

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: _____

2022 LAND USE BOARD APPLICATION

Please check all that apply:

<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Residential
<input type="checkbox"/> Planning Board	<input type="checkbox"/> Historical Board
<input checked="" type="checkbox"/> Zoning Board of Appeals	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Consultation
<input type="checkbox"/> Number of Lots	<input type="checkbox"/> Pre-Preliminary/Sketch
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Final
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Interpretation
<input checked="" type="checkbox"/> Variance	
<input type="checkbox"/> Performance Standards Review	
<input type="checkbox"/> Use Variance	
<input type="checkbox"/> Other (specify): _____	

PERMIT#: _____

ASSIGNED _____

INSPECTOR: _____

Referred from Planning Board: YES / NO
If yes provide date of Planning Board meeting: _____

Project Name: BROSNA CONSTRUCTION ADDITION

Street Address: 624 Route 303
BLAUVELT, NEW YORK 10913

Tax Map Designation:

Section: 65.14 Block: 1 Lot(s): 7
Section: _____ Block: _____ Lot(s): _____

Directional Location:

On the WEST side of ROUTE 303, approximately _____ feet AT the intersection of BIRCHWOOD DRIVE, in the Town of ORANGETOWN in the hamlet/village of BLAUVELT.

Acreage of Parcel <u>0.653 ACRE</u>	Zoning District <u>L10</u>
School District <u>SOUTH ORANGETOWN CENTRAL</u>	Postal District <u>10913</u>
Ambulance District <u>Blauvelt</u>	Fire District <u>Blauvelt</u>
Water District <u>Blauvelt</u>	Sewer District <u>Orangetown</u>

Project Description: (If additional space required, please attach a narrative summary.)

TWO STORY ADDITION WITH 400 sq. Ft. FOOTPRINT TO EXISTING ONE STORY 7,000 sq Ft BUILDING W/ A BASEMENT
SEE ATTACHED PROJECT NARRATIVE

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.

Date: 1-5-22 Applicant's Signature: _____



APPLICATION REVIEW FORM

FILL IN WHERE APPLICABLE.

(IF THE FOLLOWING DOES NOT APPLY PLEASE MOVE ON TO THE NEXT PAGE)

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____
- 3) Is this a standard or average density subdivision? _____

If site plan:

- 1) Existing square footage 7,000
- 2) Total square footage 406 proposed addition
- 3) Number of dwelling units 0

If **special permit**, list special permit use and what the property will be used for.

Environmental Constraints:

Are there **slopes greater than 25%**? If yes, please indicate the amount and show the gross and net area _____

Are there **streams** on the site? If yes, please provide the names. _____

Are there **wetlands** on the site? If yes, please provide the names and type:

Project History:

Has this project ever been reviewed before? YES

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

PB # 21-59 Brasda Construction Site Plan
Preliminary Site Plan Approval dated Nov 10, 2021
Decision ATTACHED

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

NONE

**PB #21-59: Brosna Construction Site Plan
Preliminary Site Plan Approval
Subject to Conditions
Neg. Dec.**

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**TO: James Kirby, 624 Route 303, Blauvelt, New York
FROM: Orangetown Planning Board**

RE: Brosna Construction Site Plan: The application of Brosna Construction, applicant for 624 Route 303 Realty, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review at a site known as "Brosna Construction 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 624 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.14, Block 1, Lot 7 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, November 10, 2021**, the Board made the following determinations:

James Kirby and Patrick Benn appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated November 3, 2021.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Jane Slavin, Director, Deputy Building Inspector dated November 8, 2021.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated November 5, 2021.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated October 28, 2021.
5. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated October 29, 2021.
6. Letter and notices from Rockland County Department of Health, signed by Elizabeth Mello, PE, Senior Public Health Engineer, dated October 14, 2021.
7. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer, Engineer II, dated October 18, 2021.
8. Letter from Orange & Rockland Utilities, from Alfred Gaddi, PE, Principal Engineer, dated September 17, 2021.
9. Notice from the Rockland County Highway Department signed by Dyan Rajasingham, dated September 21, 2021.
10. Notices from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, dated October 6, 2021.
11. Building Permit Referral to the Planning Board dated April 16, 2020 prepared by Rick Oliver, Building Inspector.

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12. A Short Environmental Assessment Form, signed by John Atzl, PLS, dated May 18, 2021.
13. Project Narrative prepared by Atzl, Nasher & Zigler.
14. Site Plan prepared by Atzl, Nasher & Zigler, dated April 14, 2021, last revised July 7, 2021.
15. Architectural Plans prepared by Harry Goldstein, RA, dated April 15, 2021, drawings 1, 2,3 and 4.

The Board reviewed the submitted plans. 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, Denise Lenihan, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, absent; Bruce Bond, aye; Robert Dell, aye and Michael McCrory, aye.

