

TOWN OF ORANGETOWN PLANNING BOARD
Virtual Meeting of Wednesday, December 9, 2020

MEMBERS PRESENT:

| | |
|-------------------------|------------------------------|
| Thomas Warren, Chairman | William Young, Vice-Chairman |
| Michael Mandel | Michael McCrory |
| 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.

| | | |
|-------------------------------|---------------------------------------|------------------|
| 814 Route 9W Site Plan | Final Site Plan | PB #20-51 |
| Final Site Plan | Approval Subject to Conditions | |
| Critical Environmental Area | | |

814 Route 9W, Upper Grandview
75.05/1/5; R-22 zoning district

| | | |
|--|---------------------------------------|------------------|
| Hawks View Site Plan – Lot 22.1 | Final Site Plan | PB #20-52 |
| Critical Environmental Area | Approval Subject to Conditions | |
| Final Site Plan Review | | |

296 South Blvd. Upper Grandview
71.05/1/22.1; R-15 zoning district

| | | |
|--------------------------------------|------------------------------|------------------|
| Lander Minor Subdivision Plan | Final Approval | PB #20-53 |
| Final Subdivision Plan | Subject to Conditions | |
| 1 Duryea Place, Nanuet | | |

63.19/1/5; R-22 zoning district

| | | |
|--|---------------------------------------|-----------------|
| Skae Rear Expansion – Pole Barn Site Plan | Final Site Plan | PB#20-54 |
| Final Site Plan Review | Approval Subject to Conditions | |
| 337-339 Blaisdell Road, Orangeburg | | |

76.08/1/4; LIO zoning district

| | | |
|------------------------------------|---------------------------------------|-----------------|
| Griffin Site Plan Amendment | Final Site Plan Amendment | PB#20-55 |
| Prepreliminary/ Preliminary/ | Approval Subject to Conditions | |
| Final Site Plan and SEQRA Review | | |

27 Sunrise Lane, Pearl River
69.18/3/43.1; R-15 zoning district

| | | |
|---------------------------------|-----------------------------------|-----------------|
| Sansone Subdivision Plan | Continued: Show | PB#20-56 |
| Prepreliminary/ Preliminary/ | driveways, trees, proposed | |
| Final Subdivision Plan | house footprints, etc. | |
| and SEQRA Review | | |

483 Kings Highway, Sparkill
74.20/3/5; RG zoning district

2020 DEC 9 5:27 PM
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2020 DEC 9 10:30 AM

Continued item from the October 14, 2020 Meeting:

Dominican College Athletic Complex Site Plan

PB#20-57

Prepreliminary/ Preliminary/

Final Site Plan and SEQRA Review

Postponed

470 Western Highway, Orangeburg

74.06/1/1.1 & 1.3; R-40 zoning district

Lane Site Plan

PB #20-38

Prepreliminary/ Preliminary/

Final Site Plan and SEQRA Review

Final Site Plan
Approval Subject
to Conditions

125 Park Avenue, Palisades

77.20/2/7/6; R-15 zoning district

Neg. Dec.

Other Business:

The Board reviewed and **Approved the 2021 Fee Schedule**
for **Brooker Engineering**, the Planning Board Drainage Consultant.

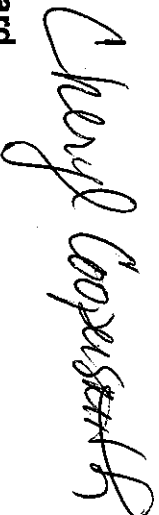
The decisions of the November 19, 2020 Planning Board Meeting were reviewed, edited, and approved. The motion for adoption was made and moved by William Young - Vice-Chairman and seconded by Michael Mandel and carried as follows: Thomas Warren – Chairman, aye; William Young - Vice-Chairman, aye; Michael Mandel, aye; Stephen Sweeney, aye; Robert Dell, aye; Michael McCrory, aye; Bruce Bond, abstain 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 10:45 p.m. The next Planning Board meeting is scheduled for January 13, 2021.

DATED: December 9, 2020

Cheryl Coopersmith

Town of Orangetown Planning Board



301110 S.MR70 MA01

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MM013GNVRO 30 MA01

PB #20-51: 814 Route 9W Site Plan

Permit #49304

Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA

Town of Orangetown Planning Board Decision
December 9, 2020
Page 1 of 9

TO: Jorel Vaccaro, P.E., Krypton Engineering, 527 West 48th Street,
ground Floor, New York, New York 10036
FROM: Orangetown Planning Board

RE: 814 Route 9W Site Plan – Critical Environmental Area: The application of Jorel Vaccaro, applicant, for Aladar Gyimesi, owner, for Final Site Plan Review of Septic System Replacement and driveway improvements at a site to be known “814 Route 9W Site Plan”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 814 Route 9W, Nyack, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 75.05, Block 1, Lot 5; in the R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a virtual meeting held **December 9, 2020** at which time the Board made the following determinations:

Jorel Vaccaro 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 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 Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated October 20, 2020.
4. Notice from Rockland County Environmental Resource signed by Allan Beers, dated November 12, 2020.
5. Building Permit Referral to the Planning Board dated September 11, 2019 prepared by Rick Oliver, Building Inspector.
6. Site Plans prepared by Krypton Engineering, dated August 19, 2019, last revised October 1, 2020:
 - C-001.00: Notes
 - C-100: Site Plan
 - C-200: Septic Details
 - C-210: Retaining Wall Details
 - C-400.00: Erosion Control

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PB #2019-11: 814 Route 9W Site Plan

Permit #49304

Critical Environmental Area

Final Site Plan Approval Subject to Conditions

Reaffirmation of SEQRA

Town of Orangetown Planning Board Decision

December 9, 2020

Page 2 of 9

7. Copies of the following Board Decisions: ACABOR #20-38, Approved as Presented, dated September 3, 2020; ZBA#20-14, Driveway Grade Variance Approved, dated February 19, 2020 and PB#19-75, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated November 13, 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 Michael Mandel and second by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Michael Mandel, aye; Robert Dell, aye; Stephen Sweeney, aye, Bruce Bond, abstain; Andrew Andrews, aye and Michael McCrory, aye.

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.

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 Krypton Engineering 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 Department of Health, Rockland County Sewer District #1, New York State Department of Environmental Conservation, and having reviewed the drawings presented by the applicant's professional consultant; Krypton 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;

**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

Town of Orangetown Planning Board Decision

December 9, 2020

Page 3 of 9

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

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**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

Town of Orangetown Planning Board Decision

December 9, 2020

Page 4 of 9

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. The applicant shall comply with all pertinent and applicable conditions of previous Board decisions: ACABOR #20-38, Approved as Presented, dated September 3, 2020; ZBA#20-14, Driveway Grade Variance Approved, dated February 19, 2020 and PB#19-75, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated November 13, 2019.
5. 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.
6. A profile for the proposed driveway entrance shall be added to the plans. The driveway design, at the entrance onto South Boulevard shall be designed to show a 3% grade for the first 50 linear feet "into" the driveway.
7. The connection (piping, details, etc.) of the proposed driveway trench train to "municipal storm drain" shall be added to the plan. Also, Route 9W is a New York State Department of Transportation (NYSDOT) road and therefore any drainage system along it is State owned, not municipal owned. The note about municipally owned drainage shall be revised as such.
8. The soil erosion and sediment control symbols shall conform to NYSDEC standards.

