

ZONING BOARD OF APPEALS

Town of Orangetown
20 Greenbush Road
Orangeburg, New York 10962
(914) 359-8410 (ex. 4331)

Date: January 19, 2023

TO: OBAPAE

- Environmental Management and Engineering
- ✓ Rockland County Sewer District #1
- ✓ New York State Dept. of Transportation
- Palisades Interstate Park Commission
- Orange and Rockland Utilities
- Orangetown Highway

- Rockland County Drainage ✓
- Rockland County Health ✓
- Rockland County Planning ✓
- Rockland County Highway ✓

DOT by email & hard copy

Review of Plans: Dynamic Event Group Inc. 300 Blaisdell Road, Orangeburg, NY

Section 73.20 Block 1 Lot 1.2 LIO zone

This matter is scheduled for:

Chapter 43, LIO District, Group CC, Section 3.12 Columns 9 (Side Yard: 100' required, 97.2' existing, 91.9' proposed), 11 (Rear Yard: 100' required, 145.9' existing, 75' proposed) and an interpretation of Section 43-3.11 attachment 10, LIO District, Column 7 #1; Attachment 8, LO District, Column 7, #2 Section 43-11.2 (that the use of intermodal storage containers as proposed does not constitute prohibited outdoor accessory storage); interpretation of Chapter 43, Section 3.11 Attachment 10, LIO District, Column 7, #1; Attachment 8, LO District, Column 7, #3 : (A determination that parking in a required side yard as proposed does not require a use variance, and that permission to grant such parking may be granted by the Planning Board as part of site plan); Section 43, Section 3.11 attachment 10, LIO District, Column 7 #1; Attachment 8 LO District, Column 7 #2 Section 43-11.2 (a Determination that the parking of trucks, trailers and wheeled equipment as proposed does not constitute "Storage" of such trucks, trailers and wheeled equipment, but constitutes permitted parking) The business is located at 300 Blaisdell Road, Orangeburg, New York and identified on the Orangetown Tax Map as Section 73.20, Block 1, Lot 1.2 in the LIO zoning district.

Please review the information enclosed and provide comments. These comments may be mailed, e-mailed or faxed to the Zoning Board Office.

If your Agency does not have any comments at this time, please respond to this office by sending back this sheet.

- US Postal: 20 South Greenbush Road, Orangeburg, NY 10962
- Email to Zoning Board: darbolino@orangetown.com or
- Fax to the Town of Orangetown ZBA @845 359 8526

Zoning Board Meeting Date: March 1, 2023

- () Comments attached
- () No Comments at this time. Please send future correspondence for review.
- () No future correspondence for this site should be sent to this agency. Plans reviewed and this agency does not have any further comments.
- () This project is out of the jurisdiction of this agency and has no further comments.

This project is before the Zoning Board on **Wednesday, March 1, 2023**. **Kindly forward your completed review to this office by March 1, 2023.**

Reviewing Agency _____

Name _____ date: _____

Signature: _____

Thank you, Deborah Arbolino

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: 12/29/22

Please check all that apply:

<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Residential
<input checked="" 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 checked="" type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Preliminary
<input type="checkbox"/> Conditional Use	<input checked="" type="checkbox"/> Final Interpretation
<input type="checkbox"/> Special Permit	
<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: Dynamic Event Group, Inc.

Street Address: 300 Blaisdell Road
Orangeburg, NY 10962

Tax Map Designation:
Section: 73.20 Block: 1 Lot(s): 1.2
Section: _____ Block: _____ Lot(s): _____

Directional Location:
On the West side of Blaisdell Road, approximately 170 feet South of the intersection of Hunt Road, in the Town of Orangetown in the hamlet/village of Orangeburg.
Acreage of Parcel 3.475 **Zoning District** LIO
School District South Orangetown Central **Postal District** Orangeburg
Ambulance District Orangeburg **Fire District** _____
Water District Orangeburg **Sewer District** Orangeburg

Project Description: *(If additional space required, please attach a narrative summary.)*
Site Plan approval for building addition and exterior modifications including storage containers, loading dock canopy, fencing, planters, concrete pad and trailer/truck parking. Refer to attached Narrative Summary.

The undersigned agrees to an extension of the statutory time limit for scheduling a public hearing.
Date: 12/27/22 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 26,269 Building on 151,391 Site
- 2) Total square footage 37,089 Building on 151,391 Site
- 3) Number of dwelling units N/A

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 No

Are there streams on the site? If yes, please provide the names. No

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

No

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.

Planning Board PB #19-13 Prepreliminary/Preliminary and Final Site Plan and SEQRA Review

Application withdrawn due to receipt of comments warranting further review, drainage design and review of use.

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

None



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: January 5, 2023

Applicant: Dynamic Productions USA Site Plan

Address: 300 Blaisdell Road, Orangeburg, NY

Section: 73.20

Block: 1

Lot: 1.2

Permit# N.A.