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

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

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

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Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Rockland County Department Health, Rockland County Sewer District No. 1 and Town of Orangetown Zoning Board of Appeals and having reviewed the drawings presented by Harry Goldstein, and Atzl, Nasher & Zigler, a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

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

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall address the location of the existing sign by either moving it to the approved location or by returning to the Planning Board for a new location.
4. The Applicant must provide impervious coverage calculations to show the difference in the amount of impervious coverage in comparison to the previously approved site plan that was stamped for filing on October 4, 2004.
5. The applicant shall apply to the Town of Orangetown Zoning Board of Appeals for the following zoning variances:
 - 1) Per Chapter 43, Table 3.12, column 9; side yard required is 100', previously approved is 41' and proposed is 32', variance required.
 - 2) Per Chapter 43, Table 3.12, column 10; total side yard required is 200', previously approved 139' and proposed is 130.3', variance required.
6. The sign is shown straddling the designated street line and the location is not per the approved plan from 2006. The sign must be moved or a variance obtained.
7. Per Chapter 2, section 2-4; the application shall be reviewed and approved by the Town of Orangetown Architecture and Community Appearance Board of Review.

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8. The Short Environmental Assessment Form (EAF) must be revised and resubmitted as follows;

a. Part 1, number 12 (b), 13 (a) and number 20, should be Yes.

9. The applicant is reminded that no work is permitted and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped by the Chief Clerk to the Board and the construction plans are reviewed and approved by the inspector.

10. The site plan provided does not match the previously approved site plan (K-Binet) for this property. For example, there is additional impervious area that has been created on the site - parking stalls at the back of the property.

11. The new/ unapproved additional impervious area (identified in comment #10 above) MUST be included in the applicant's engineer's calculations for total area of disturbance and total increase of impervious area. The drainage requirements for this site shall be based upon those numbers.

12. Drainage calculations, prepared and sealed by a New York State Licensed Professional Engineer, shall be submitted to this Department for review and approval. the applicant's engineer shall design onsite storage to achieve a zero increase in runoff from the proposed site.

13. All existing and proposed drywells, seepage pits, and drainage piping (if applicable) shall be shown on the drawing.

14. The existing sanitary septic or sanitary sewer house connections (with connection detail) shall be shown on the plan (including all inverts.)

15. All existing easements and dedications shall be shown on the plan, including metes and bounds, ownership, filing information, etc.

16. Soil erosion and sediment control plans and details shall be submitted to this DEME for review and approval.

17. The sign along Route 303, within the designated street area and the 25-foot landscape buffer, is not present on the previously approved site plan. See comment #10.

18. The location of the referenced benchmark shall be shown on the drawings.

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19. The Town of Orangetown Bureau of Fire Prevention reviewed the submitted plans and information and offered the following comment:

- Show the extension of the existing sprinkler and fire alarm system on the site plan.

20. 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.
- The Town shall be satisfied that all applicable requirements of the Route 303 Overlay Zone have been addressed in the proposed site plan.
- Several questions on the Short Environmental Assessment Form (SEAF) are answered incorrectly. The EAF Mapper Application, provided by the NYSDEC indicates that questions 12b, 13a, and 20 on the SEAF should be answered affirmatively. To ensure accurate SEQRA Documentation, the Village should encourage applicants to use this tool to complete the SEAF as it populates the answers to certain questions using NYS database information.
- The Rockland County Department of Planning requests the opportunity to review any variances that may be needed to implement the proposed subdivision, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).
- The architectural drawings specify a one-story addition. The project narrative, application form, SEAF, and site plan indicate that a two-story addition is proposed. All application material must be consistent.

21. The Rockland County Department of Health (RCDOH) reviewed the submitted plan and information and had held that there are no RCDOH approvals needed for this application.

22. 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.

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

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

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24. Orange and Rockland Utilities reviewed the plan and had the following comment: The proposed addition may be in conflict with the existing gas service as it enters the dwelling in the center. Please contact new business for any service relocations. All code 753 rules must be followed.

25. 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.

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

27. 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.

28. The applicant shall comply with all previous and pertinent conditions of all prior Board Decisions.

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

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

d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

- 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 #29...

- 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.

- 30.** 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.
- 31.** 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.
- 32.** The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
- 33.** If the applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant shall submit their recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Wetlands - U.S. Army Corps of Engineers).

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

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

36. 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 Andrew Andrews and carried as follows: Thomas Warren - Chairman; aye, Denise Lenihan, aye; Michael Mandel, aye; Andrew Andrews, aye; Stephen Sweeney, absent; Bruce Bond, aye; Robert Dell, aye and Michael McCrory, aye.

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

**Dated: November 10, 2021
Cheryl Coopersmith
Chief Clerk Boards and Commissions**



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

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Town of Orangetown Planning Board Decision

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: Brosna Construction Site Plan- Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 624 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.14, Block 1, Lot 7 in the LIO zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

Office of Building, Zoning and Planning
Administration and Enforcement
Town of Orangetown
20 Greenbush Road
Orangeburg, NY 10962
Telephone Number: 845-359-5100

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

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DECISION
**LOT AREA, LOT WIDTH, FRONT YARD, SIDE YARD, TOTAL SIDE YARD,
REAR YARD, AND PARKING SPACE VARIANCES AND § 280-a EXCEPTION
APPROVED**

To: John Atzl, PLS (K-Binet, Inc)
234 North Main Street
New City, New York 10956

ZBA # 03-46
Date: 5 / 21 / 03

FROM: ZONING BOARD OF APPEALS: Town of Orangetown

Re: ZBA# 03-46: Application of K-Binet Inc. for variances from Chapter 43, LIO District, Section 3.11, Column 7 refers to LO District, Columns 6 (Off-Street Parking Spaces: 17 required, 15 provided), Section 3.12, Group CC, Columns 5 (Lot Area: 2 acres required, .653 acres proposed), 6 (Lot Width: 300' required, 233' proposed), 8 (Front yard: 100' required, 25' proposed), 9 (Side Yard: 100' required, 41' proposed), 10 (Total Side Yard: 200' required, 139' proposed), 11 (Rear Yard: 100' required, 37' proposed) and 12 (Building Height: 6.3' permitted, 14' proposed), and for an exception pursuant to New York State Town Law, Section 280-a (Relation of structure to streets or highways) for a proposed 7,000 sq. ft. facility for a custom cabinet making business. Premises are located at 624 Route 303, Blauvelt, New York and are identified on the Orangetown Tax Map as Section 65.14, Block 1, Lot 7; LIO zoning district.