9. Drainage Review Recommendation – Brooker Engineering

The Drainage Consultant to the Planning Board, Brooker Engineering has reviewed the submitted information and found that sufficient information has been provided with respect to mitigation for potential significant impact with respect to drainage. Brooker Engineering therefore recommends that the 814 Route 9W Site Plan be approved for drainage subject to the following Project Comments:

523 V 22 NOV 2020

PROJECTED VARIOUS COMMENTS

**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

Town of Orangetown Planning Board Decision

December 9, 2020

Page 5 of 9

Continuation of Condition #9...

Project Description

This is the first drainage review report for this application. The property is located at 814 Route 9W, which is on the west side of Route 9W, about 3,500 feet south of the intersection of Station Lane. The proposed land disturbance consists of the installation of a new septic system along a plateau south of the residence and the reconfiguration of the driveway entrance to Route 9W.

The property slopes downhill to the east, towards Route 9W. The land disturbance required for the new septic system provides no new additional impervious area and does not change any drainage patterns. The driveway reconfiguration provides a flatter area at the driveway apron entrance at Route 9W. 145 square feet of new impervious area is being added as a result of the longer driveway. This is below the threshold used to require post construction stormwater mitigation.

Project Comments

1. Show the outlet pipe of the new trench drain along the new driveway entrance at Route 9W. Add rim and invert elevations of the trench drain on the Site Plan.
2. Show the connection point of the new storm drain pipe for the trench drain to the existing storm drainage system.
3. Show the outlet points for the new underdrains located behind the new retaining walls.
4. Show the proposed inverts of the septic tank, pump tank, and leaching field of the new septic system on the detail sheet (Drawing C-200). Show proposed contours for the finished grade elevations of the septic leaching bed system on the Site Plan. Show elevations along the width of the absorption bed.

10. Bureau of Fire Prevention reviewed the information and offered the following comments:
 - The driveway grade above 10% may affect fire access from Route 9W.
 - Can the driveway be increased to 12 feet in width at a minimum from the top to the bottom?

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

- A review must be completed by the New York State Department of Transportation, any comments or concerns addressed and required permits obtained.

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**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

Town of Orangetown Planning Board Decision

December 9, 2020

Page 6 of 9

Continuation of Condition #11...

- A review must be done by the Rockland County Department of Health, any comments or concerns addressed and required permits obtained.
- A review must be completed by the New York State Department of Environmental Conservation, and any permits obtained.
- The Village of Grand View-on-Hudson and Piermont are two of the reasons this proposal was referred to the Rockland County Department of Planning for review. The municipal boundary of Grand View-on-Hudson is approximately 300 feet east of the site while the municipal boundary of Piermont is approximately 375 feet south of the subject site. New York State General Municipal Law states that the purposes of Section 239-l, 239-m and 239n shall be to bring pertinent inter-community and county-wide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and countywide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-n was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner which is supportive of the goals and objectives of the general area. The Villages of Grand View-on-Hudson and Piermont must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impacts the Villages of Grand View-on-Hudson and Piermont must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.
- It must be clarified if there an easement over tax parcel 75.05-1-2 (the parcel to the north) for the end of the driveway. Due to the fact that the driveway, block wall, fencing, and kennel encroach over the parcel boundary, an easement needs to be in place or the features that extend over the property line must be removed.
- 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.

OFFICE SUPERVISOR

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**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 7 of 9**

Continuation of Condition #11...

- There shall be no net increase in the peak rate of discharge from the site at all design points.
- Retaining walls that are over four (4) feet in vertical height shall be designed by a licensed New York State Professional Engineer and be in compliance with the NYS Fire Prevention and Building Code. Design plans shall be signed and sealed by the licensed NYS PE.
- The Site Plan shall include map notes that list all appropriate information, including district details.

12. 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.

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

14. 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.

15. 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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**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

Town of Orangetown Planning Board Decision

December 9, 2020

Page 8 of 9

Continuation of Condition #15...

- 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.

16. 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.

17. 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.

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

19. 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).

**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEORA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 9 of 9**

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

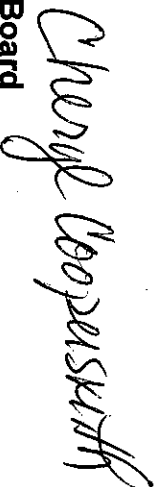
21. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

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

The foregoing Resolution was made and moved by Michael Mandel and second by William Young- Vice Chairman and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Michael Mandel, aye; Bruce Bond, abstain; Robert Dell, aye; Stephen Sweeney, aye, Andrew Andrews, aye and Michael McCroly, 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: December 9, 2020
Cheryl Coopersmith
Town of Orangetown Planning Board



**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

Town of Orangetown Planning Board Decision

December 9, 2020

Page 1 of 10

TO: Sean Keenan, 24 Water Edge, Congers, New York 10920
FROM: Orangetown Planning Board

RE: Hawks View Subdivision – Lot 22.1: The application of SMK Homes Builders, Inc., owner, for Final Site Plan Review, in the Critical Environmental Area, at a site known as “**Hawks View Subdivision – Lot 22.1**”, 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 in the Hawks View Subdivision, 296 South Boulevard, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.05, Block 1, Lot 22.1 in the R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a virtual meeting held **Wednesday, December 9, 2020**, the Board made the following determinations:

Sean Keenan and Jay Greenwell 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, AIA, 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. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated December 3, 2020.
5. A letter from the Rockland County Highway Department, signed by Dyan Rajasingham, P.E., dated November 13, 2020.
6. A copy of a letter to Jay Greenwell from the Rockland County Department of Health, Elizabeth Mello, PE., dated August 18, 2020.
7. An email from Christina Pacella, New York State Department of Environmental Conservation, dated November 12, 2020, with attachments dated December 7, 2020 email from Jay Greenwell to Christina Pacella, NYSDEC, a letter to Jay Greenwell from Katherine Coffin, NYSDEC dated July 27, 2016 and July 22, 2016.
8. Email from Sean Keenan, property owner, dated December 7, 2020.
9. Site Plan prepared by Jay Greenwell, PLS, dated May 13, 2020, last revised November 3, 2020.
10. Landscape Plan prepared by Steven Griggs Design.
11. Building Permit Referral dated August 13, 2020 signed by Rick Oliver, Building Inspector.

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**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 2 of 10**

12. A copy of ACABOR #20-55, Approved as Presented, dated November 5, 2020 and PB#20-39, Preliminary Site Plan Approval Subject to Conditions, dated October 14, 2020.

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 seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Bruce Bond, abstain; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, aye, and Mike McCrory, aye

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.

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 Jay Greenwell, PLS, 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: Rockland County Highway Department, Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Sewer District No. 1, and having reviewed proposed Site Plan by prepared by Jay Greenwell, PLS, 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;

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**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 3 of 10
Reaffirmation of SEQRA**

- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Michael Mandel and seconded by William Young- Vice Chairman and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Bruce Bond, abstain; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, aye, and Mike McCrory 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".
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.

CE111130 S.882713 MM01

92 5 V 22 NOV 1202

1100130NVR00 30 MM01

**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 4 of 10**

3. The applicant shall comply with all applicable and pertinent condition of previous Board Decisions: ACABOR #20-55, Approved as Presented, dated November 5, 2020 and PB#20-39, Preliminary Site Plan Approval Subject to Conditions, dated October 14, 2020.

4. 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.

5. 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 Drainage Consultant, therefore recommends that the Hawks View Site Plan for Lot 22.1 be approved for drainage subject to the following Project Comments.

Project Description

This is the second drainage review report for this project; the consultant previously reviewed this project for drainage in its October 6, 2020 report and approved the Hawks View Subdivision for drainage in its February 1, 2017 letter.

