

TOWN OF ORANGETOWN PLANNING BOARD
Meeting of Wednesday, June 9, 2021

MEMBERS PRESENT:

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

MEMBER ABSENT: Stephen Sweeney

ALSO, PRESENT: Jane Slavin, Director, 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:

Continued item from May 26, 2021 Meeting

Rockland Country Club Site Plan
Prepreliminary/ Preliminary/
Final Site Plan and SEQRA Review
597 Route 340, Sparkill
78.09/1/ 24; R-80 zoning district

PB #21-28

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

New Item

SMK Erie West Subdivision Plan
Prepreliminary/Preliminary Subdivision
Plan and SEQRA Review
104 West Erie Street, Blauvelt
70.13/1/20; R-15 zoning district

PB#21-34

**Preliminary
Subdivision Plan
Approval Subject
to Conditions/ Neg. Dec.**

Other Business:

The Planning Board reviewed a referral from the Town Board Referral GML 239 Section (1) & (M)/ Performance Standard Local Law. The Board consented to the Town Board to act as Lead Agency in SEQRA review. No further comments.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Bruce Bond and seconded by Andrew Andrews and agreed to by all in attendance. The meeting was adjourned at 8:45 p.m. The next Planning Board meeting is scheduled for June 30, 2021.

DATED: June 9, 2021

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

Cheryl Coopersmith

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**PB #21-28: Rockland Country Club Site Plan
Final Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #50905

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**TO: Matthew Ceplo, 380 route 9W, Sparkill, New York
FROM: Orangetown Planning Board**

RE: Rockland Country Club Site Plan: The application of Dominick Pilla, applicant, for Rockland Country Club, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review for the removal of underground tank and installation of new above tanks . The Site is known as “**Rockland Country Club 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 Planning Board will also 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 380 Route 9W, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.09, Block 1, Lot 24; in the R-80 zoning district. .

Heard by the Planning Board of the Town of Orangetown at a virtual meeting held Wednesday, May 26, 2021 and an in-person meeting on Wednesday, June 9, 2021, at which time the Board made the following determination:

May 26, 2021

Sarah Murry appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report dated May 19, 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 May 18, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated May 10, 2021.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated May 14, 2021.
5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated May 4, 2021.
6. Letters from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated April 30, 2021 and Michael Kezner, dated April 22, 2021.
7. Letter from Rockland County Drainage Agency, from Shajan Thottakara, P.E., CFM, dated May 3, 2021.
8. Notices from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated December 30, 2019 and April 26, 2021.

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9. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated April 29, 2021.
10. Notice from Rockland County Division of Environmental Resources, signed by Allan Beers, dated April 21, 2021.
11. Notices from the Town of Orangetown Zoning Board of Appeals, signed by Daniel W. Sullivan, Chairman, dated April 21, 2021.
12. A Short Environmental Assessment Form, signed by Dom. Pilla, PE, RA, dated March 3, 2021.
13. A copy of the Town of Orangetown Building Permit Referral signed by Rick Oliver, Building Inspector, dated December 10, 2020.
14. Project Response to Comments from Reviewing Agencies prepared by DRPILLA, dated May 25, 2021.
15. Plans prepared by DRPILLA Consultant Engineers, dated April 7, 2021:
 - C-001: Title Sheet
 - C-100.00: Existing Site Plan
 - C-101.00: Proposed Site Plan
 - C-200.00: Typical Details

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

Public Comment:

David Mart, Commander of the John Perry Post, an area property owner, had no objection to the proposed improvements to the property.

The Applicant requested a **CONTINUATION**.

June 9, 2021

Sarah Murry appeared and testified for the applicant.

The Board received the following communications:

1. Project Review Committee Report dated June 2, 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 3, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated June 3, 2021.
4. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated June 8, 2021.

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5. Plans prepared by DRPILLA Consultant Engineers, dated May 27, 2021:

- C-001.00: Title Sheet
- C-100.02: Existing Site Plan
- C-101.02: Proposed Site Plan
- C-102.01: Soil Erosion and Sediment Control Plan
- C-200.01: Typical Details
- C-201.00: Soil Erosion and Sediment Control Details

The Board reviewed the plans. The hearing was 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 second by Michael McCrory and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Michael Mandel, aye; Andrew Andrews, aye; Robert Dell, aye; Stephen Sweeney, absent, Michael McCrory, aye, Bruce Bond, aye.

