fiscal burdens upon the Town of Orangetown greater than those which characterize uses permitted by right.

**DECISION:** In view of the foregoing and the testimony before the Board, the application was granted **Final Site Plan Approval Subject to the Following Conditions:**

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

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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. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The applicant is reminded that no work is permitted and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped by the Chief Clerk to the Board and the construction plans are reviewed and approved by the inspector.
5. The applicant's attorney shall prepare a 20-foot wide easement, for the existing sanitary main that runs through the site, to benefit the Town of Orangetown. This easement, with metes and bounds, shall be shown on the drawings. The easement shall also "run" from the dead-end manhole, through the proposed driveway, to the existing access easement the Town has at the entrance to the site. The easement document shall be submitted to the Town Attorney's office and to DEME for review and approval.
6. Profiles for all proposed sanitary and drainage piping shall be added to the plans
7. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum, including the BM elevation (referenced benchmark elevation.)
8. The SWPPP/ drainage calculations, last revised 12/11/20 are under review by DEME. A formal review of the SWPPP shall be sent directly to the applicant's engineer. However, page 6 of the SWPPP states that there will be a 25% reduction in impervious surfaces overall and a 35% within the area of disturbance (a.o.d) the applicant's engineer's letter to DEME, dated December 4, 2020, states there will be a 25% reduction in impervious surfaces. And, finally, the applicant's engineer's letter, dated December 4, 2020, to the Planning Board states the overall reduction in impervious surfaces will be 28.9%. It is unclear which of these is correct. The applicant's engineer shall coordinate this information to ensure the correct reduction will be stated everywhere.

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9. As mentioned in #8 above, the applicant's engineer's letter to DEME makes a distinction between the impervious surface reduction in the overall site and the area of disturbance. The applicant's engineer is reminded that these areas cannot be separate as far as the total a.o.d. listed or shown. ALL areas of disturbance are to be included and shown as part of the area of disturbance.

10. The limit of disturbance line, shown on the Soil Erosion & Sediment Control Plan, drawing #6, fails to show some of the existing pavement that is to be removed when compared to drawing #2 and the impervious surface removal plan attached to the applicant's engineer's letter of December 4, 2020 (e.g. pavement to be removed along the north side of the site entrance, near the entrance onto Wester Highway.) As stated above, all information shall be coordinated on the drawings and the SWPPP. Any and all pavement removal must be included in the a.o.d. calculations as well as be shown graphically on all the plans.

11. The proposed 8-inch sanitary building connection for Building #2 is only 6-7 feet away from the existing Town sanitary main at the western end of the Building. This is too close. This line shall be relocated.

12. Manholes shall be placed along the proposed 8-inch sanitary mains at all dead ends, changes in direction and all connections (with other 8-inch mains.) Also, individual cleanouts, with inverts elevations, shall be drawn and labeled for every proposed sanitary house connection.

13. Standard details shall be added to the plans (e.g. sanitary cleanout, sanitary house connection, sanitary manhole – with frame and cover, connection to existing sanitary manhole, connection to existing drainage manhole, etc.)

#### **14. Drainage Review Recommendation – Maser Consulting**

The proposed stormwater management plan is attempting to provide a greener redevelopment of an existing property which meets the intent of the regulations and therefore, Maser Consulting, the Planning Board's Drainage Consultant recommends that Camp Shanks – RHFH Phase II Site Plan be approved for drainage subject to the following conditions.

#### **Project Comments**

1. According to the drainage narrative dated December 5, 2020 and supplemental impervious area maps, the overall impervious reduction is 25.0%. However, the response letter dated December 4, 2020 states the impervious is 28.9%, please confirm which is correct.