The property is located on South Boulevard and is the northern most lot of the subdivision. There is a north/south ridge along the east property line; portions of stormwater runoff flow east to the steep slope hillside and the remainder of the stormwater runoff flows west towards South Boulevard.

Three drywells were provided for this lot in the original subdivision approval based on 3,455 square feet of impervious area. The current site plan shows 5,540 square feet of impervious area, which is largely due to an increased building footprint. The number of drywells required for stormwater mitigation has increased from three to five for this Site Plan submission. The locations of the drywells approximate the existing conditions drainage pattern with no substantial change in discharge locations.

Project Comments

1. As per the October 6, 2020 letter, add the roof ridge line to the Site Plan and show the roof leader downspouts. Show which portions of the roof are going to each drywell gallery.

5011310 S.MR370 MM01

975 V 22 MAR 1702

090130MVAR0 JO MM01

**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 6 of 10**

7. The Rockland County Highway Department review the submitted information and provided the following comments:
1. The strip of area as noted in the site plan shall be dedicated to the County of Rockland for inclusion in the highway system prior to applying for a road work permit, if it is approved by the Town.
 2. A right of way permit shall be obtained from the Rockland County Highway Department before starting any construction activities in the site.
8. The New York State Department of Environmental Conservation (DEC) indicated that based upon its review of the circulated documents, NYSDEC offered the following comments:
- **Protection of Waters:** There are no waterbodies that appear on the regulatory maps at the project site you identified. Therefore, if there is a stream or pond outlet present at the site with year-round flow, it assures the classification of the water course into which it feeds and a Protection of Water permit may be required. If there is a stream or pond outlet present at the site that runs intermittently (seasonally), it is not protected, and a Protection of Waters permit is not be required. If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or water body. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.
 - **Freshwater Wetlands:** The identified property is not within a New York State protected Freshwater Wetlands.
 - **Water Quality Certification:** If the United States Army Corps of Engineers (ACOE) requires a permit for work completed in or impacting a federal wetlands or waters of the U.S., you will need a Section 401 Water Quality Certification from the Department.
 - **State – Listed Species:** NYSDEC has reviewed the State's Natural Heritage records. No records of sensitive resources were identified by this review. The absence of data does not necessarily mean that other rare or state-listed species, natural communities or significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources. 92 b V 22 NYF 107

**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

Town of Orangetown Planning Board Decision

December 9, 2020

Page 7 of 10

Continuation of Condition #8...

- **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.
- **State Pollutant Discharge Elimination System (SPDES):** According to the provided project plans titled "296 South boulevard Hawks View Estates" prepared by Jay A. Greenwell, PLS, and dated May 13, 2020 (Project Plans), the proposed dwelling will be served by a 1,000-gallon septic tank and a 1,250-gallon septic tank. Please note, sewage effluent discharges of 1,000 gallons per day (gpd) or greater to groundwater are regulated under Article 17, Titles 7 and 8 of the Environmental Conservation Law (ECL) and require a SPDES permit.
- **Water Withdrawal:** According to the Project Plans, the proposed project will be served by a new water supply well. Please note that an Article 15 Water Withdrawal permit may be required to undertake activities pursuant to 6 NYCRR 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 (6 NYCRR Part 601.6c).
- **Environmental Remediation:** This site includes areas subject to remediation under the State Superfund Program. All development of these lands must be in compliance with any specific orders, decision documents, and easements associated with the clean-up program.
- **Coastal Management Zone:** The project site is located within the Coastal Management Zone. If the Department had individual permit approvals for this project, the department would review it in accordance with Coastal Management Program requirements. For additional information contact the Coastal Management Zone at NYS Department of State.

- 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.

92-6 V 22 NPT 1007

ENCLOSURE 30 NAD1

9. The Rockland County Department of Health, Center for Environmental Health has approved the individual sewage disposal system plans submitted for review for the referenced site. The design basis for this approval is as follows: 440 gpd based on 4 bedrooms @110 gpd each. This approval is subject to the following conditions:
1. THAT the proposed facilities be installed in conformity with said plans.
 2. THAT the Rockland County Department of Health, Center for Environmental Health be contacted to inspect the bottom of the field excavation and the completed project prior to placement of the select fill and prior to the system elements being covered over.
 3. THAT individual sewage treatment systems be no longer constructed or used for household, domestic use when public facilities become available. Connection to the public sewage system is required within one year of the system becoming available.
 4. THAT plan approval is limited to 5 years. Time extensions for approval may be granted by the Rockland County Department of Health based upon development facts and regulations in effect at that time. A new plan submission may be required to obtain a time extension.
 5. THAT all local and state agency rules and regulations be complied with.
10. 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.
11. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.
12. **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:

**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

Town of Orangetown Planning Board Decision

December 9, 2020

Page 9 of 10

Continuation of Condition #12...

- 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.

13. 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.

14. 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.

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

16. 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).

OFFICE SUPERVISOR

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**Critical Environmental Area
Final Site Plan Approval Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 10 of 10**

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

18. 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

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

20. 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.

Overrides

The Board made a motion to override Condition # 9 of the December 2, 2020 letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, for the following reasons:

#9. The site plan is difficult to read as provided. Separate sheets should be provided for the utility and grading plans.

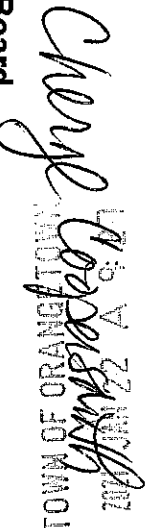
The Board held that other agencies and Boards did not have a problem reading the plans and held that the plans were sufficient.

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

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; Bruce Bond, abstain; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, aye, and Mike McCrory.

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: December 9, 2020
Cheryl Coopersmith
Town of Orangetown Planning Board


TOWN OF ORANGETOWN
NOV 30 2020

**PB #20-53: Lander Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 1 of 10**

TO: William Helmke, 97 Duryea Lane, Nanuet, New York 10980
FROM: Orangetown Planning Board

RE: Lander Minor Subdivision: The application of Patricia Slade Lander, owner, for Final Subdivision Plan Review at a site to be known as "Lander Minor Subdivision", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located at 1 Duryea Place, Nanuet, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 63.19, Block 1, Lot 5; in the R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a virtual meeting held **Wednesday, December 9, 2020**, the Board made the following determinations:

William Helmke and Donald Brenner appeared and testified before the Board. 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, RA, AIA, 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 9, 2020.
4. An Interdepartmental memorandum from the Office of Recreation and Parks, Town of Orangetown, signed by Aric Gorton, Superintendent of Parks, Recreation and Building Maintenance, dated December 9, 2020.
5. A letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated November 10, 2020.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated December 2, 2020.
7. A letter from the Town of Clarkstown Planning Board, dated December 12, 2019, signed by Gilbert Heim, Chairman.
8. Copies of the following Board Decisions: ACABOR #20-53, Approved as Presented, dated October 15, 2020 and PB #20-04, Preliminary Subdivision Approval Subject to Conditions, dated June 24, 2020.

331130 S.MR370 MM01

L26 V 22 NTF 17M

MM0130NVR00 30 MM01

**PB #20-53: Lander Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 2 of 10**

9. Subdivision Plans prepared by Robert Sorace, PLS, dated October 4, 2019, last revised September 2, 2020.

The Board reviewed the plan. The meeting was open to the public.

Public Comments:

Hormis Thekkekunel, 3 Duryea Place, noted that there is a gap between a line of trees along the property line which he would like the applicant to fill in with additional trees.

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

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.

