

**TOWN OF ORANGETOWN PLANNING BOARD**  
**Meeting of Wednesday, July 14, 2021**

**MEMBERS PRESENT:**

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

**MEMBER ABSENT:** None

**ALSO, PRESENT:** Rick Oliver, Deputy Building Inspector, Office of Building, Zoning, Planning Administration and Enforcement; Rick Pakola, Deputy Town Attorney; Ann Marie Ambrose, Stenographer, and Cheryl Coopersmith, Chief Clerk Boards and Commissions

Thomas Warren, Chairman, called the 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:

**New Items:**

<b>13 &amp; 21 Mountainview Avenue &amp; 518 Route 303 Site Plan Consultation</b>	<b>Consultation</b>	<b>PB #21-38</b>
13 & 21 Mountainview Avenue and 518 Route 303, Orangeburg 74.07/1/2, 33 & 36; LI, LO & CC zoning districts		

<b>Hauser Tree Remediation Plan</b>		<b>PB #21-39</b>
Prepreliminary/ Preliminary/ Final Tree Remediation Plan and SEQRA Review 200 Kings Highway, Tappan Tappan Historic District 77.07/1/35.1; R-15 zoning district	<b>Postponed by Applicant</b>	

<b>Mandell Site Plan</b>		<b>PB#21-40</b>
Critical Environmental Area Final Site Plan Review 26 Shadyside Avenue, Upper Grandview 71.05/1/8; R-22 zoning district	<b>Postponed by Applicant</b>	

**Continued item from June 30, 2021 Meeting**

<b>Hillside Commercial Park Amendment to Filed Site Plan</b>		<b>PB #21-37</b>
Prepreliminary/ Preliminary/ Final Review 59 & 63 Hillside Avenue, Pearl River 68.11/3/39 & 40; LI zoning district	<b>Final Site Plan Amendment Approval Subject to Conditions</b>	

The decisions of the June 30, 2021 Planning Board Meeting were reviewed, edited, and approved. The motion for adoption was made and moved by Stephen Sweeney and seconded by Michael Mandell 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.

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2021 JUL 30 A 10:36  
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Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Stephen Sweeney and seconded by Andrew Andrews and agreed to by all in attendance. The meeting was adjourned at 10:15 p.m. The next Planning Board meeting is scheduled for July 28, 2021.

**DATED: July 14, 2021**

Cheryl Coopersmith  
Chief Clerk Boards and Commissions  
Town of Orangetown Planning Board



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**PB #21-38: 13 & 21 Mountainview Avenue & 518 Rt. 303 Site Plan Consultation (2)**

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**TO: Ira Emanuel, 4 Laurel Road, New City, New York 10956**

**FROM: Orangetown Planning Board**

**RE: 13 & 21 Mountainview Avenue and 518 Route 303 Site Plan Consultation (2):** The application of Arco Design Build Industrial, applicant for WPT Acquisitions, for Consultation Review at a site to be known as “**13 & 21 Mountainview Avenue and 518 Route 303 Site Plan Consultation**” 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 13 & 21 Mountainview Avenue & 518 Route 303, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.07, Block 1, Lots 2, 33 & 36; in the LI, LO & CC zoning districts.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 14, 2021**, the Board made the following determinations:

Ira Emanuel, Jesse Cokely, Alex Edgar appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated July 7, 2021.
2. Interdepartmental memorandums from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., Director, dated July 8 and February 19, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated July 9, 2021.
4. Letter from Rockland County Department of Planning signed by Douglas Schuetz, Acting Commissioner of Planning, dated June 14, 2021.
5. Letter from Rockland County Highway Department signed by Dyan Rajasingham, Engineer III, dated June 4, 2021.
6. Letter from Rockland County Drainage Agency signed by Shajan Thottakara, PE, dated June 15, 2021.
7. A letter from the Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated June 28, 2021.
8. An Email from Jason Brenner, New York State Department of Transportation, dated June 14, 2021.
9. A notice from the Rockland County Division of Environmental Resources, dated June 3, 2021
10. A Project Narrative Summary, signed by Ira M. Emanuel, dated December 21, 2021.