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

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Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Planning Department, Rockland County Department of Highway, 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.

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On motion by Bruce Bond and second by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; William Young- Vice Chairman, aye; Michael Mandel, aye; Michael McCrory, aye; Bruce Bond, aye; Robert Dell, aye; Stephen Sweeney, absent, and Andrew Andrews, 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."
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. A containment liner will be placed under and around the fuel tanks for additional protection. A detail shall be placed on the plan.
5. The Planning Board waived review by the Architecture and Community Appearance Board of Review.
6. The applicant has moved the proposed location of the tanks.

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7. The following revisions are required to the Short Environmental Assessment Form:

- a. Number 5 – check residential and “Other-Recreation”
- b. Number 13 – Identify wetland or waterbody.

8. It is unclear if the listed total area of disturbance (a.o.d.) includes the proposed underground electric/ utility installation, removal of existing tanks, installation of backfill and repaving, etc. As a reminder, any and all construction that requires digging into existing surfaces, shall be included in the a.o.d.

9. A detail shall be provided showing the crossing of the proposed underground electric with the existing sanitary building connection. This cross-section shall include all existing and proposed elevations and vertical distance between the piping.

10. All existing storm sewer structures/ facilities, with all related elevations and sizing, within the proposed work area shall be shown on the plans.

11. The soil erosion and sediment control plans and details shall be modified to reflect SESC features/ controls around all proposed construction / excavation (e.g. existing tank removal, utility installation, etc.)

12. The SESC drawing (C-102.01) appears to show the silt fencing and haybales being installed within the existing pavement area. The applicant’s engineer shall clearly depict on the drawings and details how this is to be accomplished.

13. The SESC details (C-201-00) show a soil stockpile detail but no soil stockpiles are shown on the SESC drawing (C-102.01.) This shall be clarified.

14. The Soil erosion and sediment control symbols shall conform to NYSDEC standards.

15. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum, including the BM elevation.

16. Drainage Review Recommendation – Brooker Engineering

The proposed action will not result in any significant increases in stormwater runoff or changes in drainage patterns that requires mitigation. Brooker Engineering, the Planning Board’s Drainage Consultant therefore recommends that the Rockland Country Club Site Plan be approved for drainage subject to the following Project Comment

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Continuation of Condition #16...

This is the second drainage review report for this project; the last review was dated May 4, 2021. The 130-acre golf course and country club is located on the east side of Route 340, about 1100 feet south of Van Terrace. The maintenance building is located along Route 340. The land slopes downhill to the west, towards Route 304.

The project consists of providing new above ground gasoline storage tanks located in the existing parking lot. The tanks will replace an existing underground tank and an existing tank inside the garage. The pad is approximately 33'-6" x 10'-0" and is located on existing pavement or compacted gravel surface. Topography has been added to the site plan. No significant increases in stormwater runoff or changes in drainage patterns that require mitigation will result from this action.

Project Comment: Show proposed grading that includes spot grades at the corners of the pad and swales to direct uphill stormwater runoff around the pad.

17. The Town of Orangetown Bureau of Fire Prevention reviewed the submitted information and offered the following comments, (Place this information as Notes on the site plan):

- The minimum separation distance between tanks is 3', 1'6" is shown. IFC table 2306.2.3

Construction plans shall include the following information:

- Show emergency disconnect switch
- Show extinguisher placement
- Show warning signs

18. 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.
- By State Law, the applicant must register with the local fire inspector using Form 209U for the proposed chemical bulk storage materials.
- Under SARA – Title 3, the applicant must register with the Rockland county Fire Training Center.

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19. 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.

20. The Rockland County Drainage Agency (RCDA) reviewed the submitted information and notes that the site is within the jurisdiction of the RCDA; however, a Stream control Act permit from the RCDA is not requested for the proposal. Please note that any future development proposal for this site will require a review and written determination from the RCDA as to whether a permit is required.

21. 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 Highway
Rockland County Sewer District #1

22. 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.

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

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

25. 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.

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Continuation of Condition #25...

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.

26. 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.

27. 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.

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

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29. 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).

