

TOWN OF ORANGETOWN PLANNING BOARD
Meeting of Wednesday, October 26, 2022

MEMBERS PRESENT: Thomas Warren, Chairman
Michael Mandel, Vice Chairman
Andrew Andrews Kevin Farry
Denise Lenihan Michael McCrory
Lisa DeFeciani, (alternate member)

MEMBER ABSENT: None

ALSO, PRESENT: Jane Slavin, Director, Office of Building, Zoning, Planning
Administration and Enforcement, Rick Pakola, Deputy Town Attorney; Ann Marie
Ambrose, Stenographer, and Katlyn Bettmann, Clerk Typist.

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:

Maloney Minor Subdivision Recommendation to the Town Board to Release the Performance Bond 60 Fisher Avenue, Pearl River Section 68.11, Block 2, Lot 70; R-15 zoning district	PB #22-52 Recommended to Town Board
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SQ Properties Site Plan Request for a 90 Day Extension to File the Plan 8 Olympic Drive, Orangeburg Section 73.15, Block 1, Lot 16; LIO zoning district	PB#22-56 Granted One 90 Day Extension to file
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<u>Continued Item:</u> 80 Old Mountain Road South Site Plan Critical Environmental Area Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review 80 Old Mountain Road South, Upper Grandview Section 71.05, Block 1, Lot 30; R-22 zoning district	PB#19-77 POSTPONED
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Other Business:

Review of the Orangetown Comprehensive Plan, dated September 2022. The
Board provided the Town of Orangetown Town Board with the following
comments:

- 1) Comments in reference to Transit Oriented Development (TOD)
 - a) Chapter 2, page 42, references the TOD plan prepared by Pace Law
School's Land Use Law Center which states that the area around the train
station in Pearl River could accommodate a greater mix of housing types
including condominiums, town houses and other dwelling types, higher
density of land use and taller buildings based on their 2018 survey of
residents. Then again in Chapter 5, page 144 the Plan supports higher
density housing around the train station and higher density of land use
including taller buildings. TOD philosophy is based on high density
housing around train stations, reduction in vehicle use and reduction in
single family home zoning areas and the Complete Streets Policy.

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Continuation of Other Business:

- b) A Graph contained in the report indicates a small minority support this view and a majority either wants no change or opposes it. The residential development graph on page 60 shows 61% either discourage or have no change views while 25% encourage this development. Similar views were held for commercial development with 28% in favor while 60% opposed (page 61). The graph on page 57 rated factors considered important by residents. The preservation of neighborhood character category was considered important or very important by 75% of the respondents compared to 11% who considered it not important at all.
- c) A development of this type of project as seen in Park Ridge, NJ changes the character of the town. As the graphs indicate the residents of Pearl River appear to want to maintain the character of the town.
- d) We recommend that the Town Board set a height limit (number of floors) for new construction in downtown areas to a three-level maximum to maintain the Town's character.
- e) A TOD program requires consistent train service. On page 111, the Plan states the Pascack Valley line operates up to four trains per hour during peak hours. The schedule for the Pascack Valley Line shows that only eight trains run during the peak AM period southbound and six trains northbound during the PM peak time (NJ Transit Schedule 7/24/2022). Further, this Line does not operate 24 hours a day and has been inconsistent in the past.
- f) The Plan suggests meeting with transit officials to improve service. Rockland County as well as Orange County have tried on several occasions without success.
- g) The Plan in Chapter 4, Transportation, Mobility and Parking recommends the conversion of large existing parking areas to bilevel garages in Pearl River and South Nyack (page 121). This would provide additional parking capacity to encourage commuters to use public transportation and bring weekend visitors to downtown by expanding Park and Ride facilities (pages 116 and 122). The use of bilevel parking garages could negatively impact the visual environment of the downtown area and the current town. Consideration should be made for the fact that the MTA parking facilities in downtown Pearl River are never filled nor even close to capacity.
- h) We recommend the Town Board review this suggestion and the overall impact on the visual character of the downtown and the residents.