Plans Submitted: Proposed Site Modifications at Dynamic Event Group Inc.

plans dated 03/15/18 with the latest revision date of 12/22/2002 signed and sealed by

Matthew M. Webb, PLS and Ronald M Ranicucci, P.E. (4 pages)

Project Name: Dymaic Productions USA Site Plan

Date of Submittal to Land Use Board: _____

Date of Board Meeting: TBD

RECEIVED

JAN 5 2023

TOWN OF ORANGETOWN
BUILDING DEPARTMENT

Sincerely,

Debbie Arbolino

Administrative Aide

Date/Initial of OBZPAE Review Completed: _____

[Signature] 1/12/23



OFFICE OF BUILDING, ZONING, PLANNING,
 ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
 20 Greenbush Road
 Orangeburg, N.Y. 10962

Jane Slavin, R.A.
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Sincerely,

Debbie Arbolino

Administrative Aide

Date/Initial of OBZPAE Review Completed: _____



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ADMINISTRATION AND ENFORCEMENT
TOWN OF ORANGETOWN
20 Greenbush Road
Orangeburg, N.Y. 10962

Jane Slavin, R.A.
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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

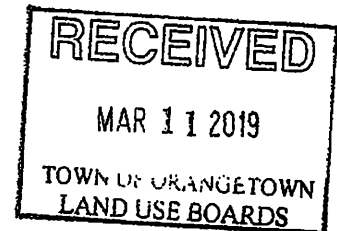
(845) 359-8410

Fax: (845) 359-8526

Date: March 10, 2019

To: Cheryl Coopersmith, Chief Clerk
Planning Board

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



Subject: **Dynamic Productions USA Site Plan** **PB #19-13**
Prepreliminary/Preliminary/ Final Site Plan and SEQRA Review
300 Blaisdell Road, Orangeburg
73.20/1/1.2; LIO zoning district

Submission Reviewed:

Existing and Proposed site plans, 1 of 2 last revised 1/31/19 as prepared by Lan Associates.

1. Applicant occupied the building in November 2017 and began construction work without obtaining the required construction and occupancy permits. Violations were issued and are still outstanding. Planning board approval is required to rectify the violations issued.
2. The proposed use is considered a Warehouse Use and is not a use permitted in the LIO district. Applicant must obtain a Use Variance.
3. For the proposed outside storage of trucks, trailers, equipment and permanent intermodal storage containers and the 18' high steel shelving, the following use variances are required per table 3.11, column 7, number 2; "accessory storage must be within completely enclosed buildings" and number 3; "no parking is permitted in any required yard"
4. A tent is proposed in the front yard to cover portable generators. Per section 5.228. Accessory buildings in required front yards. The Board of Appeals may authorize any one of the following accessory to a nonresidential use in LO, LIO, or LI to an institutional use in any district; one dwelling unit for a caretaker; gatehouse; reception office; or watchman's post, to encroach in a required front yard, provided that such accessory building is set back at least 25 feet from the front lot line and 10 feet from any other lot line, does not cover more than 1% of the area of the lot and has a height of no more than 25 feet.

5. A setback of 100' is required to the proposed new canopy and 95.9' is proposed. A bulk variance must be obtained.
6. Applicants narrative statement, paragraph three states, "Trucks may leave from the warehouse at any time or day to go to an event, and may return to the warehouse at any time or day from an event based on the requirements of the particular job." Per Table 3.11, column 7, number 2 (c) "No shipping or receiving of goods shall be carried on between 11:00 pm and 6:00 am." Applicant is required to demonstrate compliance with this section or obtain a use variance.

JS
3/10/19

**300 Blaisdell Realty
300 Blaisdell Road
Orangeburg, NY 10962**

September 6, 2018

Town of Orangetown Planning Board
20 South Greenbush Road
Orangeburg, NY 10962

Attn: Ms. Cheryl Coopersmith,
Chief Clerk to the Boards

Subject: Owner's Authorization for
Site Plan Application
Section 73.20, Block 1, Lot 1.2
LAN Job #2.30096.1

Dear Ms. Coopersmith:

300 Blaisdell Realty is the owner in fee of the premises at 300 Blaisdell Road (Section 73.20, Block 1, Lot 1.2), and is applying to the Town of Orangetown Planning Board for Site Plan Approval. 300 Blaisdell Realty has authorized LAN Associates, Engineering, Planning, Architecture, Surveying, Inc. and Ronald Panicucci, P.E. along with other staff members as necessary to make the application for approval and appear before the Board.



Owner's Signature

cc: File # 2.30096.1
Mr. Ronald Panicucci, P.E.

Clerk of Boards Review:
Date: _____ Initials: _____

Building Dept. (Accepted By):
Date: _____ Initials: _____

ENTITY DISCLOSURE FORM

TOWN OF ORANGETOWN
Office of Building, Zoning, Planning Administration and Enforcement (OBZPAE)
20 Greenbush Road
Orangeburg, New York 10962
Tel: (845) 359-8410
Website: www.orangetown.com

THIS FORM MUST ACCOMPANY ALL LAND USE APPLICATIONS SUBMITTED BY AN ENTITY AS DEFINED IN CHAPTER 43, ARTICLE 16 OF THE TOWN CODE OF THE TOWN OF ORANGETOWN.

PROJECT NAME: DYNAMIC EVENT GROUP INC.
PROPERTY ADDRESS: 300 BLAISDELL ROAD, ORANGEBURG, NY 10962
TAX LOT ID: 73.20 - 1 - 1.2
NAME OF APPLICANT: DYNAMIC EVENT GROUP INC. (BRIAN ROSENBLUM)
OWNER OF PROPERTY: 300 BLAISDELL REALTY, LLC
Land Use Application/Brief Description of Project: Preliminary/Final Site Plan - Use Existing Building for Offices/Equipment Storage for event production company.