Heard by the Zoning Board of Appeals of the Town of Orangetown at meetings held on the following Wednesdays, May 7, 2003 and May 21, 2003 at which time the Board made the determination hereinafter set forth.

Jay Kim, Donald Tracy, Attorney, John Atzl, Atzl, Scatassa & Zigler, P.C. appeared and testified.

The following documents were presented:

1. Site Plan dated 10/29/-2, revision date of 1/24/03, signed and sealed by Theodore F. Atzl, Atzl, Scatassa & Zigler P.C.
2. Planning Board Decisions # 03-10, dated 1/22/03.
3. Site plan with revision date of 5/12/03 signed and sealed by Theodore R. Atzl, P.E.
4. A full environmental assessment form.
5. A letter from the County of Rockland Department of Planning dated May 1, 2003 signed by Dr. James J. Yarmus, P.E., Commissioner of Planning.

At the meeting of May 7, 2003 Donald Tracy, Attorney, stated that he would like to put to rest the issue of wetlands mentioned in the Rockland County Planning Board letter; that there aren't any wet lands on this property; that there are many commercial uses in the area; that the applicant has a disability just by virtue of the lot size; that Mr. Kim bought the property 1 ½ years ago; that he had a 6 mo. Option; that during that time he discovered that the property had prior variances and purchased the lot; that the property does meet any of the requirements of the LIO zone; that extensive variances were granted to this property in 1990 for a medical building; that this footprint is 480 sq. ft. bigger per floor; that although the proposed building is larger it does conform to the floor area ratio requirements of the zone; that it would require a height variance for any building over 6'3" high; that the substantial measure of the application should be considered against the effect it has on the surrounding neighborhood not by the percentage of the variance requested; and that the applicant could consider eliminating the top floor of the building and extend the basement and 1st floor by 500 sq. ft., for a 7000 sq. ft. building.

K-Binet Inc.
ZBA # 03-46
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Jay Kim, applicant testified that he intends to use the basement level of the building to bring in the wood; that the first floor is for the assembly of the cabinets; that the second floor is for a display and office space; that the cabinets that he makes are carved by hand and/or machine; that there is a patent pending of these cabinets; that they are continuance pictures like a mural; that he established the business 16 years ago; that the cabinets range in price from \$70,000 to \$100,000; and that if he had to manage in a slightly smaller building he would.

John Atzl, L.S., testified that the application received a preliminary site plan and a negative declaration (SEQR) from the Orangetown Planning Board on March 12, 2003; that the area north of site is an office/warehouse; that behind the site is a holistic veterinarian; that across the way is a driving range and then Minolta; that they have done everything possible to conform to the Route 303 overlay zone; that there is a 25' buffer along Route 303; that the lot area is only 1/3 of what is required for the LIO zone; that the existing lot size causes the need for variances; that nothing could be built on this lot without requiring variances; and that they would like a continuance.

At the meeting of May 21, 2003 Donald Tracy, Attorney, stated that since the last meeting and the dialogue with the Board about the concerns of the height of the proposed building, the applicant returned to the drawing board and made several changes; that originally they were requesting a two-story building with a basement and a total of 9,000 sq. ft.; that after listening to the concerns of the Board the plans were revised to a 7,000 sq. ft. one story building with a basement; and that the footprint has changed slightly; that the lot coverage is conforming; that the property is a disability because it is too small to meet the requirements of the Code; that the use is a permitted use for the zone; and that the granting of the needed variances would not harm the surrounding area or be adverse to the environment.

John Atzl, L.S., testified that the building has been reconfigured; that originally they were seeking a 9,000 sq. ft. building with a basement and two-stories; that the Board was concerned with the height of the building; that the plans have been changed to a building with a 3,500 sq. ft. basement and a 3,500 sq. ft. first floor; that the building height has been reduced from 26' to 14'; that the decrease of 2000 sq. ft. of the building has decreased the amount of parking spaces required by 2 spaces; that the applicant is still requesting a parking variance for 2 spaces instead of the original 4 spaces; that the south side of the building has been extended by 10' increasing the building width to 78 feet; that the total side yard request of 108' on the previous submission is changed to a 98' total side yard on this plan; and that the lot area, lot width, front yard, and rear yard requests remains the same.

The Board members made a personal inspection of the premises on Sunday, May 18, 2003 and found them to be properly posted and as generally described on the application.

A satisfactory statement in accordance with the provisions of Section 809 of the General Municipal Law of New York was received.

On January 2, 2003 the Zoning Board of Appeals consented to the Orangetown Planning Board to be Lead Agency for the SEQR review process for this project. The Planning Board issued a Negative Declaration on March 12, 2003 (PB# 03-10).