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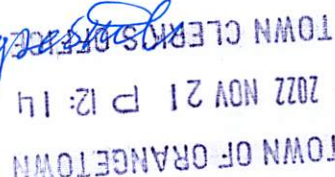
Continuation of Other Business:

- 2) Comments in reference to Economic Development and PAC
 - a) Chapter 5, Economic Development, page 126, shows that the over fifty-five cohort has increased from 26.5% of Orangetown's population in 2000 to 32.8% in 2020. The Plan does not address the use of PAC zones in downtown areas such as Pearl River which provides public transportation, restaurants, shops, parks, a library, and other amenities for their age group. This zoning would bring other businesses into a fully developed PAC zoned area for example, medical facilities, condominiums, rentals, and a dedicated senior center.
 - b) We recommend the consultants develop specific recommendations for the PAC zoning concept in downtown areas.
- 3) Comments in reference Sustainability and Climate Resiliency.
 - a) Chapter 7, page 220, reduce carbon emissions and promote healthier air quality section, states that the hamlet of Orangeburg is especially affected by truck deliveries, and residents have reported concerns over the increasing truck volumes that exacerbates traffic, noise and emissions.
 - b) As continued development will add to truck volumes, we recommend that a moratorium on warehousing be put into place while a new route 303 sustainability study and traffic study be completed to include GPS truck routing. (copy of the 2002 Route 303 Sustainability Study is enclosed as well as the NJ State Planning Commission, Distribution Warehousing and Goods Movement Guidelines for reference)
 - c) Chapter 7, page 222, recommends to limit the use of fossil fuels as a source and prioritize renewable sources for electricity and encourage green building technologies, it also recommends updating the town's municipal buildings for high energy efficiency. However, there should be a backup alternative source of energy, a plan to implement these strategies and a review of the projected financial impact on the town budget, the town residents and local businesses.
 - d) We also recommend that the town look at other municipalities that have implemented such programs to and their experiences to fully understand the impact.

The decisions of the October 12, 2022 Planning Board Meeting were reviewed, edited, and approved. The motion for adoption was made and moved by Michael Mandel, Vice Chairman and seconded by Kevin Farry carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Kevin Farry, aye; Michael McCrory, absent; Lisa DeFeciani, aye and Andrew Andrews, aye.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Andrew Andrews and seconded by Michael Mandel, Vice Chairman and agreed to by all in attendance. The meeting was adjourned at 7:40 p.m. The next Planning Board meeting is scheduled for November 9, 2022.

Dated: October 26, 2022
Cheryl Coopersmith
Town of Orangetown Planning Board



PB #22-52: Maloney Minor Subdivision – Recommendation to the Town Board to Release the Performance Bond

**Town of Orangetown Planning Board Recommendation
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TO: Michael Maloney, 60 Fisher Avenue, Pearl River, New York
FROM: Town of Orangetown Planning Board

RE: Maloney Minor Subdivision – Release of Performance Bond:
The application of Michael Maloney, owner, for a Recommendation to the Town Board for Release of the Performance Bond at a site to be known as “**Maloney Minor Subdivision Plan– Release of Performance Bond**” in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21 of the Code of the Town of Orangetown. The site is located at 60 Fisher Avenue, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.11, Block 2, Lot 70 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, October 12 and October 26, 2022**, at which time the Board made the following determinations:

October 12, 2022

Dorothy and Michael Maloney appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 28, 2022.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, signed by Jane Slavin, RA, Director, dated October 6, 2022.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown signed by Eamon Reilly, P.E., Commissioner, dated September 7, 2022 and from the Highway Department, signed by James Dean, Superintendent of Highways, dated September 9, 2022.
4. An Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent of Highways, dated October 7, 2022.
5. A copy of PB #20-08, Recommendation to the Town Board to Establish the Term and Value of the Performance Bond, dated January 29, 2020 and PB#21-26, Recommendation to the Town Board for Partial Release of the Performance Bond, dated April 28, 2021.