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11. Copy of PB#21-10, Consultation, dated February 24, 2021.
12. Copy of Meeting Minutes with NYSDOT from Dynamic Traffic dated March 25, 2021.
13. Copy of a letter from Dynamic Traffic to Ira Emanuel, dated April 27, 2021.
14. Traffic Impact Study prepared by Dynamic Engineering, dated January 13, 2021, revised March 23, 2021.
15. Conceptual Site Plan "A", prepared by Dynamic Engineering, dated December 1, 2020, revised April 21, 2021
16. Adjacent Developments Exhibit prepared by Dynamic Engineering, dated March 22, 2021.
17. A copy of a letter from ARCO to Ira Emanuel, Esq. dated July 8, 2021.
18. Submitted at the meeting by Vanessa Lapin, a working draft paper entitled "13 & 21 Mountainview Avenue & 518 Route 303 Warehouse Proposal."

The Board reviewed the plans. The hearing was then opened to the Public.

**Public Comment:**

Liz Dudley, 250 South Greenbush Road, Blauvelt; raised concerns regarding traffic impact on South Greenbush Road and Route 303. She requested that a traffic study be prepared for this site. Also, she noted that a Consultation review was a waste of time.

Vanessa Lapins, 659 Western Highway, Blauvelt; expressed concerns regarding the proposed project and traffic impacts to Town roadways, and pollution to the Sparkill Creek.

Vincent Lupi, 106 Spruce Street, Blauvelt; noted that traffic is the biggest concern and that traffic on South Greenbush will get worse due to Nice Pac and the buses. Route 303 should have added lanes. Also, sidewalks are inconsistent in the area and it is unsafe for pedestrians and bicycles. Flooding and noise pollution are also issues that are of concern.

Kathy Vanderland, 78 Bogart Avenue, Pearl River; wanted to know if there is existing warehouse space in Orangetown.

Lisa Defeciani, 17 Green Hedges Lane, Blauvelt; raised concerns regarding pedestrian dangers, flooding in the area, and wanted to know if the new committee created by the Town Board for Performance Standards would be involved in what goes into the site.

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**CONSULTATION:** In view of the foregoing and the testimony before the Board, the application was **provided with the Comments:**

1. The PRC advised the Applicant that the cost for the intersection upgrades would be paid for by the applicant. Concern was expressed that any work on Route 303 be completed prior to permits/ c of o's being issued for the proposed building and site work.
2. The PRC advised the Applicant to review the option to reduce the number of spots to reduce the amount of impervious surface, however proposed parking is not compliant to zoning and a variance must be obtained.
3. The PRC advised the Applicant to reduce the size of the driveway and design of driveway from Mountainview to eliminate the ability for trucks to make a right onto Mountainview from the site and eliminate the ability for trucks to make a left from Mountainview into the property.
4. The PRC advised the Applicant to reduce the width of the driveway from Route 303.
5. The PRC advised the Applicant that no infiltration testing has been done and concern was raised about the water table level.
6. . The PRC advised the Applicant that concerns have been raised about whether there is enough land area left to accommodate a new drainage system.
7. The applicant shall review no truck traffic on Mountainview Road coming on or off its property.
8. The applicant shall review placing a traffic light at the intersection of Route 303 and Glenshaw Glass Road.
9. Comments from the letter dated February 19, 2021 from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., Director, still apply.
10. Per chapter 43, Article XIII, Route 303 Overlay Zoning District applies and the proposed project must comply with all requirements.
11. Chapter 21A, Site Development Plan Approval applies. Upon submission for formal review and approval, applicant must submit a full site development plan per 21A.
12. The entrance driveways are quite wide. Applicant should consider reducing width of driveways and designing the Mountainview driveway to limit the ability for trucks to enter and exit, to and from the west.
13. Applicant has advised that they had met with representatives from NYSDOT on March 25, 2021, (see meeting minutes and follow up email from NYSDOT dated June 14, 2021). NYSDOT has expressed concern with reducing the roadway to one lane in each direction and has requested additional models and information to be provided. (See item number 4 of email).