APPROVED BY:

1001

FINDINGS OF FACT AND CONCLUSIONS:

After personal observation of the property, hearing all the testimony and reviewing the documents presented, the Board found and concluded that:

1. The requested variances would not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. The reduction in the height of the building will be consistent with the objectives of the Route 303 overlay zoning plan and the proposed 25' wide landscape buffer along Route 303 meets overlay zoning requirements.
2. The requested variances would have no adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
3. The benefits sought cannot be achieved by other means feasible for the applicant other than obtaining variances.

DECISION: In view of the foregoing and the testimony and documents presented, the Board: **RESOLVED**, that the application for the variances requested at the meeting of May 21, 2003 and the exception from New York State Town Law § 280-a is **APPROVED**; and **FURTHER RESOLVED**, that such decision and the vote thereon shall become effective and be deemed rendered on the date of adoption by the Board of the minutes of which they are a part.

General Conditions:

- (i) The approval of any variance or Special Permit is granted by the Board in accordance with and subject to those facts shown on the plans submitted and, if applicable, as amended at or prior to this hearing, as hereinabove recited or set forth.
- (ii) Any approval of a variance or Special Permit by the Board is limited to the specific variance or Special Permit requested but only to the extent such approval is granted herein and subject to these conditions, if any, upon which such approval was conditioned which are hereinbefore set forth.
- (iii) The Board gives no approval of any building plans, including, without limitation, the accuracy and structural integrity thereof, of the applicant, but same have been submitted to the Board solely for informational and verification purposes relative to any variances being requested.
- (iv) A building permit as well as any other necessary permits must be obtained within a reasonable period of time following the filing of this decision and prior to undertaking any construction contemplated in this decision. To the extent any variance or Special Permit granted herein is subject to any conditions, the building department shall not be obligated to issue any necessary permits where any such condition imposed should, in the sole judgment of the building department, be first complied with as contemplated hereunder. Occupancy will not be made until, and unless, a Certificate of Occupancy is issued by the Office of Building, Zoning and Planning Administration and Enforcement which legally permits such occupancy.

K-Binet Inc.
ZBA # 03-46
Page 4 of 4


(v) Any foregoing variance or Special Permit will lapse if any contemplated construction of the project for which the variance or Special Permit is granted is not substantially implemented within one year of the date of filing of this decision or that of any other board of the Town of Orangetown granting any required final approval to such project, whichever is later, but in any event within two years of the filing of this decision. Merely obtaining a Building Permit does not constitute "substantial implementation" for the purposes hereof.

The foregoing resolution to approve the application for the requested variances and § 280-a exception was presented and moved by Mr. Duffy, seconded by Mr. Munno, and carried as follows: Mr. Castagna, aye; Mr. Mowerson, nay; Ms. Castelli, aye; Mr. Munno, aye; and Mr. Duffy, aye.

The Administrative Aide to the Board is hereby authorized, directed and empowered to sign this decision and file a certified copy thereof in the office of the Town Clerk.

DATED: May 21, 2003

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

By 
Deborah Arbolino
Administrative Aide

DISTRIBUTION:

APPLICANT
ZBA MEMBERS
SUPERVISOR
TOWN BOARD MEMBERS
TOWN ATTORNEY
DEPUTY TOWN ATTORNEY
OBZPAE
BUILDING INSPECTOR - L.P.

TOWN CLERK
HIGHWAY DEPARTMENT
ASSESSOR
DEPT. of ENVIRONMENTAL
MGMT. and ENGINEERING
FILE, ZBA, PB
CHAIRMAN, ZBA, PB, ACABOR



**OFFICE OF BUILDING, ZONING, PLANNING
ADMINISTRATION AND ENFORCEMENT**
TOWN OF ORANGETOWN
20 GREENBUSH ROAD
ORANGETOWN, N.Y. 10962

**Jane Slavin, RA
Director**

(845) 359-8410

Fax: (845) 359-8526

Date: February 17, 2022

To: Debbie Arbolino, Clerk
Zoning Board

From: Jane Slavin, RA.,
Director O.B.Z.P.A.E.

Subject: Brosna Site Plan
Site Plan
624 Route 303, Blauvelt
65.14/1/7; LIO zoning district

Submission Reviewed:

Site plan package as prepared by Atzl, Nasher & Zigler, PC. engineering, last revised 7-7-2021.

- 1) Per Chapter 43, Table 3.12, column 9; side yard required is 100', previously approved is 41' and proposed is 32', variance required.
- 2) Per Chapter 43, Table 3.12, column 10; total side yard required is 200', previously approved 139' and proposed is 130.3', variance required.
- 3) The sign is shown straddling the designated street line and the location is not per the approved plan from 2006. Per Chapter 43, Article XIII, section 13.10 B (4), ...signage shall not be permitted on the right-of-way line that forms Route 303 or within the twenty-five-foot vegetative buffer adjacent to such right-of-way-line...