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

31. 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

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

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

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

Dated: June 9, 2021
Cheryl Coopersmith
Town of Orangetown Planning Board
Attachment

Cheryl Coopersmith

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

**PB #21-28: Rockland Country Club Site Plan
Final Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #50905

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This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

NAME OF ACTION: Rockland Country Club Site Plan

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review – Critical Environmental Area

LOCATION: The site is located at 380 Route 9W, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.09, Block 1, Lot 24; in the R-80 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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**PB #21-34: SMK Erie West Subdivision Plan
Preliminary Subdivision Plan Approval
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**TO: Jay Greenwell, 85 Lafayette Avenue, Suffern,
New York, 10901**
FROM: Orangetown Planning Board

RE: SMK Erie West Subdivision Plan: The application of SMK Home Builders, owner, for Prepreliminary/ Preliminary Subdivision Plan at a site to be known as "**SMK Erie West Subdivision Plan**", in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 104 West Erie Street, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.13, Block 1, Lot 20; in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, June 9, 2021** at which time the Board made the following determinations:

Jay Greenwell and Sean Keenan appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated June 2, 2021.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., AIA, Director, dated June 3, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated June 2, 2021.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated May 27, 2021.
5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated June 7, 2021.
6. Letter from Rockland County Department of Planning, from Arlene Miller, Principal Planner, dated May 5, 2021.
7. Letter and notice from Rockland County Health Department, signed by Elizabeth Mello, Senior Public Health Engineer, PE, dated May 24, 2021.
8. Notices from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated May 6, 2021.
9. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated May 10, 2021.
10. Notices from the Town of Orangetown Zoning Board of Appeals, signed by Daniel W. Sullivan, Chairman, dated May 5, 2021.
11. Notice from Suez, signed by Bill Prehoda, dated May 28, 2021.

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12. Project Narrative submitted by Jay Greenwell, PLS.
13. A Full Environmental Assessment Form, signed by Jay Greenwell, PLS, dated April 21, 2021.
14. Drainage Analysis prepared for SMK Erie West Subdivision by Civil Design Works, dated April, 2021.
15. Subdivision Plan prepared by Jay Greenwell, PLS, dated April 22, 2020:
 - Sheet 1: Subdivision of Property
 - Sheet 2: Grading, Drainage & Utility & Erosion Control
 - Sheet 3: Road Profile
 - Sheet 4: Detail Sheet
 - Sheet 5: Suez Water Main Details

The hearing was then opened to the Public.

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

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

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

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After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Highway Department, Rockland County Health Department, Rockland County Department of Planning, Rockland County Sewer District #1, and having reviewed the drawings presented 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;
- 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.

TOWN CLERK'S OFFICE

2021 JUL - 1 P 1:42

TOWN OF ORANGETOWN

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On motion by William Young, Vice-Chairman 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, absent; Andrew Andrews, aye, Michael McCrory, aye and Bruce Bond, 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 **Preliminary Subdivision Approval Subject to the Following Conditions:**

1. The following note shall be placed on the site plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The Planning Board granted a waiver of the Architecture and Community Appearance Board of Review, requiring review at the time the lot is proposed for a specific dwelling plan under Site Plan Review.
4. When the applicant returns to the Planning Board for Final review, the submission shall include landscaping plans that define the limit of disturbance, plantings in the roadway island, tree removal and plantings in the detention basin.
5. The Bulk Table needs to be revised as follows: The street Frontage for Lot #2 shall be 134.44'.
6. Per Chapter 21, 21-10A(3), location of important trees and major wooded areas shall be shown. The applicant must show any Major Trees and wooded areas to remain and to be removed.
7. The Long Environmental Assessment Form is under review.
8. The Drainage calculations supplied are currently under review by DEME. However, the total area of disturbance shall be added to the project narrative and the drawings. However, the sections shall be divided with labeled separation tabs.

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9. The drainage calculations shall be revised to include the pre-construction calculations, tabular and graphical hydrographs for the 1, 2, 10 and 25-year storms. Also, drainage area maps shall be included with the calculations. The applicant's engineer is reminded that offsite drainage must be included in the pre and post construction analysis.

10. The project narrative of the drainage calculations shall include a table showing elevations vs. area vs. volume numbers for the proposed detention system.