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 Robert Sorace, PLS and Paul Gdanski, PE, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Sewer District No. 1, Rockland County Department of Planning, and having reviewed a proposed Subdivision plan by prepared by Robert Sorace, PLS, summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

OFFICE SUPERVISOR

12:56 PM 12/9/20

ORANGETOWN

**PB #20-53: Lander Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 3 of 10**

- 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 seconded by William Young, Vice-Chairman and carried as follows: Thomas Warren – Chairman, aye; William Young, Vice-Chairman, aye; Michael Mandel, aye; Michael McCrory, aye; Stephen Sweeney, aye; Bruce Bond, abstain; Andrew Andrews, aye, and Robert Dell, 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 Subdivision Plan Approval Subject to the Following Conditions:**

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

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TOWN OF ORANGETOWN
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**PB #20-53: Lander Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

Town of Orangetown Planning Board Decision

December 9, 2020

Page 4 of 10

2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall comply with all previous pertinent and applicable conditions of all Board Decisions: ACABOR #20-53, Approved as Presented, dated October 15, 2020 and PB#20-04, Preliminary Subdivision Approval Subject to Conditions, dated June 24, 2020.
4. A building permit application is required to be submitted and ACABOR approval of the proposed dwelling is required prior to development of Lot #2.
5. 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 and the Final Site Plan is stamped by the Chief Clerk to the Board and filed at the Rockland County Clerk's Office.
6. The applicant is reminded that the existing home on Lot #1 (if it is connected to the public sanitary sewer system, and the proposed Lot #2 "tie or will tie" into the Rockland County Sewer District #1 system. Therefore, the applicant must get a recommendation from DEME and approvals from the Town of Orangetown Town Board, and the Rockland County Board of Sewer Commissioners to qualify for "Out of District" sewer use status, from RCSD #1. Copies of all correspondence related to this issue shall be submitted to DEME.
7. The referenced datum, as noted in Condition #9 of PB#20-04, shall be labeled on the plans with its elevations. (Condition #9, PB#20-04: A profile for the proposed sanitary house connection shall be added to the drawings.)
8. The Town of Orangetown Parks and Recreation Department recommends, pursuant to Orangetown Zoning Code Section 21-20E., that the Planning Board waive the requirement for the Reservation of Parkland and condition approval on the **payment of \$9,000.00 in Lieu of Parkland.**
9. **Drainage Review Recommendation – Brooker Engineering**
The Planning Board Drainage Consultant, Brooker Engineering found that the proposed application provides the required information that demonstrates potential impacts with respect to drainage can be mitigated. The Drainage Consultant recommends that Lander Subdivision be approved for drainage subject to the following conditions.

301440 S.MB3710 MM01

67 6 V 22 MW 107

MM013GNVRO 30 MM01

**PB #20-53: Lander Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 5 of 10**

Continuation of Condition #9...

Project Description

This is the third drainage review report for this application; the last review was dated June 21, 2020. The property is located at 1 Duryea Lane, on the east side of the road, north of Bradl Lane.

There is a single-family residential structure located on the northwestern corner of the lot. The land slopes downhill to the east. Proposed grading and drainage facilities for the new home and driveway have been added to the Subdivision Plans. Five six feet diameter drywells have been added to the drainage system to provide mitigation of stormwater increases of stormwater runoff.

Project Comments

1. Coordinate the dimensions of the swale shown in the "Swale X-Sec Detail" with the grading shown on the Grading Plan in front of the proposed dwelling. The detail shows side slopes of 1H:1.5V (or steeper); this is not practical for a swale in front of the proposed dwelling and does not match the proposed contours.
2. Add the macadam curb to the "Typical Driveway Pavement Detail".
3. As per the June 21, 2020 review letter, show the overall depth of drywell on the Seepage Pit System Detail. Update the detail for the new five drywell configuration.
4. As per the June 21, 2020 review letter, soil percolation data shall be provided to support the assumed perc rate and verify separation of the drywell system invert to the groundwater table. Remove the map note from the "3 Seepage Pit System Detail", "Contractor shall be responsible for determining seasonal high-water table." The design engineer or a testing company shall be responsible for determining the seasonal high-water table.

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

- As required by the County of Rockland Drainage Agency, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
- An updated review must be completed by the Rockland County Department of Health. In addition, should a stormwater management system be required, application is to be made to them to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- An updated review must be completed by the Rockland County Sewer District No. 1. In addition, the applicant must comply with the comments made in their letter of January 8, 2020.

301140 SANITARY MD01

62 & V 22 REV 102

301140 SANITARY MD01

**PB #20-53: Lander Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 6 of 10**

Continuation of Condition #10...

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

11. The Town of Clarkstown Planning Board reviewed the proposed subdivision plan and found that the Board deemed the mater for local determination.

12. Based on the information provided, the Rockland County Health Department offered the following comments:

- Records indicate that there is an existing well on the property. Location of the well is to be provided on the plans.
- Should the Board require a stormwater management system, application is to be made to RCDOH for review of the storm water management system for compliance with the County Mosquito Code.

13. Rockland County Sewer District #1 (District) revised the submitted information and offered the following comments:

(1). An easement, granted by Margaret Luschak, for a District sewer that runs through Tax Lot 63.07-2-39 extends onto the subject property and was recorded by the County Clerk on December 13, 1972 in Liber 920 Page 381.

- a. No permanent structures may be built within the Sewer District easement.
- b. If any foundation work or other types of major excavation work is to be done within close proximity to the easement boundary, the District must be notified forty-eight (48) hours in advance. Shoring or other types of precautions may be needed to protect the sewer main. The property owner must also pay these expenses.
- c. To prevent any damage from occurring to the existing main, the District must be notified when the land within the easement is to be modified. This includes but is not limited to regrading, raising or lowering of manhole frames, or working in close proximity to sewers and manholes within the easement. The District must approve any construction to be done with its easement.

301110 S.KR370 MM01

62 4 V 22 NOV 1702

MM0139NV90 30 MM01

**PB #20-53: Lander Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

Town of Orangetown Planning Board Decision

December 9, 2020

Page 7 of 10

Continuation of Condition #13...

- d. Contractors must obtain required insurance and sign a waiver to defend, indemnify, save and hold harmless both the County of Rockland and Rockland County Sewer District No. 1 from any claims arising from work performed within its easements.
- (2). According to the 2019 Tax Roll, the existing two-story dwelling on Lot #1 is connected to the Rockland County Sewer District No. 1 sewer system. If the applicant cannot connect Lot #2 to an Orangetown sewer and proposed to connect 1 to the District's sewer in the easement, or to the Clarkstown seer on Duryea Lane and Highland Avenue, the property owner must apply for an "Out of District" hookup. A permit application must be submitted to the Executive Director, which must be supplemented by any plans, specifications, insurance, indemnification, or other information considered pertinent in the judgement of the Executive Director. Each application must be accompanied by the following:
 - a. A resolution from the Town of Orangetown Town Board approving the hookup of the sewer from Lot #2 to the Rockland County Sewer District No. 1 sewer system.
 - b. A resolution from the District's Board of Commissioners approving the hookup of the sewer from Lot #2 to the Districts sewer system. The applicant must request the out-of-District connection and the resolution in writing.
 - c. An out-of-District connection fee of three thousand seven hundred dollars (\$3,700.00) per connected unity, which must be paid within thirty (30) days of the Board of Sewer Commissioners' approval of the connection.
 - d. The annual sewer use fee for operations and maintenance, which must be paid within ten (10) days of service becoming available and pro-rated as of that date.
 - e. The area benefit fee, which commences on the date of the Board of Sewer Commissioners' approval of the connection. Area benefit is calculated by an annual tax rate per one hundred dollars (\$100.00) of assessed value. This fee must be paid before release of approval.
 - f. An executed copy of a covenant agreeing to abide by the rules, laws and regulations of the District and its Law, as it may be amended, including the payment of annual sewer use fees and annual area benefit fees. This covenant must be:
 - i. In recordable form, including all prior mortgages or other encumbrances,
 - ii. Accompanied by requisite fees for recording as set forth by the County Clerk,
 - iii. Accompanied by an up-to-date Title Report and paid policy of Title Insurance,
 - iv. Acknowledged by owner of the land, and
 - v. Accompanied by a complete site survey and property description.