PART ONE:

1. Pursuant to Section Chapter 43, Article 16 of the Town Code, the disclosure of the names and address of all persons or entities owning any interest or controlling position of any limited liability company, limited liability partnership, general or limited partnership, professional corporation, joint venture, doing business as name or venture, association, business trust, or non-publically traded corporation, (hereinafter referred to as the "Entity") is required when filing a land-use application.
2. Set forth the names of all members, officers, shareholders, directors, partners or other authorized persons of the Entity for the past year from the date of filing of any land-use board application.
3. Attach a copy of all Entity documents filed with the NYS Secretary of State, or in any other State of formation, including:
 - a. All records regarding membership interests in the Entity;
 - b. Records regarding the transfer of membership interests since the date of formation.
4. If a member of the Entity is not a natural person, please provide the name(s) and address(es) for the of the non-natural person member of that Entity, and provide the formation filing documents for such Entity.
5. Provide supplemental sheets if the information does not fit below; (kindly label the supplemental sheets).

Name of Entity:	SEE ATTACHED SUPPLEMENTAL SHEET
Address:	
Telephone Number:	
E-Mail Address:	
State/Date of Formation:	
Contact Person:	

PART TWO:

6. Please list all persons, officers, limited or general partners, directors, members, shareholders, managers, authorized persons, beneficial owners, and any others with any interest in or with the above referenced entity.
7. Please NOTE that an "authorized person" means an individual or entity, whether or not a shareholder, member, officer or director, or person identified by any other title, who is authorized to act, solely or in conjunction with others, on behalf of or for the Entity.
8. List all persons with a membership or voting interest or controlling position in the Entity. Please provide that parties' business or personal address and telephone number, email address and other contact information.
9. Provide supplemental sheets if the information does not fit below; (kindly label the supplemental sheets).

Name of Individual	Address	Telephone	Email	Interest or Role in Entity
1.	SEE ATTACHED SUPPLEMENTAL SHEET			
2.				
3.				
4.				
5.				
6.				

SWIS	PRINT KEY	NAME	ADDRESS
392489	73.16-2-51	Salvatore Guarnieri	225 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-52	Kauo Hsieh	224 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-53	Daniel M Moughty	223 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-54	Thomas Fennell	222 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-55	Patrick Cortright	221 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-56	Kathleen M Lynch	220 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-58	Sarah J Ma	250 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-59	George Bor-Huey Lin	273 Brandywine Dr,Orangeburg, NY 10962
392489	73.16-2-60	Sunil Agarwal	225 Walkers Bluff Ct,Waxhaw, NC 28173
392489	73.16-2-61	Luana E Haraguchi	249 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-62	Sijimole Koshy	248 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-63	John M D'Auria	247 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-64	Jaya Rao	246 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-65	Joseph Cinquemani	245 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.16-2-70	Maria Delgado	298 Bunker Hill Rd,Orangeburg, NY 10962
392489	73.16-2-71	Suk Jee Jung	269 Blaisdell Rd,Orangeburg, NY 10962
392489	73.16-2-72	Brian J Horton	271 Blaisdell Rd,Orangeburg, NY 10962
392489	73.16-2-73	Vladimir Goulliaev	273 Blaisdell Rd,Orangeburg, NY 10962
392489	73.16-2-74	Elmir Kucevic	275 Blaisdell Rd,Orangeburg, NY 10962
392489	73.16-2-75	Cecilia Pantua-Evasco	277 Blaisdell Rd,Orangeburg, NY 10962
392489	73.16-2-76	Juliet Fishkow	279 Blaisdell Rd,Orangeburg, NY 10962
392489	73.16-2-77	Arif Masood	275 Brandywine Dr,Orangeburg, NY 10962
392489	73.16-2-78	Clarins Usa Inc	15 Olympic Dr,Orangeburg, NY 10962
392489	73.20-1-2	Ricardo Romero	276 Brandywine Dr,Orangeburg, NY 10962
392489	73.20-1-3	Denis Sahmanovik	281 Blaisdell Rd,Orangeburg, NY 10962
392489	73.20-1-4	Antonia Galletti	277 Brandywine Dr,Orangeburg, NY 10962
392489	73.20-1-5	Shih Wei Lee	278 Brandywine Dr,Orangeburg, NY 10962
392489	73.20-1-6	Michael Rogers	279 Brandywine Dr,Orangeburg, NY 10962
392489	73.20-1-7	Kuriakose Parakkattu	280 Brandywine Dr,Orangeburg, NY 10962
392489	73.20-1-8	Edward Mc Donald	252 Betsy Ross Dr,Orangeburg, NY 10962
392489	73.20-1-35	Medlantis LLC Warsaw	191 Godwin Ave,Wyckoff, NJ 07481
392489	73.20-1-36	Cardiovascular Research Fnd	1700 Broadway Fl 9,New York, NY 10019
392489	73.20-1-1.1	Chromalloy Gas Turbine LLC	4100 RCA Blvd Ste 100,Palm Beach Gardens, FL 33410
392489	73.20-1-1.2	300 Blaisdell Realty LLC Koenig Management	151 N Main St Ste 400,New City, NY 10956



EMANUEL LAW P.C.

Ira M. Emanuel, Esq. | Amy Mele, Esq. *Of Counsel*
Counsel to Freeman & Loftus, RLLP

Four Laurel Road
New City, NY 10956

Info@EmanuelLaw.com

www.EmanuelLaw.com

Tel: 845-634-4141

ZONING BOARD OF APPEALS
TOWN OF ORANGETOWN

NARRATIVE SUMMARY

DYNAMIC PRODUCTIONS USA
AMENDED SITE PLAN
Tax Lot 73.20-1-1.2

Dynamic Productions USA is a local business that provides production services for private and public events. Its services include lighting, sound, video, staging and rigging, using equipment, vehicles, and technology that it owns or rents. Dynamic's services also include engineers and technicians to erect, install, maintain, operate, and remove its equipment and technology.