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14. Per chapter 43, Article XIII, Route 303 Overlay Zoning District applies;  
13.3(E); *"If, after the effective date hereof, a primary access and egress route, or private road, drive or easement used as an entrance road, is established from Route 303 to a property which is located immediately east or west of the Route 303 Overlay District, such property shall be deemed to fall within and be subject to the provisions of this ordinance."*  
and  
13.3(F); *"If, after the effective date hereof, any application for a building permit or other land use approval is submitted concerning a parcel located within the Route 303 Overlay Zone and the application includes or incorporates any separate or distinct parcel which is located beyond the boundaries of the Overlay Zone, the provisions of this ordinance shall also apply to such separate or distinct parcel."*

and

13.10 (B)(5); *"Retail warehouse uses including mini-storage uses and distribution centers which require or utilize a structure with a total combined square footage in excess of 65,000 square feet on any single parcel (or assemblage of contiguous individual parcels, or on any one parcel which has been subdivided after the date of this local law) shall be prohibited."* A use variance is required from the Town of Orangetown Zoning Board of Appeals.

15. Concept plan indicates parking within the 50' side yard and rear yard setbacks. Per table 3.11, LI District, column 7 number 8; *"NO parking is permitted in any required yard, unless permitted by any board or town agency having jurisdiction. This permission may be granted at the time of site review."*

16. A variance from the Town of Orangetown Zoning Board of Appeals is required for the proposed number of parking spaces.

17. Chapter 21A, Site Development Plan Approval applies. Upon submission for formal review and approval, applicant must submit a full site development plan per 21A.

18. The applicant is advised that due to the projected size of disturbance, a full SWPPP including drainage calculations, will need to be prepared for the site. Also, the stormwater design shall achieve zero net increase in stormwater runoff.

19. The required drainage design shall clearly show both the standard and emergency overflow facilities for the proposed above ground stormwater management facilities. The applicant's engineer is reminded that the emergency overflow from the basin specifically cannot be channeled, directly or indirectly onto neighboring properties.

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**20.** It appears that the size of the proposed disturbance will be in excess of 5 acres. The applicant is advised the standard disturbance limit on any site is 5 acres. Therefore, if the project proposes to disturb over 5 acres, the project must be phased so that no more than 5 acres is disturbed at any one time. While the Town, as MS4, **MAY** allow a disturbance of up to 10 acres (by special permit), it is not normally allowed. Also, given the fact that this site eventually drains into a section of the Sparkill Creek which is currently under review for inclusion to the States 303d list of impaired waters, and the fact that the lower end of Sparkill Creek is already on the 303d list of impaired water, this site is not a good candidate for a special permit.

**21.** Soil borings, perc tests and determination of groundwater elevations shall be performed at the subsurface detention system location. These tests shall be performed **PRIOR** to this proposal receiving **Final Approval** to ensure the adequacy of the proposed design. The tests shall be performed in the spring when the ground water table is typically at its highest. If this project moves forward, it is recommended that the Planning Board require that the aforementioned tests be performed prior to receiving Preliminary Approval, due to the proposed size of the project.

**22.** The applicant is reminded that the required SWPPP/ drainage design must meet all of the stormwater design standards found in the latest NYS *Stormwater Management Design Manual (NYSDEC SMDM.)* This includes but is not limited to fully describing in writing, by calculation and by showing on the drawings, how the proposed project will by calculation and by showing on the drawings, how the proposed project will comply with Chapters 5 (Green Infrastructure) and 9 (Redevelopment) of the NYSDEC SMDM.

**23.** In connection with the comments listed above, the applicant shall try and reduce as much or the proposed area as possible (e.g. eliminating as much parking as possible.) This would help not only in meeting the requirements laid out in Chapters 5 and 9 (MNYSDEC SMDM) but also reduce the stormwater management design facilities that will be required for this project.

**24.** The access driveway off of Route 303 shall be reduced in width to 20 or 24-feet.

**25.** The access driveway onto Mountainview Avenue shall be reduced to a 20 or 24-foot width as well. Both this item and #22 above will help reduce the amount of unnecessary impervious surface as well.

**26.** The applicant's engineer shall redesign any "fire lane" (like the one on the northern side of the propose building), to be "grass-crete" or other pervious surface that still meets emergency vehicle load requirements. Again, this will help reduce impervious coverage on the site.