301110 S.M373 MM01

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MM0130NV20 30 MM01

**PB #20-53: Lander Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 8 of 10**

Continuation of Condition #13...

- (3). If the use or occupancy of the property exceeds one (1) unit (e.g. with an additional dwelling unit or home occupation), the District will require further review and the owner will have to pay an additional out-of-District fee.
- (4). Out-of-District connections require approval from the Rockland County Department of Health. A copy of the approval documents must be submitted to the District.
- (5). Out-of-District connections also currently require prior approval from the New York State Department of Environmental Conservation.
- (6). All permits, fees and inspections associated with sanitary sewer connections to the 16-inch sewer main in the easements are the responsibility of the District. A hookup permit must be obtained from the District prior to starting the sewage portion of this job. This will require approval of the details for connecting to the existing sewers, submittal of the County Planning Information Certification, and all necessary insurance, bonds, indemnification and permit fees.
- (7). Details for sanitary sewer connection must comply with the District's construction standards and shall be shown on the plans.
- (8). Details for the sanitary sewer connection beyond the District's sewer main are subject to approval by the Town of Orangetown.
14. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plats prior to signing the final plans.
15. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision 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 §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.

301440 S.MR370 MM01

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**PB #20-53: Lander Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 9 of 10**

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

- One (1) foot radius from trunk per inch DBH
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¼ inch of plywood or boards, or equal over the area to be protected.
- The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

18. All landscaping shown on the subdivision plan shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

19. 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.

CLERK'S OFFICE

DEC 9 2 22 AM '20

TOWN OF ORANGETOWN

**PB #20-53: Lander Minor Subdivision
Final Subdivision Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 10 of 10**

20. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
21. If the applicant, during the course of construction 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).
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 with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications
24. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

The foregoing Resolution was made and moved by Michael Mandel and seconded by William Young, Vice-Chairman and carried as follows:
Thomas Warren – Chairman, aye; William Young, Vice-Chairman, aye; Michael Mandel, aye; Michael McCrory, aye; Stephen Sweeney, aye; Bruce Bond, abstain; Andrew Andrews, aye and Robert Dell, 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: December 9, 2020
Cheryl Coopersmith
Town of Orangetown Planning Board**



OFFICE
TOWN CLERK
15 S. V. 27 NOV 1702
ORANGETOWN
FLORIDA

PB#20-54: Skae Site Plan

Permit #447781

Building Expansion

Final Site Plan Approval

Subject to Conditions

Reaffirmation of SEQRA

Town of Orangetown Planning Board Decision

December 9, 2020

Page 1 of 10

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

RE: Skae Site Plan – Building Expansion. The application of Peter Skae, LLC, owner, for Final Site Plan Approval, at a site known as “**Skae Site Plan – Building Expansion Plan**” in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 337-339 Blaisdell Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 76.08, Block 1, Lot 4 in the L10 zoning district.

Heard by the Planning Board of the Town of Orangetown at a virtual meeting held **Wednesday, December 9, 2020** at which time the Board made the following determinations:

Donald Brenner and Peter Skae 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., AIA, 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. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated November 6, 2020.
5. A notice from the Rockland County Highway Department signed by Dyan Rajasingham, Engineer III, dated October 30, 2020.
6. Copies of the following Board decisions: PB#18-35, Preliminary Site Plan Approval Subject to Conditions, dated September 12, 2018; PB#19-50, Amendment to PB#18-35, dated July 31, 2019, ZBA# 20-26, Side Yard and Total Side Yard Variances, dated June 3, 2020 and ACABOR #20-40, Approved with Conditions, dated September 17, 2020.

2020 DEC 10 10:37 AM

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2020 NOV 20 10:40 AM

**Building Expansion
Final Site Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 2 of 10**

7. Site Plans entitled "Pole Barn Addition for Skae Training" prepared by Sparaco & Youngblood PLLC dated April 24, 2019, last revised October 8, 2019:
 - 1 of 6: Site Plan
 - 2 of 6: Part Plans, Grading, Utilities, Erosion Control Plan
 - 3 of 6: Existing Conditions Plan
 - 4 of 6: Details
 - 5 of 6: Details, dated March 27, 2019
 - 6 of 6: Fire Truck Access Plan
8. Architectural Plans prepared by Kler Levesque, RA, dated June 26, 2020:
 - A-1: Floor Plan
 - A-2: First and Second Floor Plan
 - A-3: Elevations
 - A-4: Elevations
9. Building Permit Referral dated June 13, 2018, prepared by Rick Oliver, Building Inspector.

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

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.

OFFICE SECRETARY
12 9 V 22 W 1707
TOWN OF ORANGETOWN

**Building Expansion
Final Site Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 3 of 10**

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 Sparaco & Youngblood PLLC, 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 and Rockland County Health Department, a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by Michael Mandel and seconded by William Young, Vice-Chairman 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 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:**

12:54 PM '20
TOWN OF ORANGETOWN

PB#20-54: Skae Site Plan

Permit #47781

**Building Expansion
Final Site Plan Approval
Subject to Conditions
Reaffirmation of SEORA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 4 of 10**

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: "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 shall comply with all pertinent and applicable conditions of all previous Board Decisions: PB#18-35, Preliminary Site Plan Approval Subject to Conditions, dated September 12, 2018; PB#19-50, Amendment to PB#18-35, dated July 31, 2019, ZBA# 20-26, Side Yard and Total Side Yard Variances, dated June 3, 2020 and ACABOR #20-40, Approved with Conditions, dated September 17, 2020.
5. The applicant shall provide additional evergreen plantings to the eastern part of the property, extending in a southerly direction to the property line.
6. The Bulk Table must be revised to indicate the variances that were granted by the Town of Orangetown Zoning Board of Appeals.
7. 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 and the Final Site Plan is stamped by the Chief Clerk to the Board and filed at the Rockland County Clerk's Office.
8. Show the 15-inch HDPE overflow/ outlet pipe and rip rap exhaust area shall be shown on drawing 1 of 6.

PLANNING BOARD OFFICE

1535 V 22 HWY 122

ORANGETOWN, FL 32973

**PB#20-54: Skae Site Plan
Building Expansion
Final Site Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

Permit #47781

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 5 of 10**

9. The amended Post Construction – Stormwater Maintenance Agreement is needed – which includes the proposed subsurface detention system, outlet structure, catch basins, and piping, as per outlined in Condition #11 of PB#19-50: “The post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for this site shall be amended to include the proposed subsurface detention system, catch basin, and piping. The revised document shall be submitted to DEME and the Town of Orangetown Town Attorney’s office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contact person with telephone number, yearly report to be submitted to DEME, etc.”

10. Although listed in the table of contents, the Soil borings and perc tests are NOT in the drainage calculations supplied – dated April 23, 2019. This information shall be submitted.