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**PB#21-04: Camp Shanks Homes for Hero's Site Plan  
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**Continuation of Condition #14...**

2. As noted in Maser Consulting's last letter dated October 1, 2019, Water Quantity controls such as Chanel Protection and ten-year and hundred –year criteria would not apply IF the development activities result in no change to the hydrology that increase the discharge rate from the project site. A pre versus post comparison shall be provided to determine if that is indeed the care for this project. While it is understood that there is a decrease in impervious areas from existing to proposed conditions, it must be demonstrated (i.e. HydroCAD output or another method of calculation, Drainage Area Maps, etc.) that there is no increase in discharge rate from the site.
3. Information on proposed downspouts such as type, invert elevations, and connection to proposed stormwater system shall be provided on Sheet 5.
4. On Sheet 4, there are several areas on the east side of proposed Building 1 and the north side of proposed Building 2 where spot elevations change from 104.25 to 103.8 without a 104-contour running between these points. The proposed contours shall be reviewed and revised, as necessary.
5. Add spot shots at handicap parking spaces and ramps throughout site to ensure ADA compliance.
6. The Limit of Disturbance line on Sheet 6 shall be revised to include the sawcut pavement on the north side of the site as shown on Sheet 2, and the limit of disturbance area shall be adjusted accordingly.
7. Consider additional soil erosion and sediment control practice at downstream end of proposed swale on Sheet 6. Depending on the discharge from downspouts, outlet protection may also be needed for each of these, as well.
8. The profile from CB 8 to CB 5 is missing a gas crossing and the profile from CB 2 to CB3 shows a fire service water line above and below the stormwater pipe. These profiles shall be reviewed and revised as necessary.
9. In reviewing the SWPPP, it was noted Appendices C-1 are missing from the report. Please review and revise the SWPPP as necessary.
10. On page 15 of the SWPPP, it is mentioned permanent seeding rates are provided on the Sediment and Erosion Control Plan as Drawing 3, the site plan received shows this plan as Drawing 6.
15. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
  - The Town shall be satisfied that the proposal complies with the general requirements for Conditional Uses outlined in Section 8.1 of the Zoning code, as well as the specific standards for Attached Veteran Housing as outlined in Section 8.17.

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**PB#21-04: Camp Shanks Homes for Hero's Site Plan  
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**Continuation of Condition #15...**

- An updated review must be completed by the County of Rockland Department of Health. In addition, the applicant must comply with the conditions of its March 16, 2020.
- The snow storage areas along the curb are very narrow and will likely encroach into the roadway and/or the sidewalk. Other areas must be designated as snow storage areas to mitigate this.
- Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Guidelines for Urban Erosion and Sediment Control.
- There shall be no net increase in the peak rate of discharge from the site at all design points.
- The site plan indicates the southern portion of the L-shaped building is to contain five one-bedroom units. However, "tenant storage" is labeled over the southeastern unit. It should be clarified if the storage area is to share space with the unit, or if this space is only to be used as storage and only four units are proposed for this section of the building.
- Neither the unit/storage area mentioned above, nor the southwestern unit in the L-shaped building appear to have a sidewalk connecting it to the rest of the sidewalk network. All units shall have a sidewalk leading to them so residents can easily access them.
- Map note #13 on the site plan incorrectly states the plan is subject to General Municipal Law Section L & N. As this is a site plan application and not a subdivision, this shall be corrected to Section L & M.
- Pursuant to the Rockland County Sanitary code, Article XIII, Section 13.8.1, all multiple dwellings with three or more rental units must register and obtain a Multiple Dwelling Rental Certificate (MDRC). If this proposed multi-family dwelling meets the requirements of the Multiple Dwelling Rental Registry requirement, then the owner must register and obtain the MDRC. Failure to comply is a violation of Article XIII, which may result in penalties of \$2,000.00 per day.

16. Based upon the plans and information received, Rockland County Highway Department offered the following comments:

1. A road work permit shall be obtained from the Rockland County Highway Department prior to starting any construction work in the property.

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

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18. The New York State Department of Environmental Conservation (DEC) indicated that based upon its review of the circulated documents, it appears that

The New York State Department of Environmental Conservation (DEC) indicated that based upon its review of the circulated documents, it appears that the project may require the following permits:

- **SPDES Stormwater (Construction):** Since project activities will disturb over one acre of land, the project sponsor must obtain coverage under the current SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-15-002) and develop a Stormwater Pollution Prevention Plan (SWPPP) that conforms to requirements of the General Permit. As this site is within a Municipal Separate Storm Sewer System (MS4) community, the Town of Orangetown is responsible for review and acceptance of the SWPPP and the MS-4 Acceptance Form must be submitted to NYSDEC.
- **State Pollution Discharge Elimination System (SPDES) Wastewater:** It is not clear from the Short Environmental Assessment Form (EAF) how much sanitary wastewater the proposed project will generate or whether the sanitary wastewater will be discharged into a public or private system. Please be aware that if the project site will connect to an existing Sewer District, then an engineering report must be prepared to confirm the capacity of that wastewater facility to serve the proposed project and that the NYSDEC's Division of Water is required to review and approve plans for any proposed sewer extensions or facility expansion. If the project site will connect to a private system, then note that sewage effluent discharges of 1,000 gallons per day or greater to groundwater are regulated under Article 17 of the Environmental Conservation Law and require a SPDES permit.
- **Water Withdrawal:** It is not clear from the Short EAF how much water the proposed project will generate or whether the water will be provided by a public or private water supply. Please note that if the project site is served by a public water supply, additional NYSDEC approval may be required to ensure that the site is covered under an existing Water Withdrawal permit and does not exceed the authorized maximum taking of water into the existing water district or service area. If the proposed project site is served by a private water supply, an Article 15 Water Withdrawal permit may be required to undertake activities pursuant to 6NYCRR Part 601.6, such as the construction, operation and maintenance of a water withdrawal system with the capacity to withdraw 100,000 gallons or more per day regardless of the actual demand on the system (6NYCRR Part 601.6c).

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TOWN OF ORANGETOWN

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Neg. Dec.**

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**Continuation of Condition #18...**

- **Cultural Resources:** DEC has reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation, and Historic Preservation. These records indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. Visit NYS Office of Historic Preservation website at [nysparks.com/shop/online-tools](http://nysparks.com/shop/online-tools).
- Other permits from DEC or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and therefore, the applicant should verify the need for permits if the project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified.

**19.** The applicant shall comply with all applicable and pertinent conditions of all previous Board Decisions: ACABOR #20-50: Approved as Presented, dated October 1, 2020; ZBA #20-27, Variances Approved, dated July 1, 2020 and PB #19-68, Preliminary Site Plan Approval Subject to Conditions, dated October 7, 2019.

**20.** The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plans and Board Decisions prior to signing the final plans.

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

**22.** 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.

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**PB#21-04: Camp Shanks Homes for Hero's Site Plan  
Final Site Plan Approval Subject  
to Conditions and a Conditional Use Permit  
Neg. Dec.**

**Permit #49045**

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- 23.** If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, 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 (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification 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 (applicant's engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicant's engineer'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. Federal 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.
- 27.** The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
- 28. 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.

OFFICE

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TOWN OF ORANGETOWN

**PB#21-04: Camp Shanks Homes for Hero's Site Plan      Permit #49045**  
**Final Site Plan Approval Subject**  
**to Conditions and a Conditional Use Permit**  
**Neg. Dec.**

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**Continuation of Condition #28...**

- 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.
29. 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.
30. 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.

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Override

The Board made a motion to override Condition 2 of the January 4, 2020 letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, for the following reasons:

- #2. An updated review must be completed by the Rockland County Highway Department. In addition, the applicant must comply with the conditions of its September 26, 2019.

The Board held that the applicant has complied with the conditions of the September 26, 2019 letter.

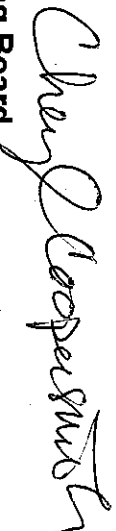
A motion to override the condition was made and moved by Bruce Bond and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, absent; William Young- Vice Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Bruce Bond, aye; Robert Dell, aye; Stephen Sweeney, absent, and Michael McCrory, aye.

The foregoing Resolution was made and moved by Bruce Bond and seconded by Michael Mandel and carried as follows: Thomas Warren, Chairman, absent; William Young, Vice Chairman, aye; Bruce Bond, aye; Michael Mandel, aye; Robert Dell, aye; Michael McCrory, aye and Stephen Sweeney, 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: January 13, 2021

Cheryl Coopersmith  
Town of Orangetown Planning Board



OFFICE  
TOWN CLERK  
JAN 13 2021 9:11 AM  
ORANGETOWN