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27. 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 all required permits obtained.
- A review must be completed by the County of Rockland Drainage Agency, any comments or concerns addressed, and all required permits obtained.
- A review must be completed by the Rockland County Highway Department, any comments or concerns addressed, and all required permits obtained.
- A review must be done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary code, Article XIX, Mosquito Control.
- A review must be completed by the Rockland County Sewer District No. 1, any comments or concerns addressed, and all required permits obtained. In addition, the easement owned by the Sewer District must be illustrated on the site plan.
- A review must be completed by the County of Rockland Office of Fire and Emergency Services, Town of Orangetown Fire Inspector, or the Orangeburg Fire Department to ensure that there is sufficient maneuverability on site for emergency vehicles. In addition, the site plan shall illustrate the turning movements of fire trucks throughout the site. The fire lanes and fire department connections must also be shown clearly labeled on the plan.
- The Planning Board must determine whether the proposed warehouse use is a retail warehouse. If so, an area or use variance will be required from Section 43-13. 10B (5) which states retail warehouse over 65,000 SF are not permitted within the Route 3030 Overlay Zoning District.
- The Town shall be satisfied that all other applicable provision of the Route 303 Overlay Zone has been addressed. A 25-foot vegetated buffer that is located along the property line adjacent to Route 303 right of way must be shown on the site plan.
- 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.
- Areas designated for snow removal must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. This will help to protect the proposed landscaping from damage due to the weight of the snow and salt intrusion. In addition, providing, providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by employees and customers, especially since only 31% of the required number of parking spaces are being provided.
- A landscaping plan shall be provided which has low evergreen landscaping supplementing the area along the State highway and adjacent parcels to block the headlights of parked cars from shining into such highways and adjacent uses.

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**Continuation of Comment #27...**

- A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- All proposed signage must be shown on the site plan, and conform to all Town requirements.
- The Rockland County Department of Planning thanked the Town for giving them the opportunity to review and comment on the conceptual layout for the proposed warehouse during this consultation. They request the opportunity to review the site plan when it appears before the Planning Board, and any variances that may be needed to implement the proposed project, as required by NYS General Municipal Law, Section 239-m(3)(a)(v).
- The location of the trash dumpster/refuse container must be illustrated on the site plan. Access to the dumpster must be unimpeded, and it must be demonstrated that its location will not impact yard requirements and parking maneuverability on the site.

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

1. The proposed driveway on Mountainview Avenue shall be configured and designed such that it discourages truck traffic accessing the driveway.
2. The width of the driveway at Mountainview Avenue appears to be very wide that encourages truck traffic movements through the driveway.
3. The proposed driveway shall be perpendicular to Mountainview Avenue to promote traffic safety at the location.

**29.** The Rockland County Drainage Agency reviewed the submitted information and offered the following: The referenced site/parcel is outside the jurisdiction of the RCDA and therefore, a Stream Control Act permit pursuant to the Rockland County Stream Control Act, Chapter 846, is not required for developments within this site.

**30.** Rockland County Sewer District #1 (District) reviewed the submitted information and offered the following comments:

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**Continuation of Comment #30...**

1. The District owns and maintains sewers in an easement in front of 518 Route 303.

- 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.
- 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.

31. The New York State Department of Transportation reviewed the submitted information and as noted in its Meeting Minutes with NYSDOT from Dynamic Traffic dated March 25, 2021, NYSDOT had the following comments:

1. Included in the traffic study a Crash Analysis should be prepared for NYSDOT review.
2. Looking at the signal timing the signal at Mountain View seems to be in coordination with signals R-102 (Orangeburg Road) and R-20 (Route 340) with their cycle length of 110 from 6:30 to 22:00. If you plan on changing any of the timing at the intersection of Mountain View than the other two intersection will need to be modeled and modified in the synchro files.
3. Other than the restriping mitigation proposed we will also want modems at one or two signals.
4. From the two meetings we had, the investigators are still concerned with reducing the roadway to one lane in each direction. They believe that drivers will use the center lane to go around slow-moving traffic and that will cause an accident problem in the future. I talked with Lance on Friday and showed him the sim traffic models and overall, he liked how the model was running and giving more left turning traffic a protective phase. I think we are still open to the design but we will need to see the new models with at least the intersection of Route 303/Orangeburg Road. Also, because this design is large we will need to see a future build plus 20 for this area. So, on your next submission if we can get the AM/PM models of the existing, No-Build, Build, Build ETC+20 and the information and the info I sent on the 16<sup>th</sup> we can come to a better understanding if this design is possible.