11. In connection with PB#19-50, condition #10, noted as Condition #8 of this decision “Show the 15-inch HDPE overflow/ outlet pipe and rip rap exhaust area shall be shown on drawing 1 of 6.”, the proposed subsurface stormwater detention system shall also be shown on drawing 1 of 6.

12. The Stormtech cross-section, drawing 4 of 6, shall be updated to include/ show the design storm years analyzed (as detailed in the drainage calculations) with the corresponding elevation and storage capacity of the proposed subsurface water quantity system.

13. Silt fence is required and shall be shown around the proposed 15-inch HDPE overflow pipe/rip-rap exhaust, evergreen tree row planting berm, and along the northern property line – from where the silt fence currently ends – east to the property line, on drawing 2 of 6.

14. Drainage Review Recommendation – Brooker Engineering
Sufficient detail and drainage calculations have been provided to demonstrate that potential significant impacts with respect to drainage can be mitigated. Brooker Engineering, the Planning Board Drainage Consultant therefore recommends that the Skae Pole Barn Addition Site Plan be approved for drainage subject to the following Project Comments.

This is the third drainage review report for this project; the last review was dated July 30, 2019. Additionally, the drainage consultant previously performed a drainage review for the athletic training center building on the west side of the property. The current project consists of a new pole barn addition on the east side of the property. Access for this portion of the site is via a private drive off of Orangeburg Road. The proposed building and new parking lot is for an office and warehouse use. The two uses are independent and each has separate stormwater management facilities. There is a wetland between the two areas of land disturbance per each site plan application.

**PB#20-54: Skae Site Plan
Building Expansion
Final Site Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

Permit #47781

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 6 of 10**

Continuation of Condition #14...

Stormwater runoff flows downhill in a westerly direction through the site. Approximately 13,500 square feet of new impervious area is being added to the site. Stormwater detention is provided by 21 Stormtech 3500 chambers. An outlet structure is provided to regulate outflows and provide the stormwater routing. The outlet structure discharges to the wetlands on the property.

Project Comments

1. As per the July 30, 2020 and September 10, 2018 drainage review letter, the drainage narrative describes an off-site subarea but this is not included in the hydrologic model. Evaluate stormwater runoff from the east that enters the property and may be conveyed to the detention system.
 2. As per the July 30, 2020 and September 10, 2018 drainage review letter, provide a plan view detail of the detention system. Provide elevations of the isolator row and regular stormtech rows on the section.
 3. As per the July 30, 2020 and September 10, 2018 drainage review letter, provide the results of the test pits. Show the depth to groundwater on the detention system profile.
 4. As per the July 30, 2020 and September 10, 2018 drainage review letter, include the design and invert elevations of the manifold pipes in the detention basin section. If infiltration is not being used due to high groundwater, the elevated manifold pipes will not be able to dewater the sump in the detention pipes. An underdrain may be required.
 5. As per the July 30, 2020 and September 10, 2018 drainage review letter, if infiltration is not being used volume in the stone shall not be included in the detention storage routing calculations.
15. The Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
- An updated review must be completed by the Rockland County Department of Health, to ensure compliance with the County Mosquito Code.
 - Due to access to the site being provided through a residential neighborhood in New Jersey, a review should be completed by the Borough of Old Tappan Planning Board to assess the traffic impacts the proposed use will have on the Borough.

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**PB#20-54: Skae Site Plan
Building Expansion
Final Site Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

Permit #47781

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 7 of 10**

Continuation of Condition #15...

- Rockland County Department of Planning last reviewed this parcel for site plan review in February 26, 2020 for a variance application. At that time, the applicant was requesting a side yard variance for 33.5 feet to the accessory structure and 55. 8 feet to the pole bard addition. A variance was also requested to permit a total side yard of 89.3 feet. These measurements did not match what was provided on the bulk table on the site plan dated April 24, 2019, with a revision dated of October 8, 2019. This same site plan has now been provided. The site plan must be updated to provide a bulk table with the correct measurements and must indicate if, and when the variances reviewed in 2020 were granted.
- Prior to any grading or construction on the site, all soil and erosion control measures must be in place for the site. These measures must be 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.
- A lighting plan shall be provided that show fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- A landscaping plan shall be provided which has the proposed evergreen landscaping along the **southern** border of the neighboring residential area **extending to extreme south corner** to block the headlights of parked cars from shining into such properties, especially near the turnaround area in the **extreme** southern portion of the parking lot.

16. The Rockland County Department of Health (RCDOH) offered the following comment:

- Application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.

17. The Rockland County Highway Department offered the following comment:

- The proposed driveway configuration requires permanent access easements through private properties. The permanent easements shall be prepared and recorded in the Rockland County Clerk's Office prior to obtaining a road work permit from the Rockland County Highway Department

18. 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.

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PB#20-54: Skae Site Plan

Permit #47781

**Building Expansion
Final Site Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 8 of 10**

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

20. 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.

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

- a. No construction equipment shall be parked under the tree canopy.
 - b. There will be no excavation or stockpiling of earth underneath the trees.
 - c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.
 - d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from trunk per inch DBH
 - Drip line of the Tree Canopy.
- The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
- Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

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

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PB#20-54: Skae Site Plan

Permit #47781

**Building Expansion
Final Site Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 9 of 10**

22. 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.
23. 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.
24. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
25. 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).
26. 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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PB#20-54: Skae Site Plan

Permit #47781

**Building Expansion
Final Site Plan Approval
Subject to Conditions
Reaffirmation of SEQRA**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 10 of 10**

27. 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

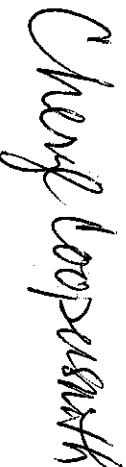
28. The Planning Board shall retain jurisdiction over lighting, landscaping, signs and refuse control.

29. In regard to the Landscaping Plan, the proposed evergreen plants on the eastern most side of the property shall be extended to continue all the way down to the property line. The Board requested that the applicant provide the plan to the Planning Board.

The foregoing Resolution was made and moved by Andrew Andrews and seconded by Michael Mandel and carried as follows: Thomas Warren – Chairman; aye, William Young, Vice-Chairman, aye; Michael Mandel, 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: December 9, 2020
Cheryl Coopersmith
Town of Orangetown Planning Board**



OFFICE
TOWN CLERK
JAN 22 AM 10:27
TOWN OF ORANGETOWN

**PB #20-55: Griffin Site Plan
(Kreiger Subdivision – Lot #1)
Amendment to Final Site Plan
Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 1 of 7**

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

RE: Griffin Site Plan: The application of Steven Griffin, owner, for an Amendment to the Final Site Plan Review (deck and retaining wall), at a site known as "**Griffin 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 27 Sunrise Lane, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.18, Block 3, Lot 43.1 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a virtual meeting held **Wednesday, December 9, 2020**, the Board made the following determinations:

Steven Griffin and Brian Quinn 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 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. An email from Michael Bettmann, Chief Fire Inspector, Town of Orangetown Bureau of Fire Prevention, dated November 10, 2020.
4. Letters from the Rockland County Highway Department, signed by Joseph Area, Senior Engineering Technician, dated November 20, 2020.
5. An email from Orange and Rockland Utilities, from Alfred Gaddi, P.E., Principal Engineer, dated December 1, 2020.
6. A Short Environmental Assessment Form, signed by Steven Griffin, dated November 11, 2020.
7. As Built Plan prepared by Robert Sorace, PLS and Paul Gdanski, P.E., dated June 12, 2020, last revised November 5, 2020.
8. Architectural Plan prepared by Luke Petrocelli, RA, titled "Existing Deck", dated October 12, 2020.
9. A Project Narrative dated October 19, 2020 prepared by the applicant.
10. A copy of PB#17-54, Final Site Plan Approval Subject to Conditions, dated October 11, 2017.