The site is located at the southwest corner of the intersection of Blaisdell and Hunt Roads. It is in an LIO zoning district. The site was previously owned and used by a unit of Chromalloy Corporation from 1988 to 2017 as a warehouse and distribution center. Prior to Chromalloy's ownership the site was owned by Chosen People's Ministries, Inc. (formerly American Board of Missions to the Jews, Inc.) and operated as a warehouse and distribution center. At first, Chromalloy combined its original property and that of the Chosen People's Ministries, and then subdivided this lot from the combined larger parcel that it owns immediately to the South in 2017.¹ Chromalloy continues to use the southerly parcel of the subdivision as an aircraft engine and turbine repair facility along with a warehouse and distribution center, including both indoor and outdoor storage of goods and equipment and vehicle parking.

Dynamic has operated at the subject site since October 2017. Its use of the site is similar to that of its predecessors, Chosen People's Ministries and Chromalloy: administrative offices, indoor and outdoor storage, vehicle parking, and mobilization for its business and services. At full staffing, Dynamic has 34 full-time employees, plus additional part-time employees as needed. The office staff works Monday through Friday, from 8:00am to 5:30pm. The production staff works generally Monday through Friday in two overlapping shifts: 7:00am to 4:00pm and 10:00am to 7:00pm. The production staff may also work on weekends, based on the timing of events that it is working on.

¹ "Chromalloy American LLC" filed 9/5/2017 in Book 131 of Maps at pg 20, as Map No. 8376.

Equipment transport trucks enter and leave the site as required by the timing of produced events.

Dynamic uses a number of different vehicles in its operations. These vehicles currently include nine trailer-mounted portable generators, three box trucks, six trailer-mounted light towers, two event trailers, one tractor, two trailers that can attach to the tractor, two pickup trucks and one van. All of these vehicles have New York State-issued license plates and can be used on public roads. All of these vehicles are parked on the site.

Also parked on the site are private vehicles (mostly cars) of Dynamic's employees, and visitors.

Dynamic stores equipment needed in its business on the site, both indoors and outdoors. Propane tanks to power the forklifts are stored outdoors. The tanks meet all federal and state regulations. Also outdoors are closed containers for storage of equipment and materials that do not require a temperature-controlled environment.

Indoor storage is reserved for electronic equipment, cabling, audio and video equipment, staging materials and tools.

Dynamic has applied to the Planning Board for amended site plan approval. Initially, Dynamic sought to modify the site in order to function more efficiently and to better protect its equipment and materials:

1. Erect outdoor shelving along the West side of the building. This shelving will be used for materials that are too large to be easily moved in and out of the building when needed for productions.
2. Erect new propane gas cylinder cabinets on the West side of the building.
3. Create a designated parking area for portable generators and lighting towers in the Northwest corner of the site. These vehicles contain motor fuels and are often parked for extended periods of time. A designated and properly designed location will mitigate against possible spills. New drainage systems will be installed to compensate for the additional impervious surface and to address water quality concerns.
4. Erect a new canopy over the existing loading dock on the South side of the building. The canopy will protect equipment and materials during loading and unloading.

5. Designate a location on the South and West sides of the building for permanent intermodal storage containers.

However, the Planning Board has resisted the inclusion of outdoor shelving units. As a result, Dynamic has modified its proposal to remove the outdoor shelving units and to expand its building. A 10,500sf, one-story building addition is now proposed for the west side of the building. This will allow the materials previously sought to be stored on the outdoor shelves to be stored within an enclosed building.

A concern has also been raised with respect to whether the maintenance of permanent intermodal storage containers on the site is permitted under the Zoning Code.

Last, the Director of OBZPAE has opined that the applicant proposes outside “storage” of trucks, trailers and equipment.

These concerns have impeded the Planning Board’s ability to make a determination of significance under SEQRA. Without such a determination, the project cannot move forward. Therefore, in consultation with the Planning Board’s attorney, Dynamic seeks an uncoordinated SEQRA review, and relief from this Board.

SEQRA and GML status

The requested relief, as a whole, constitutes an Unlisted action for SEQRA purposes.

The site is located adjacent to a Rockland County road (Blaisdell Road), and the project must therefore be referred to the Rockland County Planning Department for review under General Municipal Law §§ 239-1 and -m.

Relief requested

- 1. Dynamic seeks the following variances:

<u>Dimension</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Side Yard (Storage Containers)	100ft	97.2ft	91.9ft
Rear Yard (West)	100ft	145.9ft	75ft

- 2. Dynamic seeks an interpretation, and appeals from the determination of the Director of OBZPAE, as to the following:
 - a. Whether the maintenance of permanent intermodal storage containers constitute outside storage;

- b. Whether a proposal for parking in a required yard requires a use variance; and
- c. Whether the maintenance of trucks, trailers and equipment outdoors, as proposed by Dynamic, constitutes prohibited outdoor storage.