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32. The Town of Orangetown Bureau of Fire Prevention has reviewed the plans and offered the following comments:

- Fire apparatus access roads shall be at least 20' wide, have a vertical clearance no less than 13'6" and provide access to all sides of the building
- All access roads shall be designed to accommodate a fire service vehicle up to 75,000 pounds.
- Show security gates if applicable
- Show that the required turning radius for the largest fire apparatus (11-Truck) can be met.
- One or more private Fire Hydrants may be required to be installed on site - IFC 507.5

33. The applicant shall include the traffic information of the 125/155 traffic impact study and the Hudson Crossing traffic study in its project review of the site.

34. The Applicant shall explore the use of Route 303 entrance as the main entrance/exist to the site as well as reduce parking on the site. Also, the Site Plan shall note the location of driveways and buildings on adjacent tax lots on Mountainview Avenue and Route 303

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

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

37. 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).

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

**39.** 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

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

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

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Cheryl Coopersmith  
Town of Orangetown Planning Board**



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**PB #21-37: Hillside Commercial Park Amendment  
to the Filed Site Plan  
Final Site Plan Approval Subject to Conditions  
Neg. Dec.**

**Permit #51481**

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**TO: Frank Caccuro, Montar Group, 521 Bartram Road, Mooretown,  
New Jersey 08057**  
**FROM: Orangetown Planning Board**

**RE: Hillside Commercial Park Amendment to Filed Site Plan:** The application of Montar Group, applicant, for TAC Pearl River, owner, for an Amendment to the Filed Site Plan; Prepreliminary/ Preliminary/ Final Review at a site known as "**Hillside Commercial Park Amendment to Filed 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 59 & 63 Hillside Avenue, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.11, Block 3, Lots 39 & 40, in the LI zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, June 30 and July 14, 2021** at which time the Board made the following determination:

Board Member Mandel recused himself from the proceedings of the meeting.

**June 30, 2021**

Stuart Strow, Frank Caccuro and Donald Brenner appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report dated June 16, 2021.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, AIA, RA, Director, dated June 14, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated June 11, 2021.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated June 11, 2021.
5. Letter from Colliers Engineering and Design, signed by Jesse Cokeley, PE, dated June 17, 2021.
6. Letters from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated June 8, 2021 and Michael Kezner, dated June 1, 2021.
7. Letter and notices from Rockland County Department of Health, signed by Elizabeth Mello, PE, dated June 21, 2021
8. Letter from Rockland County Drainage Agency, from Shajan Thottakara, P.E., CFM, dated June 16, 2021.
9. Notice from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated June 7, 2021

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**PB #21-37: Hillside Commercial Park Amendment  
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Neg. Dec.**

**Permit #51481**

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10. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated June 8, 2021.
  11. Email from Orange & Rockland Utilities from Alfred Gaddi, PE, dated May 24, 2021.
  12. Notice from Rockland County Division of Environmental Resources, signed by Allan Beers, dated June 21, 2021.
  13. Notices from the Town of Orangetown Zoning Board of Appeals, signed by Daniel W. Sullivan, Chairman, dated June 23, 2021.
  14. Short Environmental Assessment Form, dated April 21, 2021.
  15. Amended Final Site Plan for Hillside Commercial Park prepared by Brooker Engineering, PLLC, dated April 30, 2021:
    - Drawing T: Title Sheet
    - Drawing 1: Layout Plan
    - Drawing 2: Grading and Utility Plan (1 of 2)
    - Drawing 3: Grading and Utility Plan (2 of 2)
    - Drawing 4: Soil Erosion & Sediment Control
    - Drawing 5: Landscaping & Lighting Plan
    - Drawing 6: Road Profiles (1 of 2)
    - Drawing 7: Road Profiles (2 of 2)
    - Drawing 8: Drainage Profiles
    - Drawing 9: Drainage Profiles & Pump Station Details
    - Drawing 10: Construction Details (1 of 3)
    - Drawing 11: Construction Details (2 of 3)
    - Drawing 12: Construction Details (3 of 3)
    - Drawing 13: Fire Service and Access Plan
  16. Narrative Summary prepared by Brooker Engineering, PLLC, dated April 30, 2021.
  17. A copy of the Town of Orangetown Building Permit Referral signed by Rick Oliver, Building Inspector, dated May 5, 2021.
  18. Submitted at the meeting by Joanne DiLorenzo, a copy of the Stipulation of Settlement and a copy of a Landscape Plan prepared by Yost Design, dated February 26, 2018.
- The Board reviewed the plans. The hearing was opened to the Public.