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**PB #20-55: Griffin Site Plan
(Kreiger Subdivision – Lot #1)
Amendment to Final Site Plan
Approval Subject to Conditions/ Neg. Dec.**

Permit #446504

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 3 of 7**

Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Rockland County Highway Department and having reviewed the drawings presented by Robert Sorace, PLS, a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion by 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 Board made a Negative Declaration pursuant to SEQRA.

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**PB #20-55: Griffin Site Plan
(Kreiger Subdivision – Lot #1)
Amendment to Final Site Plan
Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 4 of 7**

DECISION: In view of the foregoing and the testimony before the Board, the application was **Granted Amendment to the 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. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall comply with all pertinent and applicable conditions of previous Board Decisions: ACABOR #17-36, Approved Subject to Conditions, dated September 19, 2017; ZBA #17-53, Front Yard and Total Side Yard Variances Approved, dated September 18, 2017 and PB #17-45, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated September 13, 2017.
4. The driveway dimensions must be indicated on the plan. The previously approved driveway was 13'-0 wide and the as-builts appears to be 14'-0 and the turn around area appears to be larger. The applicant must confirm that the drywell system that was installed can handle the additional impervious area.
5. The architectural drawings for the deck indicated a deck width of 31'-6" and the as-built survey indicates 32'-0", please note which is correct. The drawings must be coordinated and updated.

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TOWN OF ORANGETOWN

**PB #20-55: Griffin Site Plan
(Kreiger Subdivision – Lot #1)
Amendment to Final Site Plan
Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 5 of 7**

6. Orange and Rockland Utilities reviewed the plan and had the following comment: The homeowners is installing or replacing a deck in the back. Please confirm. Based on its maps, the gas service begins on the left side of the house, crosses the front, and enters on the right front side.
7. 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.
8. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.
9. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and/or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21A-9. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Site Plan Approval pursuant to Town Code §21A-4.
10. The applicant shall comply with all previous and pertinent conditions of all prior Board Decisions.
11. **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 preserve 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:

TOWN CLERK'S OFFICE

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Continuation of Condition #11...

- 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.

12. 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.
13. 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.
14. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.

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MANAGEMENT

**PB #20-55: Griffin Site Plan
(Kreiger Subdivision – Lot #1)
Amendment to Final Site Plan
Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 7 of 7**

15. 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).

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

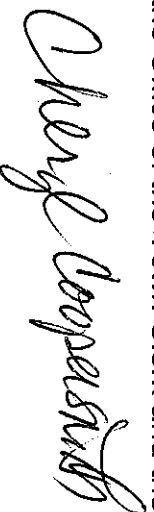
17. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction plans and the Town Street Specifications

18. 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 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 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: December 9, 2020
Cheryl Coopersmith
Town of Orangetown Planning Board**



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

Permit #46504

**PB #20-55: Griffin Site Plan
(Kreiger Subdivision – Lot #1)
Amendment to Final Site Plan
Approval Subject to Conditions/ Neg. Dec.**

**Town of Orangetown Planning Board Decision
December 9, 2020**

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: Griffin Site Plan (Kreiger Subdivision – Lot #1)
Amendment to Final Site Plan Approval**

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

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 27 Sunrise Lane, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.18, Block 3, Lot 43.1 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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**PB #20-38: Lane Site Plan
Final Site Plan Approval Subject
to Conditions/ Neg. Dec.**

Permit #49699

**Town of Orangetown Planning Board Decision
December 9, 2020
Page 1 of 11**

**TO: Edmund Lane, 75 Michael Roberts Court, Pearl River,
New York 10965**
FROM: Orangetown Planning Board

RE: Lane Site Plan: The application of Edmund Lane, applicant, for James Beni, owner for Preliminary/ Preliminary/ Final Site Plan Review at a site to be known as “**Lane 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 125 Park Avenue, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map: Section 77.20, Block 2, Lots 76, 77 & 78; in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at virtual meetings held **Wednesday, October 14, 2020 and December 9, 2020**, the Board made the following determinations:

October 14, 2020

Stu Strow 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, RA, AIA, Director, dated October 8, 2020.
2. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 14, 2020.
3. A letter from Maser Consulting, signed by Jessie Cokely, P.E., dated September 30, 2020, updated October 5, 2020.
4. An Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent, dated June 3, 2020.
5. An email from Rockland County Drainage Agency, from Shajan Thottakara, PE, Engineer III, dated October 8, 2020.
6. A letter from the New York State Department of Environmental Conservation, signed by Christina Pacella, Division Environmental Permits, Region 3, dated March 12, 2020.
7. A letter from the New York State Parks, Recreation, and Historic Preservation, signed by Philip Perazio, Historic Preservation Program Analyst – Archaeology Unit, dated October 5, 2020.
8. A copy of a letter from Peter D. Torgersen, Environmental Sciences to Ed Lane, dated December 20, 2019.
9. A letter from Rockland Department of Highway, signed by Dyan Rajasingham dated September 4, 2020.

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**PB #20-38: Lane Site Plan
Final Site Plan Approval Subject
to Conditions/ Neg. Dec.**

Permit #49699

Town of Orangetown Planning Board Decision

December 9, 2020

Page 2 of 11

10. A letter and Drainage analysis from Centerpoint Engineering dated September 24, 2020 prepared by Stuart Strow, P.E.
11. Site Plan prepared by Centerpoint Engineering, dated June 24, 2020:
 - Plot Plan
 - Construction Details
12. A Short Environmental Assessment Form, unsigned.
13. A copy of the Building Permit Referral dated January 9, 2020 signed by Rick Oliver, Building Inspector.
14. A copy of PB#20-17, Final Re-Subdivision Plan Approval Subject to Condition, Neg. Dec., dated May 27, 2020/ Neg. Dec.
15. A letter from Michele Mante, 135 Broad Avenue, Palisades, undated.
16. A letter from Eileen Burge and Doris Burge, dated September 2, 2020.
17. An email from Ed Kalotkin, 1 Scotti Avenue, Palisades, dated October 14, 2020.
18. An email from Jim and Diana Gensel, 2 Scotti Avenue, Palisades, dated October 14, 2020.

The Board reviewed the plan. The meeting was open to the public.

Public Comment:

Helena Power, 152 Park Avenue, Palisades, raised concerns regarding the 15-foot buffer between New York and New Jersey, what an industrial sewer grinder is and if the sewer had the capacity and the impact on existing water wells.

James Beni, owner of the property, stated that the buffer between New York and New Jersey will remain 100 feet wide and that the property does get wet in the winter, but not that bad. The development of the proposed site will improve the area drainage and will be an asset to the area

The applicant requested a **CONTINUATION**.

December 9, 2020

Stu Strow 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, RA, AIA, Director, dated October 9, 2020.
2. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., October 8, 2020.
3. A letter from Maser Consulting, signed by Jessie Cokely, P.E., dated November 30, 2020.

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**Town of Orangetown Planning Board Decision
December 9, 2020
Page 3 of 11**

4. A notice from Suez NY from Bill Prehoa, dated December 2, 2020.
5. A letter from Centerpoint Engineering, signed by Stuart Strow, PE, dated October 28, 2020.
6. Site Plans prepared by Centerpoint Engineering, dated June 24, 2020, last revised October 28, 2020:
 - Plot Plan
 - Construction Details
7. An email from Helena Power, 152 Park Avenue, Palisades, dated December 8, 2020.
8. A letter from Eileen Burge and Doris Burge, dated December 9, 2020.
9. An email from Michele and Peter Mante, 135 Broad Avenue, Palisades, dated December 7, 2020.
10. An email from James Beni, property owner of 125 Park Avenue, Palisades, dated December 9, 2020.