1. Variances

One of the purposes of a zoning board of appeals, and of the ability to grant variances, is to provide a “safety valve” where the strict application of a zoning code cannot allow an otherwise appropriate use of property because of the peculiar circumstances applicable to that property. For this reason, any municipality that adopts a zoning code must also establish a board of appeals.²

In making a determination to grant an area variance, a board of appeals “shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.”³ The board must also consider five questions when engaging in this balancing test. The questions, and the applicant’s responses, are set forth below:

(1) “whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance”:

There are two variances requested. One is for a small intrusion into the required side yard, increasing the existing intrusion by 5.3 feet to allow placement of two permanent intermodal storage containers against the existing South wall of the building. Each container measures 8’ wide by 20’ long. They will be placed side by side, with a total depth of 16’, so as to prevent interference with the travel aisle.

The depth of the combined containers is less than that of the parking spaces they will replace, and far less than that of the existing concrete ramp for the adjacent loading dock. The affected lot is the adjacent Chromalloy facility’s parking area.

The second variance is to allow the expansion of the building to provide interior storage space. This expansion is toward the rear (West) lot line. The 70-foot-deep expansion will intrude into the required rear yard, reducing it to 75 feet.

As shown in Figure 1, below, the applicant’s rear (West) lot line forms the eastern boundary of a driveway that provides access from Hunt Road to the applicant’s lot and to the Chromalloy facility immediately to the South.⁴ The driveway is 30 feet wide, making its western edge 115 feet from the proposed building addition. The far lot line is at least 138

² See, 2 Salkin, *New York Zoning Law and Practice* (3d ed.), §§27:07 – 27:10; *McKinney’s Town Law*, Practice Commentary to § 267-a; Town L. § 267.2; *McKinney’s Village Law*, Practice Commentary to § 7-712-a; Village L. § 7-712(2).

³ Town L. § 267-b.3(b); Village L. § 7-712-b.3(b).

⁴ The Chromalloy lot, tax lot 73.20-1-1.1, is a flag lot that was originally joined to the subject lot. See, Subdivision Plat entitled “Chromalloy Minor Subdivision” filed in the Rockland County Clerk’s Office on September 5, 2017, in Book 131 of Maps at p. 20, as Map No. 8376. The area under discussion constitutes the “mast” of the flag lot.

feet from the proposed building addition (the lot line is at an angle to the proposed addition). The effective rear yard, that is, the therefore, is actually 115 feet or 138 feet deep, depending on which measure is used.

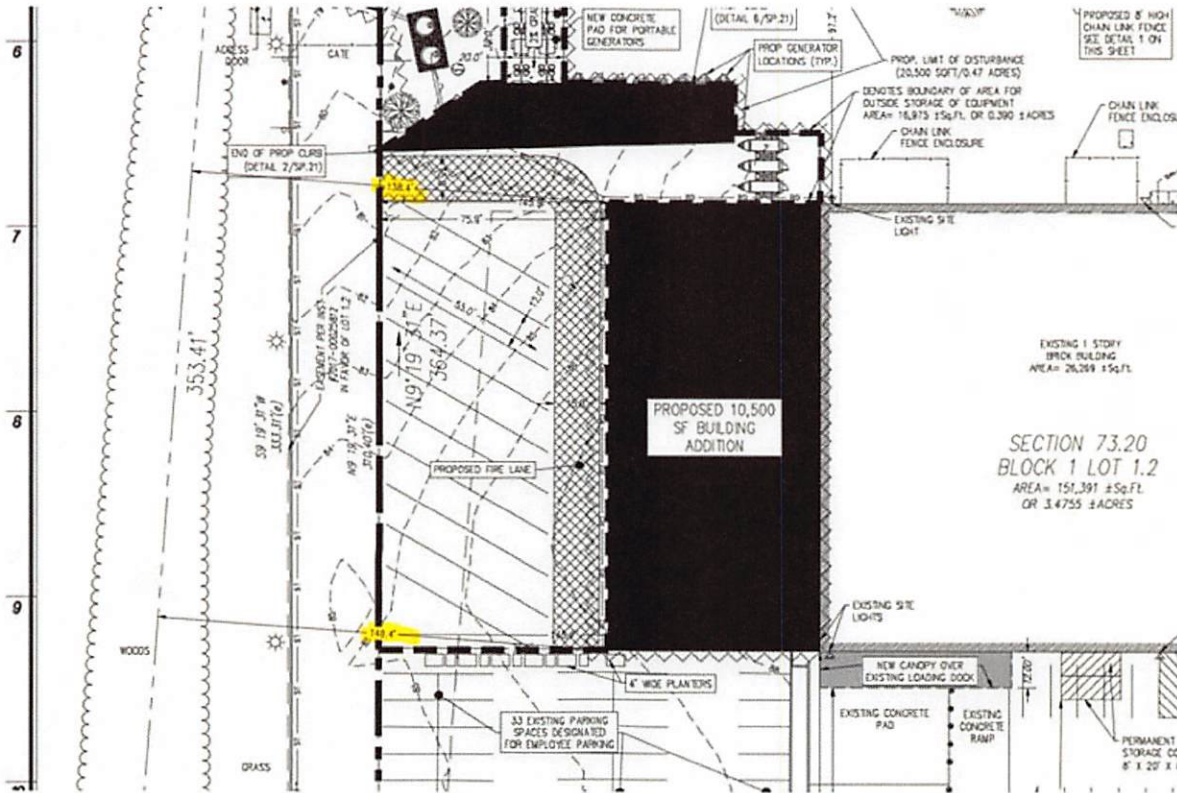


Figure 1

The affected neighbor, tax lot 73.16-2-78, 15 Olympic Drive, is a warehouse for Clarins cosmetics. Landscaping separates the Clarins facility from the Chromalloy/Dynamic driveway. Thus, there is no impact on the only affected neighbor.