OFFICE OF BUILDING, ZONING, PLANNING,
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN

20 Greenbush Road
Orangeburg, N.Y. 10962

Jane Slavin, R.A.
Director

(845)359-8410

Fax: (845) 359-8526

ZONING BOARD OF APPEALS

Date: 2/7/2022
Applicant: Brosna Site Plan
Address: 624 Route 303 Blauvelt, NY
Section: 65.14 Block: 1 Lot: 7
Permit# 51365

Plans Submitted: Brosna Construction dated 4/14/2021 last revised 1/25/2022
signed and sealed John Atzl and Ryan Nasher one page

RECEIVED

FEB 7 2022

Project Name: Brosna

TOWN OF ORANGETOWN
BUILDING DEPARTMENT

Date of Submittal to Land Use Board: February 4, 2022

Date of Board Meeting: TBD

Sincerely,

Debbie Arbolino
Administrative Aide

Date/Initial of OBZPAE Review Completed: _____



**OFFICE OF BUILDING, ZONING, PLANNING
ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
20 GREENBUSH ROAD
ORANGETOWN, N.Y. 10962**

**Jane Slavin, RA
Director**

(845) 359-8410

Fax: (845) 359-8526

Date: November 8, 2021

To: Cheryl Coopersmith, Chief Clerk
Planning Board

From: Jane Slavin, RA.,
Director O.B.Z.P.A.E.



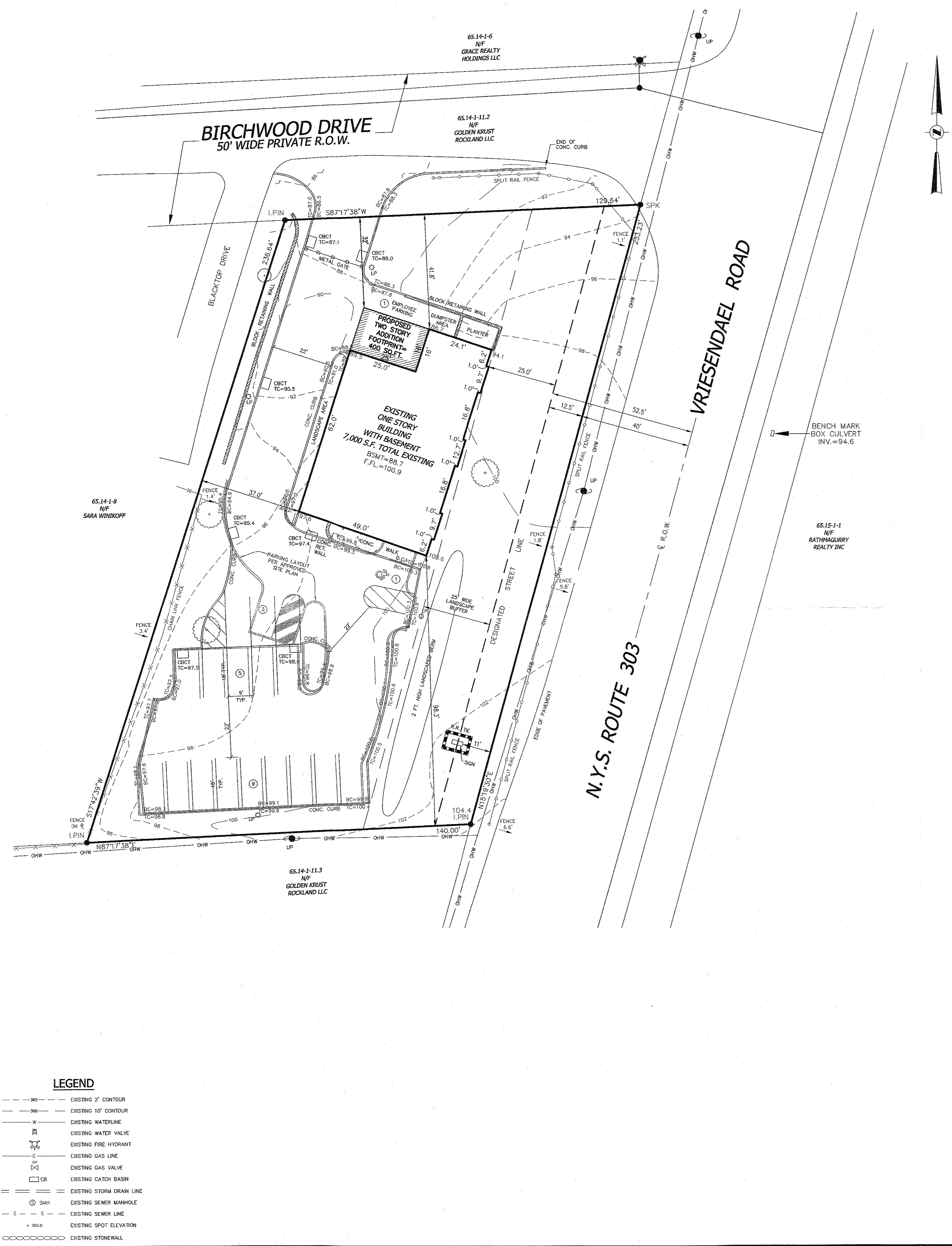
Subject: **Brosna Site Plan** **PB #21-59**
Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review
624 Route 303, Blauvelt
65.14/1/7; LIO zoning district

Submission Reviewed:

Site plan package as prepared by Atzl, Nasher & Zigler, PC. engineering, last revised 7-7-2021.