The Board reviewed the plan. The meeting was open to the public.

Public Comment:

Helena Power, 152 Park Avenue, Palisades; requested information regarding maintenance of the manholes and retention system for the developed site and how many homes are required to have this type of extensive maintenance system. In addition, she raised concerns regarding repairs of the road, that the proposed house would be larger than others in the neighborhood and maintenance of trees on the site.

James Beni, owner of the property, held that he has not heard any concerns from the property owners who about the site, only by those who do not. The development of the proposed site will improve the area drainage and will be an asset to the area

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

SEORA

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 SEORA.

OFFICE SECRETARY

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**Town of Orangetown Planning Board Decision
December 9, 2020
Page 4 of 11**

On motion by Stephen Sweeney and seconded by Thomas Warren and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Bruce Bond, abstain; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, aye, and Mike 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, the applicant's professional representatives, namely Centerpoint Engineering 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 Highway Department, New York State Department of Environmental Conservation, New York State Parks, Recreation and Historic Preservation, and having reviewed a proposed Subdivision plan by prepared by Centerpoint 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;

OFFICE SUPERVISOR

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Town of Orangetown Planning Board Decision
December 9, 2020
Page 5 of 11

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

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.

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**Town of Orangetown Planning Board Decision
December 9, 2020
Page 6 of 11**

3. In regard to the cluster of 3 trees on the Southeast side of the property, the applicant shall build a berm or some type of water retention/protection for the trees. If the trees to not survive, the applicant shall replant 3 trees on the site.
4. The application requires review and approval for the site plan and the proposed new dwelling by the Town of Orangetown Architecture and Community Appearance Board of Review.
5. 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 and the Final site Plan is stamped by the Chief Clerk to the Board.
6. Comments from the October 8, 2020 letter by Jane Slavin, RA, AIA, Director, Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, have been addressed in the revised plans and letter submitted by Centerpoint Engineering dated October 28, 2020.
7. A post construction stormwater maintenance "agreement" for the proposed stormwater system shall be submitted to DEME and the Town Attorney's Office for review and approval. This agreement/ requirement shall be added as addenda (or equivalent) to the deed for this lot. Proof that this agreement is made part of the deed will be submitted to the Town Attorney's Office and DEME. Said agreement shall include a maintenance and management schedule, inspection checklist, contact person with telephone number, yearly report to be performed, saved by the property owner and available for inspection and review by DEME, upon request.
8. The revised drainage calculations, dated October 28, 2020 are under review by DEME.
9. A note shall be added to the plans stating that the Town of Orangetown Sewer Inspector shall be notified at least 48 hours prior to any and all construction relating to the proposed sanitary force main/ house connection to the manhole.
- 10. Drainage Consultant Recommendation- Maser Consulting**
The proposed stormwater management plan meets the intent of the regulations, and therefore the Drainage Consultant recommends the Lane Resubdivision Plan be approved for drainage subject to the following comments.

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Town of Orangetown Planning Board Decision
December 9, 2020
Page 7 of 11

Continuation of Condition #10...

Please note this review is of the existing and proposed drainage only and as such, below is a list of comments with respect to the drainage design ONLY:

1. It appears that there are some discrepancies with how the weir were modeled. The detail and plan do not match what was modeled on the report. The report shows a 1-ft. weir at elevation 30.90 (Devise #3), whereas the plan and detail show a 6-on. Weir at 39.90. If 6 inch is the intended width, then Devise #3 on the report shall be 6 inch long.
2. The pipe inverts coming out of the yard drain need to be checked. The invert (out) from the yard drain is lower than the invert (in) to the OCS structure. It appears that the pipes are backpitched.
11. The Town of Orangetown Highway Department has no objection to the driveway, as well as, the small portion of the parking area on Park Avenue. Note that Park Avenue, Palisades is a private road.
12. The Rockland County Drainage Agency (RCDA) commented that this site is outside the RCDA jurisdiction.
13. The New York State Division of Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) reviewed the submitted information and had no concerns regarding the proposed project under SEQRA. Should the project design be changed, it is recommended further consultation with OPRHP.
14. The New York State Department of Environmental Conservation (NYSDEC) indicated that based upon its review of the circulated documents, NYSDEC offered the following comments:
 - **Protection of Waters:** There are no waterbodies that appear on the regulatory maps within the property you identified. Therefore, if there is a stream or pond outlet present at the site with year-round flow, it assures the classification of the water course into which it feeds, and a Protection of Water permit would be required.
 - If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or water body. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.
 - **Freshwater Wetlands:** This project site is not within a New York State protected Freshwater Wetlands.

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Continuation of Condition #14...

- **Water Quality Certification:** This project appears to contain a federally regulated wetland area. If the United States Army Corps of Engineers requires a permit for work completed in or impacting a federal wetland or waters of the United States, you will need a Section 401 Water Quality Certification from the Department. Contact ACOE at 917-790-8411.
- **State – Listed Species:** The NYSDEC has reviewed the State's Natural Heritage records. No records of sensitive resources were identified by this review. The absence of data does not necessarily mean that rare or state listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, NYSDEC files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. NYSDEC cannot provide a definitive statement on the presence or absence of all rare or state listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information on site surveys or other sources may be required to fully assess impacts on biological resources.
- **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. The project sponsor should submit project materials to the New York State Office of Historic Preservation Office's online Cultural Resource Information System (CRIS) to initiate the review process. Information on submitting to the system and access to it are available at <http://www.nysparks.com/shpo/>.
- 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.

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**Town of Orangetown Planning Board Decision
December 9, 2020
Page 9 of 11**

15. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
- New York State Department of Environmental Conservation
- Rockland County Drainage Agency

16. The applicant shall comply with all pertinent items in the Guide to the Preparation of Site Plan 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. 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.

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

- One (1) foot radius from trunk per inch DBH
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:

PLANNING BOARD OFFICE

235 V 22ND ST

ORANGETOWN, FL 32973

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

Town of Orangetown Planning Board Decision

December 9, 2020

Page 10 of 11

Continuation of Condition #19...

- 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.

20. All landscaping shown on the subdivision plan 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

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Town of Orangetown Planning Board Decision

December 9, 2020

Page 11 of 11

Continuation of Condition #23...

(applicants' 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.

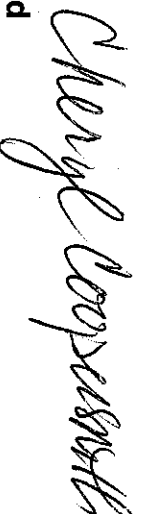
The foregoing Resolution was made and moved by Andrew Andrews and seconded by William Young and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Bruce Bond, abstain; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, nay, and Mike McCrory,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

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: December 9, 2020

Cheryl Coopersmith

Town of Orangetown Planning Board
attachment



OFFICE SECRETARY

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TOWN OF ORANGETOWN

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

PB #20-38: Lane Site Plan

Permit #49699

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

**Town of Orangetown Planning Board Decision
December 9, 2020**

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: PB #20-38: Lane Site Plan: Final Plan Approval Subject to Conditions/ Neg. Dec.

SEOR STATUS: Type I Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 125 Park Avenue, Palisades, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map: Section 77.20, Block 2, Lots 76, 77 & 78; 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 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

Orangetown, 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, Town Supervisor, Applicant, Involved Agencies

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