**Public Comment:**

Joanne DiLorenzo, 12 Moore Street, Pearl River; referred to a Settlement agreement that the previous property owner had with the neighborhood organization R.U.S.H. for landscaping and escrow funds. She requested that the information be incorporated into the applicant's application. Ms DiLorenzo also requested that the lighting fixtures have shields on them so not to impact the neighbors, and raised concerns regarding mosquito control. She also noted that the proposed retaining walls were not on the plans as well as concrete walls details.

Vanessa Lapins, 665 Western Highway, Blauvelt; raised concerns regarding the number of new warehouse developments in Orangetown.

Carmel Riley, requested that the building layout be flipped.

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Cathy Van Derlande, 78 Bogart Avenue, Pearl River; requested information regarding the number of trucks using the site on a daily basis.  
Robin Riemanschneider, 240 Railroad Avenue, Peal River; requested information regarding access to the storage units inside the structure.

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

**SEQRA**

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (a) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Stephen Sweeney and second by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, absent; Michael Mandel, recused; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, aye, Michael McCrory, aye, Bruce Bond, absent, the Board declared itself Lead Agency.

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning

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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 Planning Department, Rockland County Department of Health, Rockland County Drainage Agency, Rockland County Sewer District #1, and having reviewed the drawings presented by the applicant's professional consultant; 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 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 second by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, absent; Michael Mandel, recused; Michael McCrory, nay; Bruce Bond, absent; Robert Dell, aye; Stephen Sweeney, aye, and Andrew Andrews, aye, the Board made a Negative Declaration pursuant to SEQRA.

The applicant requested a **CONTINUATION**.

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Board Member Mandel recused himself from the proceedings of the meeting.

**Dennis Rock, Frank Caccuro and Donald Brenner appeared and testified for the applicant.**

The Board received the following communications:

1. Project Review Committee Report dated July 7, 2021.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, AIA, RA, Director, dated July 8, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated July 9, 2021.
4. Letter from colliers Engineering & Design, signed by Jesse Cokeley, PE, dated July 13, 2021.
5. Email from Stuart Strow, dated July 8, 2021.
6. Email from Walter Pfaffenberger, dated July 7, 2021, with attachments.
7. Letter from Brooker Engineering, signed by Stuart Strow, PE, dated July 6, 2021.
8. Amended Final Site Plan for Hillside Commercial Park prepared by Brooker Engineering, PLLC, dated April 30, 2021, revised July 6, 2021:
  - Drawing T: Title Sheet
  - Drawing 1: Layout Plan
  - Drawing 2: Grading and Utility Plan (1 of 2)
  - Drawing 3: Grading and Utility Plan (2 of 2)
  - Drawing 4: Soil Erosion & Sediment Control
  - Drawing 5: Landscaping & Lighting Plan
  - Drawing 6: Road Profiles (1 of 2)
  - Drawing 7: Road Profiles (2 of 2)
  - Drawing 8: Drainage Profiles
  - Drawing 9: Drainage Profiles & Pump Station Details
  - Drawing 10: Construction Details (1 of 3)
  - Drawing 11: Construction Details (2 of 3)
  - Drawing 12: Construction Details (3 of 3)
  - Drawing 13: Fire Service and Access Plan

The Board reviewed the plans. The hearing was opened to the Public.

**Public Comment:**

Joanne DiLorenzo, 12 Moore Street, Pearl River; believed that the plan before the Board was a better plan and appreciated the changes. The landscaping plan does not reflect the Yost Plan, which included more native plants. She requested more wetland and meadow plantings in the basin.