- 1) Applicant must provide impervious coverage calculations to show the difference in the amount of impervious coverage in comparison to the previously approved site plan that was stamped for filing on October 4, 2004.
- 2) Per Chapter 43, Table 3.12, column 9; side yard required is 100', previously approved is 41' and proposed is 32', variance required.
- 3) Per Chapter 43, Table 3.12, column 10; total side yard required is 200', previously approved 139' and proposed is 130.3', variance required.
- 4) The sign is shown straddling the designated street line and the location is not per the approved plan from 2006. The sign must be moved or a variance obtained.
- 5) Per Chapter 2, section 2-4, ACABOR review and approval is required.
- 6) The SEAF must be revised and resubmitted as follows;
 - a. Part 1, number 12 (b), 13 (a) and number 20, should be Yes.
- 7) The applicant is reminded that no work is permitted and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped by the Chief Clerk to the Board and the construction plans are reviewed and approved by the inspector.

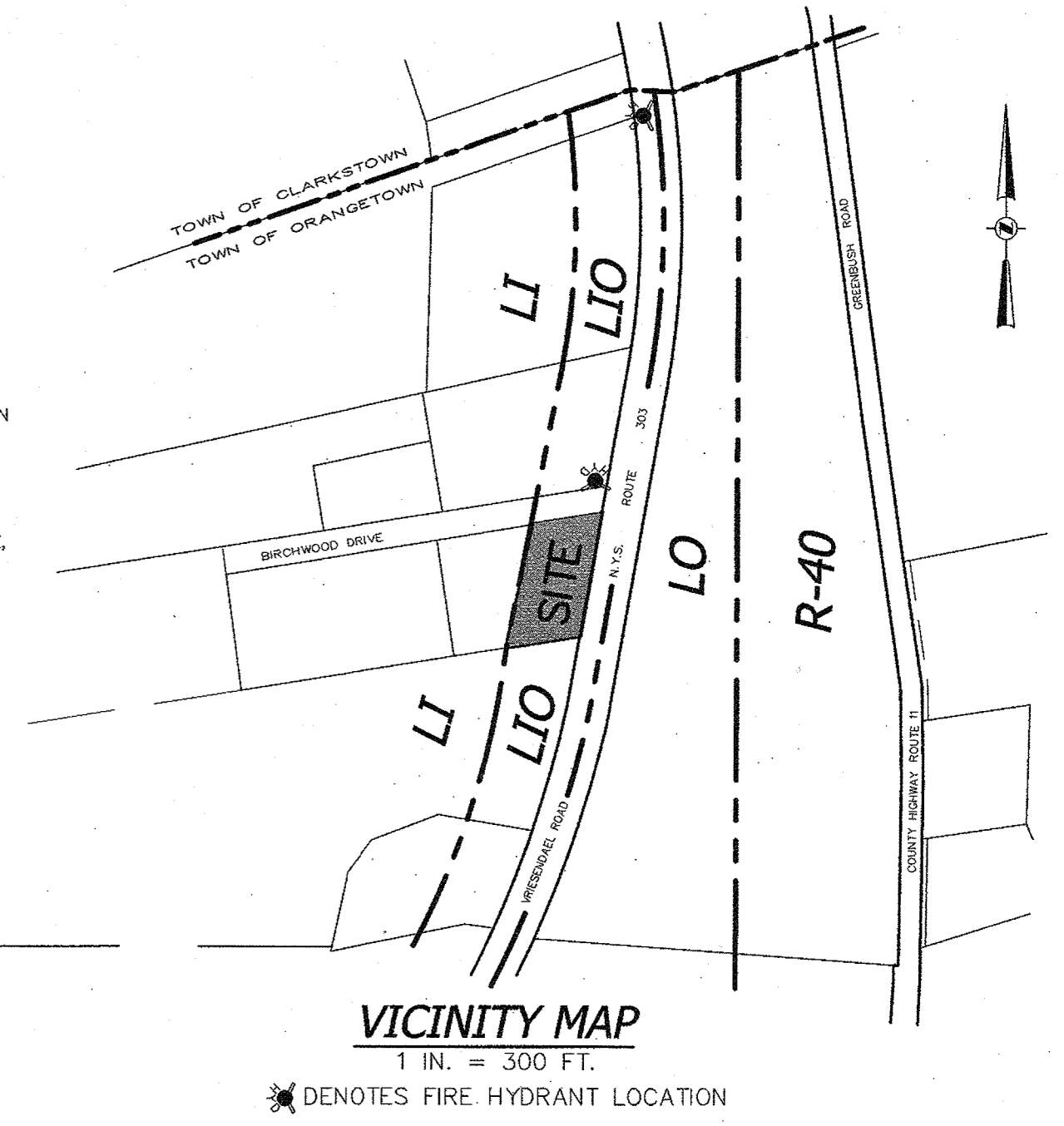
JS – 11-8-2021



NOTES:

- ALL UTILITIES, INCLUDING ELECTRIC AND TELEPHONE SERVICES SHALL BE INSTALLED UNDERGROUND.
- NO BUILDING PERMIT WILL BE ISSUED UNTIL SEWAGE DISPOSAL ARRANGEMENTS HAVE BEEN APPROVED BY THE ROCKLAND COUNTY HEALTH DEPARTMENT AND/OR THE TOWN OF ORANGETOWN.
- LOT DRAINAGE SHOWN ON THIS PLAN SHALL CONSTITUTE EASEMENTS RUNNING WITH THE LAND AND SHALL NOT BE DISTURBED.
- ANY EXISTING UTILITIES (POLES, HYDRANTS, ETC.) AFFECTED BY CONSTRUCTION OF THIS SITE SHALL BE RELOCATED AT THE DEVELOPER'S EXPENSE PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY.
- NO OPEN BURNING DURING CONSTRUCTION WITHOUT SPECIFIC PERMISSION FROM NEW YORK STATE DEPARTMENT OF HEALTH.
- DATUM: USGS - BENCHMARK HEADWALL ROUTE 303 INV. = 94.6
- NO BUILDING PERMIT SHALL BE ISSUED UNTIL RESULTS OF TEST PITS HAVE BEEN SUBMITTED TO THE BUILDING DEPARTMENT.
- DURING THE COURSE OF CONSTRUCTION, ALL STORM DRAIN INLETS SHALL BE PROTECTED WITH A HAY BALE FILTER.
- ALL AREAS DISTURBED BY ONSITE GRADING SHOULD BE LIMED AND FERTILIZED PRIOR TO SEEDING.
- THE NEW CORNERS OF ALL LOTS SHALL BE MARKED WITH METAL RODS 3/4" IN DIAMETER, AND AT LEAST 30" IN LENGTH (TO BE INSTALLED AFTER FINAL GRADING). SAID PINS SHOWN THUS ●
- THIS SITE PLAN IS SUBJECT TO DETAILS OF GRADING, ROADS AND UTILITIES AS SHOWN ON CONSTRUCTION DRAWINGS APPROVED BY THE PLANNING BOARD AND FILED WITH THE TOWN CLERK.
- SIDEWALKS AND CURBS SHALL BE INSTALLED IN ACCORDANCE WITH HIGHWAY DEPARTMENT SPECIFICATIONS.
- TEMPORARY SEDIMENTATION ENTRAPMENT AREAS SHALL BE PROVIDED AS SHOWN TO INTERCEPT AND CLARIFY SILT LADEN RUNOFF FROM THE SITE. THESE MAY BE EXCAVATED OR MAY BE CREATED UTILIZING CARTON BERRS, RIP-RAP OR CRUSHED STONE DAMS, HAY BALES, OR CHANNELIZATION SHALL BE CONSTRUCTED TO INSURE THAT ALL SILT LADEN WATERS ARE DIRECTED INTO THE ENTRAPMENT AREAS, WHICH SHALL NOT BE PERMITTED TO FILL IN, BUT SHALL BE CLEANED PERIODICALLY DURING THE COURSE OF CONSTRUCTION. THE COLLECTION SILT SHALL BE DEPOSITED IN AREAS SAFE FROM FURTHER EROSION.
- ALL DISTURBED AREA, EXCEPT ROADWAYS, WHICH WILL REMAIN UNFINISHED FOR MORE THAN THIRTY (30) DAYS SHALL BE TEMPORARILY SEEDED WITH 1/2 LB. OF RYE GRASS OR MULCH WITH 100 LBS. OF STRAW OR HAY PER 1,000 SQUARE FEET. ROADWAYS SHALL BE STABILIZED AS RAPIDLY AS PRACTICABLE BY THE INSTALLATION OF THE BASE COURSE.
- SILT THAT LEAVES THE SITE IN SPITE OF THE REQUIRED PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS DIRECTED BY APPROPRIATE MUNICIPAL AUTHORITIES.
- AT THE COMPLETION OF THE PROJECT ALL TEMPORARY SILTATION DEVICES SHALL BE REMOVED AND THE AFFECTED AREAS REGRADED, PLANTED, OR TREATED IN ACCORDANCE WITH THE APPROVED SITE PLAN.

17. PERMANENT VEGETATION COVER SPECIFICATION:
LAWN AREA - PER 1,000 SQ. FT.
15 LBS. 10-6-4 50% SLOW RELEASE FERTILIZER
70 LBS. GRANULATE LIMESTONE
4 LBS. SEED MIXTURE
- 40% KENTUCKY BLUE
40% RED FESCUE
20% PERENNIAL RYEGRASS



BULK REQUIREMENTS

EXISTING ZONE - L10, GROUP CC ROUTE 303 OVERLAY ZONE	REQUIRED	EXISTING	PROPOSED
MAXIMUM FLOOR AREA RATIO	0.40	0.25	0.28
MINIMUM STREET FRONTAGE	150 FT.	233 FT.	233 FT.
MINIMUM LOT AREA	2 ACRES	0.653 ACRE*	0.653 ACRE*
MINIMUM LOT WIDTH	300 FT.	233 FT.*	233 FT.*
MINIMUM FRONT YARD DEPTH	100 FT.	25.0 FT.*	25.0 FT.*
MINIMUM SIDE YARD	100 FT.	41.8 FT.*	32.0 FT.**
MINIMUM TOTAL BOTH SIDE YARD	200 FT.	139.8 FT.*	130.3 FT.**
MINIMUM REAR YARD	100 FT.	37.0 FT.*	37.0 FT.*
MAXIMUM BUILDING HEIGHT (3"/FT.)	6'-3"	14FT. ALONG RT. 303*	14FT. ALONG RT. 303*
MAXIMUM DEVELOPMENT COVERAGE	75%	62%	62%

*DENOTES VARIANCE GRANTED ON MAY 21, 2003, AS CASE #03-46
**DENOTES VARIANCE REQUIRED
VARIANCE REQUIRED FOR SIGN WITHIN D.S.L. & 25 FT. WIDE LANDSCAPE BUFFER. REQUIRED: 37.5 FT. EXISTING: 11 FT.