(2) "whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance":

The applicant needs additional storage area. It is not permitted to store material, other than within an enclosure. Any new building addition would intrude into a required yard. The proposal constitutes the intrusion with the minimal impact.

The additional storage containers create a minor variance. While it would be possible to arrange the containers so as to be only one container wide, doing so would require the removal of three additional parking spaces. The applicant believes that this minor intrusion into a side yard is the better trade-off.

(3) “whether the requested area variance is substantial”:

Whether a requested variance is “substantial” is more than simple arithmetic. It requires an understanding of the general area and of the existing conditions.⁵

The storage container variance is for 5.3 feet, and will have no impact on the required side yard. The building variance, as shown above, will have no impact on the required rear yard in that it still maintains the magnitude of separation from adjoining users as set forth in the Zoning Code.

(4) “whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district”:

The areas in question are already in use and covered in impervious material. Drainage structures will be upgraded as shown on the proposed drainage plan (SP.31) submitted herewith. The construction of the addition will allow applicant to eliminate outdoor storage of materials, thus enhancing the visual impact of the site.

(5) “whether the alleged difficulty was self-created”:

The difficulty results from the unforeseeability of the COVID pandemic. When the applicant originally began operations, much of its material was located at various show sites and did not have to be stored at the subject. The pandemic shut the business down for a long period of time. The number of shows has still not returned to pre-pandemic levels and may not do so for a period of years. The applicant has therefore determined that the best long-term course of action is to build the proposed storage addition.

On balance, therefore, the requested variances are beneficial to both the applicant and the community.

2. Interpretations and Appeals

The Director of OBZPAE, in a memo dated March 10, 2019 (copy attached as Exhibit 1), opined that the “proposed outside storage of trucks, trailers, equipment and permanent intermodal storage containers” required use variances “per table 3.11, column 7, number 2; ‘accessory storage must be within completely enclosed buildings’ and number 3; ‘no parking is permitted in any required yard’.”⁶

Table 3.11 is the Use Table of the Orangetown Zoning Code. Column 7 is entitled “Additional Use Regulations”. For the applicable LIO district, the table refers to the LO district.

⁵ See, 2 New York Zoning Law and Practice, § 29:15.

⁶ Memo, #3.

A. Outdoor storage

Item 2 of Column 7 of the LO district provides, in relevant part, “2. All offices, laboratories, manufacturing of prototype products, accessory storage and all accessory off-street loading berths shall be within completely enclosed buildings, * * *.”

“Building” is a defined term in the Zoning Code: “A structure wholly or partially enclosed within exterior walls, or within exterior and party walls, and a roof, affording shelter to persons, animals or property.”⁷

“Structure” is also a defined term in the Zoning Code: “An assemble [sic] of materials constructed or erected, the use of which requires location above, below or on the ground, including but not limited to the following: buildings, signs, walls, retaining walls, radio and television antennas or dishes, microwave/satellite antennas, pergolas, pagodas, porches, decks, bins, sheds, swimming pools, swimming pool structures, docks, etc.”⁸

An intermodal storage container is a “structure”, *i.e.*, “an assemble [sic] of materials”. It consists of four walls, a floor, and a roof, all made of heavy grade metal. One or more openings are provided to access the interior. Therefore, it is “a structure wholly or partially enclosed within exterior walls” and has “a roof”. These characteristics allow it to afford “shelter to * * * property”. Attached as Exhibit 2 are photographs of intermodal storage containers used for storage and other uses.

According to their definitions, neither a “structure” nor a “building” needs to be affixed to the ground.

Dynamic uses intermodal storage containers as storage sheds. They are placed on the ground. Equipment and materials used in Dynamic’s business are kept in them until needed for use, and then returned.

The use of intermodal storage containers as fixed storage sheds is not unique. Businesses have been developed to sell these containers from shippers to end users.⁹ These containers are even used for habitable spaces, such as homes¹⁰ or offices.¹¹

An intermodal storage container is therefore, according to the definition of the Zoning Code, a “building”. As such, Dynamic recognizes that the floor area of each container must be included in a determination of Floor Area Ratio.

This interpretation is actually supported by another section of the Director’s March 10, 2019, memo. In item 4, the Director discusses a tent which Dynamic had proposed to cover portable generators. The Director cited Zoning Code § 5.228, which relates to “accessory buildings in required front yards.” She noted that the Board of Appeals may authorize the

⁷ Zoning Code § 11.2.

⁸ *Id.*

⁹ See, e.g., <https://www.mobilemodularcontainers.com/>; <https://containertech.com/>; <https://www.falconstructures.com/>.

¹⁰ <https://www.curbed.com/article/shipping-container-house-for-sale-buy.html>

¹¹ <https://bmarkostructures.com/shipping-container-offices/>

placement of buildings in required front yards, with the clear implication that tents were subject to that provision.

The Director correctly recognized that a tent has the characteristics of a building: “a structure wholly or partially enclosed within exterior walls * * * and a roof, affording shelter to persons, animals or property.”

However, to determine that a tent is a building, *as defined by the Zoning Code*, but an intermodal storage container, which is far more durable, is not a building, is irrational.

B. Parking in a required yard

While the Director is correct in noting that parking is generally prohibited in a required yard, she fails to note that such parking may expressly be “permitted by any board or town agency having jurisdiction. This permission may be given at the time of site review, or at the time of the approval of a commercial subdivision or conditional use approval.”¹²

Clearly, the Code allows parking in a required yard under certain circumstances, and a use variance is not required.