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. All proposed signage must be shown on the site plan and demonstrate compliance with Town Code.
5. The application shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review.
6. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained and the Final Site Plan is stamped by the Chief Clerk to the Board.

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7. Because the applicant's engineer has stated and shown on the drawings that the overall total area of impervious surfaces for the proposed amendment is being reduced AND that the previously designed and approved stormwater management system is to remain unchanged, no revised stormwater drainage improvements are required. However, a revised SWPPP is still required that reflects the proposed amendment. The revised SWPPP shall be submitted for review and approval to DEME. The revised SWPPP shall contain the following:

a. The title/ cover page shall include the words "Amendment #1" or similar.

b. **Any and all** revised/ amended pages of the SWPPP/ Drainage Calculations shall contain the working "SWPPP Amendment #1" (or similar) with the revision date, in red, at the bottom (footnote.)

c. An introduction/ cover letter shall be added to the SWPPP/ drainage calculations stating that the proposed revisions an amendment, the reason for the amendment, a summary of the design changes -including the soil erosion and sediment control changes (if applicable), as well as the post construction stormwater quantity/ quality design changes (if any – if not list/ explain why not) that are being proposed as part of the Amendment. This introduction/ cover letter shall also include a tabular list of every page of the SWPPP and included drainage calculations that have been changed as well as every drawing that has been changed from the original approved SWPPP and drawings.

d. The required introduction/ cover letter shall for the SWPPP, shall list the original area of disturbance (a.o.d.) and revised a.o.d. based on the requested amendment.

e. The required introduction/ cover letter shall for the SWPPP, shall list all of the new/ amended work that the revised a.o.d. includes (e.g. removal of previously approved impervious parking area to be converted to pervious/ landscaped areas, etc.) The square footage and acreage for all of these items shall be added to the letter in table form.

f. A revised table of contents shall be included. Any and all pages that have been revised because of the amendment shall be listed in red.

8. Revised sanitary calculations, prepared/ signed and sealed by the applicant's design engineer, shall be submitted for review and approval.

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9. The applicant is reminded that the sanitary septic systems for the 2 lots must be reviewed and approved by the Rockland County Department of Health.

**Copies of this approval shall be supplied to the Planning Board and DEME prior to signing the Final Map.**

10. The Town of Orangetown Bureau of Fire Prevention reviewed the submitted information and offered the following comments:

- Show "No Parking" and "No Standing Fire Zone" sign locations on the Site Plan
- Show Fire Zone Striping locations on the Site Plan

11. The applicant agreed that customers could only access the property from the hours of 7:00 a.m. to 7:00 p.m.

**12. Drainage Review Recommendation – Colliers Engineering (Maser)**

The following comments represent Colliers Engineering professional opinion and judgement, but may not necessarily, in all cases, reflect the opinion of the Planning Board. Overall, the proposed stormwater management plan meets the intent of the regulations, and therefore the Drainage Consultant to the Planning Board recommends the Hillside Commercial Park Site Plan be approved for drainage subject to the following project comments:

Please note that 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. The retaining wall elevations (TW) provided do not match the revised grades at the top of wall, particularly from the location of TW 236.0 to 242.0. Please revise accordingly.
2. All other comments from the June 17, 2021 letter have been addressed.

13. 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 any required permits obtained.
- A review must be done by the Rockland County Drainage Agency, and any required permits obtained.
- A review must be done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- The Floodplain Administrator for the Town of Orangetown shall certify that the proposed construction is in compliance with the floodplain regulations of the Town and the Federal Emergency Management Agency.

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**Continuation of Condition #13...**