11. Soil analysis, perc tests and determination of groundwater elevations shall be performed at the proposed detention system location. These tests/ investigations shall be performed in the spring when the ground water table is typically at its highest. This shall be done **PRIOR** to this proposal receiving **Final Approval** and the information/ test results/ evaluations shall be added to the drainage calculations. DEME shall be notified at least 48 hours in advance of these field tests/ investigations. Copies of all correspondence related to this issue shall be submitted to DEME and the Building Department for review and approval.

12. Additional features shall be added to the proposed detention basin, including but not limited to: 12-foot wide access path around the basin, emergency overflow spillway, permanent sediment depth marker, etc. details for all shall be added to the plans.

13. The plans currently show what appears to be a swale carrying overland flow behind proposed Lots #1 and #2 and exhausting overland into the detention basin. This is unacceptable.

14. A catch basin(s) and connecting piping shall be added to the inside of the proposed cul-de-sac circle.

15. Riprap shall be shown at the exhaust of the detention basin outfall piping/headwall. A detail for same shall be added to the drawings.

16. The proposed regrading for the project is depicted as happening offsite and on Town of Orangetown property. This is unacceptable. All regrading **MUST** happen within the boundaries of the site.

17. The driveway property, driveway and driveway entrance for the proposed Town owned detention basin are too small. The driveway property width shall be a minimum of 25-feet wide. The driveway itself shall be minimum of 20-feet wide and the driveway entrance at the proposed road shall be widened (e.g. turning radius too tight.) Lastly, the driveway for the proposed detention basin property is labeled as grass. This is not acceptable. The driveway shall be paved/ asphalt to Town Rural Road standards.

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18. It appears to be an existing shed and chain link fence on proposed Lot #7. These items **MUST** be removed/ relocated before the Town can accept ownership of the property. These items shall be labeled as to be removed/ relocated on the drawings.
19. The curbing material along the new proposed road shall be labeled on the drawings.
20. The proposed sanitary sewer main is shown tying into the existing manhole within Town property to the west. However, the proposed connection is shown going against the flow. Also, an outside drop is shown for this connection. Both of these conditions are unacceptable and shall be re-designed.
21. In order for the Town of Orangetown Sewer Department to even consider allowing the use of the existing sanitary house lateral by proposed Lot #5, the existing lateral shall be tv'd by the applicant/ applicant's contractor and witnessed by the Orangetown Sewer Inspector. A determination will then be made by the Orangetown Sewer Inspector. If it is determined that the existing lateral cannot be used, a new lateral shall be installed for said Lot #5. A note shall be added to the plan roughly stating that the existing sanitary house lateral shall be tv'd by the applicant and witnessed by the Town Sewer Inspector. The Town Sewer Inspector will decide if the existing sanitary lateral can be used for proposed Lot #5.
22. The existing sanitary sewer manhole within proposed Lot #7 is labeled that it is to be raised by installing a ring, this is not acceptable. The manhole shall be raised by either building up the manhole or installing a new precast ring or cone section. A detail for same shall be added to the drawings.
23. The invert elevations for all proposed sanitary cleanouts shall be given on the drawings.
24. The applicant's engineer/ surveyor shall contact the Town of Orangetown Sewer Department to coordinate the unlocking of the existing sanitary manholes along the border of the proposed subdivision, in order to field verify the invert elevations of the existing manholes. This shall be done **PRIOR** to receiving **Final Approval** in order to verify the proposed design.
25. Separate profiles shall be provided for each new public item (roadway, drainage mains, sanitary mains) where they are not coincident. Also, it is suggested that the roadway profile follow the centerline of the proposed road all the way around the circle.
26. The existing temporary macadam turn arounds, along existing PVT. Del Regno Court shall be labeled to be top soil and seeded.
27. All of the proposed soil erosion and sediment control features to be used shall be added to the legend.

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28. The soil erosion and sediment control symbols shall conform to NYSDEC standards.

29. An existing conditions plan shall be added to the drawing set.

30. A note shall be added to the plans stating that the Town of Orangetown Sewer Inspector shall be notified at least 48-hours in advance of **ANY** work being done on or near any of the existing or proposed sanitary sewer improvements and or the proposed sanitary house connections.

31. A note shall be added to the Subdivision Plan indicating the source benchmark for the referenced datum, including the BM elevation.