In this case, the request to allow parking in a required yard arises in the context of a site plan application, and the board having jurisdiction is therefore the Planning Board.

C. Storage of trucks, trailers and equipment

The Director also opined that Dynamic’s proposal to keep trucks, trailers and equipment on the site, outdoors, constituted prohibited outdoor storage “per table 3.11, column 7, number 2”. It does not.

The trucks, trailers and equipment at issue are not goods for sale. They are owned by Dynamic and used by Dynamic in its business. The trucks move equipment from Dynamic’s facility to various venues, and then return to Dynamic. The trailers are similarly used and are attached to tractors that transport them. The “equipment” consists of generators mounted on wheels.¹³

The trucks, trailers and equipment are not “stored” at the site; they are parked there. They are parked in the same manner as passenger vehicles of facility employees, and in the same manner that trucks, trailers and other vehicles are parked at countless non-residential facilities throughout the Town of Orangetown.

¹² § 3.11, LO Use Table, Col. 7, #3.

¹³ Generators mounted on wheels, along with other “trailer-type vehicles” do not have to be registered with the New York State Department of Motor Vehicles (“DMV”), per New York Vehicle and Traffic Law § 156 and DMV notice MV-274, copy attached as Exhibit 3.

This contrasts with vehicles for sale, such as at an automobile dealership that maintains cars and trucks as inventory. Those vehicles could be said to be stored. And they are almost always stored outside.¹⁴

There is nothing in the Zoning Code that defines “storage” or “parking”. There is nothing in the Zoning Code that mandates the movement of vehicles within a specified time period.

Relief Requested

The applicant asks for the following relief:

- 1. Variances as set forth below:

<u>Dimension</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Side Yard (Loading Dock Overhang)	100ft	97.2ft	91.9ft
Rear Yard (West)	100ft	145.9ft	75ft

2.A. A determination that the use of intermodal storage containers as proposed does not constitute prohibited outdoor accessory storage.

2.B. A determination that parking in a required yard as proposed does not require a use variance, and that permission to grant such parking may be granted by the Planning Board as part of site plan review.

2.C. A determination that the parking of trucks, trailers and wheeled equipment as proposed does not constitute “storage” of such trucks, trailers and wheeled equipment, but constitutes permitted parking.

Dated: December 27, 2022
New City, New York

EMANUEL LAW P.C.



By: _____
Ira M. Emanuel

¹⁴ Indeed, this distinction between parked vehicles and stored vehicles is recognized in the LI district. See, LI Use Table, § 3.11, Col. 7, #5.



OFFICE OF BUILDING, ZONING AND 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

PLANNING BOARD REFERRAL LETTER

Dynamic Productions
300 Blaisdell Rd
Orangeburg, NY
73.20-1-1

Date: May 1, 2018



Re: Chapter 21,

Section 21-A(4) requires
Planning Board Approval

Dear: Ddynamic Productions :

Please be advised that the Building Permit Application which you submitted on March 19, 2018 has been denied to appear before the Planning Board. I have enclosed a copy of your application, where you will find noted at the bottom the reason for denial.

The clerk to the Planning will assist you in preparations necessary to appear before this Board.

Sincerely,


Assistant Building Inspector

Enclosure (1)
8-16-06


5-7-18



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

**Jane Slavin, RA
Director**

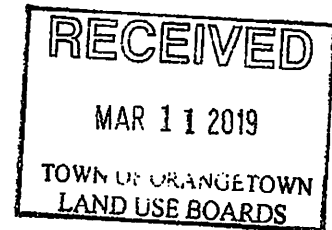
(845) 359-8410

Fax: (845) 359-8526

Date: March 10, 2019

To: Cheryl Coopersmith, Chief Clerk
Planning Board

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



Subject: **Dynamic Productions USA Site Plan** **PB #19-13**
Prepreliminary/Preliminary/ Final Site Plan and SEQRA Review
300 Blaisdell Road, Orangeburg
73.20/1/1.2; LIO zoning district

Submission Reviewed:

Existing and Proposed site plans, 1 of 2 last revised 1/31/19 as prepared by Lan Associates.

1. Applicant occupied the building in November 2017 and began construction work without obtaining the required construction and occupancy permits. Violations were issued and are still outstanding. Planning board approval is required to rectify the violations issued.
2. The proposed use is considered a Warehouse Use and is not a use permitted in the LIO district. Applicant must obtain a Use Variance.
3. For the proposed outside storage of trucks, trailers, equipment and permanent intermodal storage containers and the 18' high steel shelving, the following use variances are required per table 3.11, column 7, number 2; "accessory storage must be within completely enclosed buildings" and number 3; "no parking is permitted in any required yard"
4. A tent is proposed in the front yard to cover portable generators. Per section **5.228**. Accessory buildings in required front yards. The Board of Appeals may authorize any one of the following accessory to a nonresidential use in LO, LIO, or LI to an institutional use in any district; one dwelling unit for a caretaker; gatehouse; reception office; or watchman's post, to encroach in a required front yard, provided that such accessory building is set back at least 25 feet from the front lot line and 10 feet from any other lot line, does not cover more than 1% of the area of the lot and has a height of no more than 25 feet.