LOT AREA CALCULATION

29,900 SQ. FT. / 0.686 ACRE GROSS
= 1,458 SQ. FT. 1/2 ACRE WITHIN D.S.L.
28,442 SQ. FT. / 0.653 ACRE NET LOT AREA FOR ZONING

PARKING REQUIREMENTS

MANUFACTURING	REQUIRED	PROVIDED
3,500 S.F.		
1 SPACE PER 2 EMPLOYEES OR		
1 SPACE PER 300 S.F. OF GROSS FLOOR AREA		
2 EMPLOYEES MAXIMUM + 2	= 1 SPACE	1 SPACE
OFFICE (4 EMPLOYEES)		
1 SPACE PER 200 S.F. OF GROSS FLOOR AREA		
1,800 S.F. + 200	= 9 SPACES	9 SPACES
DISPLAY/STORAGE - ACCESSORY USE PER SECT. 11.2 OF ORANGETOWN CODE		
1 SPACE PER 300 S.F. OF GROSS FLOOR AREA		
2,500 S.F. + 300	= 8.3 SPACES	10 SPACES
TOTAL	= 18.3 or 19 SPACES	19 SPACES

ADDITIONAL VARIANCES GRANTED ON MAY 21, 2003 AS CASE #03-46

- A) 280a - ACCESS BY PRIVATE RIGHT-OF-WAY
- B) PARKING - 17 SPACES REQUIRED, 15 SPACES PROVIDED
- C) PARKING IN FRONT YARD

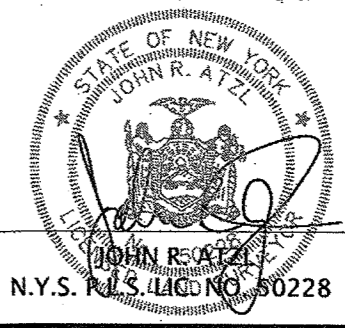
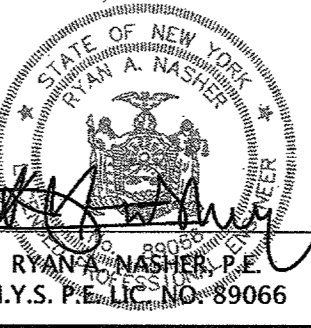
NOTE:

PERFORMANCE STANDARDS CONFORMANCE APPROVED BY THE ZONING BOARD OF APPEALS ON JANUARY 21, 2004, AS CASE #03-101.

CONDITIONAL USE PERMIT REQUIRED FROM THE PLANNING BOARD FOR MANUFACTURING GRANTED ON JULY 28, 2004, AS PB #04-83.

OWNERS APPROVAL FOR FILING

[Signature] 2/2/22
OWNER DATE



OWNER & APPLICANT

BROSNA CONSTRUCTION
624 ROUTE 303
BLAUVELT, NY 10913

TAX MAP REFERENCE

TOWN OF ORANGETOWN TAX MAP SECTION 65.14, BLOCK 1, LOT 7

DISTRICTS

- SCHOOL DISTRICT: - SOUTH ORANGETOWN CENTRAL SCHOOL DIST. No. 1
- FIRE DISTRICT: - BLAUVELT FIRE PREVENTION DISTRICT
- WATER DISTRICT: - BLAUVELT
- SEWER DISTRICT: - ORANGETOWN SEWER DISTRICT
- LIGHTING DISTRICT: - TOWN OF ORANGETOWN

SITE ADDRESS

624 ROUTE 303
BLAUVELT, NY 10913

APR - 6 2022

REVISION	DATE	DESCRIPTION
3	01-25-22	FOR ZBA SUBMISSION
2	07-07-21	PER DIRECTOR'S COMMENTS 6-29-21
1	05-18-21	AREA OF ADDITION FOOTPRINT

ATZL, NASHER & ZIGLER P.C.
ENGINEERS-SURVEYORS-PLANNERS
232 North Main Street
New City, New York 10956
Tel: (845) 634-4694
Fax: (845) 634-5543
E-mail: info@anzny.com
Web: www.ANZNY.com

BROSNA CONSTRUCTION

**TOWN OF ORANGETOWN
ROCKLAND COUNTY, NEW YORK**

REVISED SITE PLAN

DRAWN BY: MM	CHECKED BY: JRA
DATE: APRIL 14, 2021	SCALE: 1" IN. = 20' FT.
PROJECT NO: 2907	DRAWING NO: 1

LEGEND

- 30 --- EXISTING 2' CONTOUR
- 10 --- EXISTING 10' CONTOUR
- W --- EXISTING WATERLINE
- S --- EXISTING WATER VALVE
- H --- EXISTING FIRE HYDRANT
- G --- EXISTING GAS LINE
- V --- EXISTING GAS VALVE
- CB --- EXISTING CATCH BASIN
- SD --- EXISTING STORM DRAIN LINE
- SMH --- EXISTING SEWER MANHOLE
- S --- EXISTING SEWER LINE
- + 300 --- EXISTING SPOT ELEVATION
- --- EXISTING STONEWALL