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

- It does not appear that a fire hydrant is proposed within the subdivision. Show the distance from the closest hydrant to Lot #1 (furthest lot.) Greater than 400' a hydrant may need to be provided. IFC 507.5.1
- Show that a straight fire apparatus 47' long with a 246" wheelbase can turnaround at the end of the proposed cul-de-sac.

33. Drainage Review Recommendation- Brooker Engineering

The Drainage Consultant to the Planning Board, Brooker Engineering, held that the proposed action has provided sufficient analysis to demonstrate potential significant increases in stormwater runoff can be mitigated and therefore recommends that the SMK Erie West Subdivision be approved for drainage subject to the following comments.

Project Description

This is the first drainage review report for this project. The property is located on the north side of Erie Street and west of PVT. Del Regno Court. Stormwater runoff flows northwest through the site. There is a berm along the western property line; it appears that stormwater runoff flows to the northwest corner of the property and enters the creek at a low point in the berm. The project proposes a stormwater management basin at the northwest corner of the property on a lot to be dedicated to the Town of Orangetown.

Project Comments

1. The drainage subareas in the proposed conditions hydrologic model shall be delineated by areas that are directed to the detention basin and areas that bypass the basin. Off-site runoff from the east that enter the site shall be evaluated in the delineation. Areas that are directed to Erie Street shall be indicated.

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Continuation of Condition #33...

2. More detail shall be shown in the extension of Pvt Del Regno Court; the existing catch basins at the west end of the road shall be shown with curb inlet tops added and a portion of the road will have to be repaved to provide a crown to direct stormwater runoff to these two basins. This will maintain the existing drainage pattern and prevent additional off-site runoff from entering the new stormwater management basin.
3. A hydrologic and hydraulic analysis shall be performed of the existing creek to the west to demonstrate the new stormwater management basin will not be inundated by surcharges from the stream.
4. The peak elevation of the stormwater management basin of 151.0 will surcharge the proposed basement elevation of 150.5 for proposed Lot 1; this shall be redesigned.
5. Footing drain inverts shall be provided at each outlet point.
6. The curve numbers for existing conditions shall be reevaluated; portions of the site to the north and west are heavy woods and will have a lower curve number than the woods/grass curve number used for the entire site.
7. Soil test data shall be provided at the stormwater management basin and at each lot with a basement.
8. The NYSDEC BMP for the proposed stormwater management basin shall be indicated on the plan.
9. Proposed impervious area for each lot shall be indicated on the Grading Plan for ease of comparison when plot plans are submitted for construction at each lot.

34. The Rockland County Department of Health (RCDOH) review the submitted information and offered the following comments:

- Realty Subdivision application is to be made to RCDOH.
- Application is to be made to the RCDOH for sanitary sewer extension approval. Sewer capacity analysis is to be included.
- Application is to be made to the RCDOH for water main extension approval.
- There is an existing well on the property that is noted to be decommissioned in accordance with Article II of the Rockland County Sanitary Code. The decommissioning process includes submission of an application and subsequent completion report. A Certificate of Occupancy should **not** be issued until RCDOH has deemed that the decommissioning is completed.
- Application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.

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

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

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

37. 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.

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

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

40. 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:

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Continuation of Condition #40...

- 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.

41. 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.

42. 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.

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

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

46. 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

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

The foregoing Resolution was made and moved by Bruce Bond and second by Andrew Andrews and carried as follows: Thomas Warren, Chairman, aye; William Young, Vice-Chairman, aye; Andrew Andrews, aye; Bruce Bond, aye; Michael Mandel, nay; Robert Dell, nay; Stephen Sweeney, absent 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: June 9, 2021
Cheryl Coopersmith**

Town of Orangetown Planning Board

Attachment



TOWN OF ORANGETOWN
2021 JUL - 1 P 1:42
TOWN CLERK'S OFFICE

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

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This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

The PLANNING BOARD, TOWN OF ORANGETOWN, as Lead Agency, has determined that the proposed action described below will not have a significant impact on the environment and a Draft Environmental Impact Statement will not be prepared.

**NAME OF ACTION: SMK Erie West Subdivision Plan
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SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Subdivision Plan Review

LOCATION: The site is located at 104 West Erie Street, Blauvelt, Town of Orangetown, Rockland County, New York and as shown on the Orangetown Tax Map as Section 70.13, Block 1, Lot 20; 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
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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