The Hearing was open to the public.

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The applicant requested a **CONTINUATION**.

October 26, 2022

Michael Maloney appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated October 12, 2022.
2. An Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent of Highways, dated October 17, 2022.

Reaffirm SEQRA

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Sewer District No.1, and having reviewed a proposed Subdivision plan by prepared by Jay Greenwell, PLS a summary of the reasons supporting this determination are, and the Planning Board finds, that the proposed action:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- 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;

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- 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 Michael Mandel, Vice Chairman and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye and Andrew Andrews, aye, the Board reaffirmed the Negative Declaration pursuant to SEQRA.

RECOMMENDATION: In view of the foregoing, the Planning Board **Recommended to the Town of Orangetown Town Board to Release the Performance Bond**, as outlined in the Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown signed by Eamon Reilly, P.E., Commissioner, dated September 7 and 9, 2022 and from the Highway Department, signed by James Dean, Superintendent of Highways, dated October 17, 2022 and an Interdepartmental memorandum from the Highway Department, Town of Orangetown, signed by James Dean, Superintendent of Highways, dated October 17, 2022, subject to the following condition:

1. The Town of Orangetown Highway Department approves release to the applicant of \$2,600.00 of the cash bond, on the matter of the Maloney Subdivision Plan. It is agreed between the applicant and the Highway Department that the \$1,000.00 remaining on the cash bond will be transferred from escrow to the Highway Department fund to cover expenses related to the regrading the drainage overflow swale at the site.

The foregoing Resolution was made and moved by Michael Mandel, Vice-Chairman and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel, Vice Chairman, aye; Kevin Farry, aye; Lisa DeFeciani, (alternate member) aye; Michael McCrory, aye; and Andrew Andrews, aye.

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

Dated: October 26, 2022
Cheryl Coopersmith
Town of Orangetown Planning Board

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PB #22-56: SQ Properties: Granted One 90-day Extension to File the Site Plan

Town of Orangetown Planning Board Decision
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TO: Jay Greenwell, 34 Wayne Ave., Floor 2, Suffern New York
FROM: Town of Orangetown Planning Board

RE: SQ Properties Site Plan: The application of SQ Properties, owner for a 90 Day Extension to File the Plan at a site to be known as **“SQ Properties Site Plan”**, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 8 Olympic Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.15, Block 1, Lot 16 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, October 26, 2022**, at which time the Board made the following determinations:

Jay Greenwell appeared and testified for the applicant.

The Board received the following communication:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, RA, Director, dated October 10, 2022.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 25, 2022.
3. An Email from Jay Greenwell, dated June 10, 2022.
4. Copy of Final Site Plan approval subject to Conditions, PB#22-14, dated April 13, 2022

Reaffirm SEQRA

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

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**PB #22-56: SQ Properties: Granted One 90-day
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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 Department of Highway, Rockland County Department of Planning, Rockland County Health Department, Rockland County Sewer District #1 and having reviewed the drawings presented by the applicant's professional consultant; 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.

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On motion by Michael Mandel, Vice Chairman and second by Kevin Farry and carried as follows: Thomas Warren, Chairman, aye; Michael Mandel, Vice Chairman, aye; Michael McCrory, aye; Andrew Andrews, aye; Denise Lenihan, aye; Kevin Farry, aye; and Lisa DeFeciani, aye the Board reaffirmed the Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing, the Board **GRANTED One 90-Day Extensions to File the Subdivision Plan with the Rockland County Clerk's Office.**

The foregoing Resolution was made and moved by Michael Mandel, Vice Chairman and seconded by Andrew Andrews and carried as follows: Thomas Warren, Chairman, aye; Michael Mandel, aye; Michael McCrory, aye; Andrew Andrews, aye; Denise Lenihan, aye; Kevin Farry, aye; and Lisa DeFeciani, aye.

The Clerk of 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 this Office of the Planning Board.

**Dated: October 26, 2022
Cheryl Coopersmith
Town of Orangetown Planning Board**



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