- A review of the Fire Service and Access Plan must be completed by the County of Rockland Office of Fire and Emergency Services, Town of Orangetown Fire Inspector, or the Pearl River Fire Department to ensure that there is sufficient maneuverability on site for emergency vehicles. In addition, the Plan shall illustrate the turning movements of fire trucks throughout the site. The fire lanes must also be clearly labeled on the plans.
- 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 NYS Standards 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.
- In a previous letter pertaining to an application for this site, dated December 1, 2015, Rockland County Department of Planning asked for clarification as to which parking requirement – one space per two employees or 300 square feet of gross floor space – is required to be used by the Town. There is a great disparity between having two parking spaces for the number of employees, and the number of parking spaces being dependent on the gross square footage of the floor area, which would require over 500 parking spaces. An explanation as to which of the two-parking requirement is required has still not been provided. This must be better defined in the zoning ordinance and clarified by the Town to ensure that the correct standard is applied for the self-storage use.
- Areas designated for snow removal must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. This will help to protect the proposed landscaping from damage due to the weight of the snow and salt intrusion. In addition, providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by employees and customers, especially given the limited number of parking spaces provided.
- The set of architectural drawings provided by Universal Engineering Services, P.C. show many loading berths/ direct entrance to storage units to the rear of the #59 Hillside Avenue building, and multiple building entrances on the front and side elevations, that do not appear on the site plan provided by Brooker Engineering. The site plan only shows one entrance at the front and rear, at the truck loading areas. Similarly, the architectural drawings for the building located at #63 Hillside Avenue show several loading berths/ direct entrances to storage units to the rear, and multiple building entrances on the front and rear elevations, that do not appear on the site plan. All building entrances and loading berths must be shown on the plot plan and the site plan from Brooker Engineering so that pedestrian safety can be properly assessed.

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**Continuation of Condition #13...**

- Additional evergreen landscaping shall be shown on the landscaping plan and provided along the northern end of the western property line to shield lighting and headlights from shining onto NYS Route 304, especially vehicles head west on the internal roadway.
- All proposed signage must be shown on the site plan, and conform to Town Requirements.
- Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Towns, Villages, and County with an adequate supply of water. A letter from the public water supplier, stamped and signed by a NYS licensed professional engineer shall be issued to the municipality, certify that there will be a sufficient water supply during peak demand periods and in a drought situation.
- If any public water supply improvements are required, engineering plans and specification for these improvements shall be reviewed and approved by the Rockland County Department of Health prior to construction. IN order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained with the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State Regulations governing public water systems. Further, both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.
- Public sewer mains requiring extensions within a right of way or an easement shall be reviewed and approved by the Rockland County Department of Health.

**14.** The Rockland County Department of Health (RCDOH) reviewed the submitted information and offered the following comments:

- RCDOH must approve plans for the sewage disposal per Article IV, Section 4.2.1 of the Rockland county Sanitary Code. Formal application is to be made.
- Should there be changes to the previously approved stormwater management system, application is to be made to the RCDOH for review of the system for compliance with the County Mosquito Code.

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

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**16.** The Rockland County Drainage Agency (RCDA) reviewed the submitted information and offered the following:

The project site was previously reviewed and determined to be within the jurisdiction of the RCDA. The RCDA previously issued a non-transferrable permit for the site development, which has now been expired and property ownership changed. Therefore, a new permit from the RCDA pursuant to the Rockland County Stream Control Act is required for developments within this site. Please have the applicant submit a duly completed Stream Control Act Permit Application to the RCDA.

**17.** Orange and Rockland Utilities reviewed the submitted information and offered the following comment:

O&R has an 8" gas main in the east side shoulder of Route 304. All code 753 rules must be followed.

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

Town of Orangetown Zoning Board of Appeals  
Rockland County Drainage Agency  
Rockland County Planning Department  
Rockland County Department of Health  
Rockland County Sewer District #1

**19.** 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.

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

**21.** 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.

**22. 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:

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**Continuation of Condition #22...**

- 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.

**23.** 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.

**24.** 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.

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

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26. 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).

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

28. 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

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

30. The Board recommended planting Green Giant Arborvitae instead of American Arborvitae since Green Giant are deer resistant. Also, the Norway Spruce trees should be planted 12 feet on center and planted in a staggered fashion in order to allow the tree to grow properly.

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

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

**Dated: July 14, 2021**

Cheryl Coopersmith

Town of Orangetown Planning Board

Attachment

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

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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: Hillside Commercial Park Amendment to Filed Site Plan**  
SEQR STATUS: Type I \_\_\_\_\_ Unlisted XXXXXX  
CONDITIONED NEGATIVE DECLARATION: Yes \_\_\_\_\_ No XXXXXX

**DESCRIPTION OF ACTION:** Site Plan Review

**LOCATION:** The site is located at 59 & 63 Hillside Avenue, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.11, Block 3, Lots 39 & 40, in the LI 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, 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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