Page 1 of 2

EXHIBIT 1

5. A setback of 100' is required to the proposed new canopy and 95.9' is proposed. A bulk variance must be obtained.

6. Applicants narrative statement, paragraph three states, "Trucks may leave from the warehouse at any time or day to go to an event, and may return to the warehouse at any time or day from an event based on the requirements of the particular job." Per Table 3.11, column 7, number 2 (c) "No shipping or receiving of goods shall be carried on between 11:00 pm and 6:00 am." Applicant is required to demonstrate compliance with this section or obtain a use variance.

JS
3/10/19

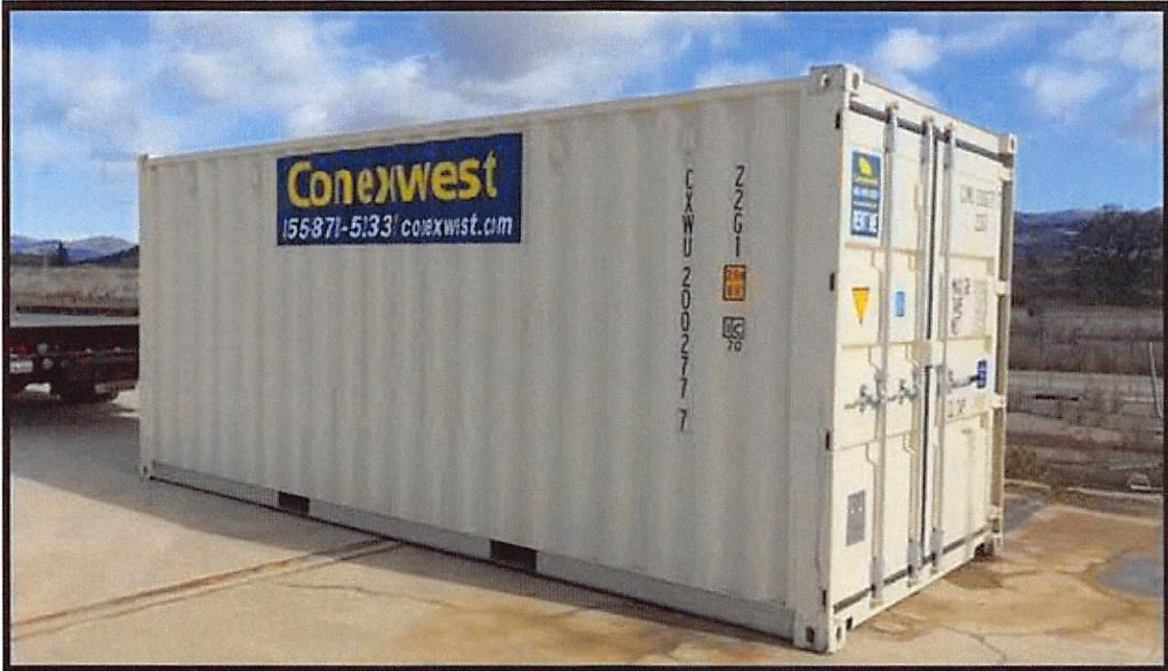


EXHIBIT 2



Section 156 of the New York State Vehicle and Traffic Law defines a trailer as:

“Any vehicle not propelled by its own power, drawn on the public highways by a motor vehicle as defined in section one hundred twenty-five operated thereon, except motorcycle side cars, vehicles being towed by a non-rigid support and vehicles designed and primarily used for other purposes and only occasionally drawn by such a motor vehicle.”

Based on this definition, the vehicles listed below do not have to be registered in New York State. This list is not complete, but it does provide some examples of this type of vehicle.

These vehicles can not be used to carry anything other than the devices mounted on them. If a vehicle is equipped with boxes or bins, and is used to carry tools and accessories, it is no longer exempt from registration.

Because these vehicles do not operate under their own power, they never require a registration, but the vehicle that tows them must be registered.

If you have any question about whether your vehicle must be registered, call (518) 474-5282 or write to:

New York State Department of Motor Vehicles
Technical Services Bureau
6 Empire State Plaza, Room 220
Albany, New York 12228

If writing, send a picture of the unit and a full description of its use.

This information is based on a series of opinions issued by the Counsel to the Commissioner of Motor Vehicles.

examples of trailer type
vehicles that do not have to be registered
Not limited to these vehicles

- ◆ Welding machine mounted on a chassis
- ◆ Well drillers mounted on a chassis
- ◆ Wood sawing outfit mounted on a chassis
- ◆ Wood chipper mounted on a chassis
- ◆ Electrical transformer mounted on wheels
- ◆ Air compressor mounted on wheels
- ◆ Water pump mounted on wheels
- ◆ Pipe threading machine mounted on wheels
- ◆ Concrete mixer mounted on wheels
- ◆ Generator mounted on wheels
- ◆ Portable lighting units mounted on wheels
- ◆ Paint outfit (air compressor and tank) mounted on wheels
- ◆ Insecticide spray outfit mounted on wheels
- ◆ Portable sheep dipping vat mounted on wheels
- ◆ Trailer used as an office on a job site
- ◆ Trailer used for tools and equipment when equipped with shelves and bins, etc., on a job site (shelves and bins must be empty when towed on the road)
- ◆ Food vending trailer (shelves and bins must be empty when towed on the road). For example, hot dog cart or a barbeque grill on wheels
- ◆ Tow dolly
- ◆ Tar kettle mounted on wheels



617.20
Appendix B
Short Environmental Assessment Form

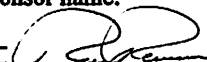
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Dynamic Event Group, Inc.			
Name of Action or Project: Site Plan Approval			
Project Location (describe, and attach a location map): 300 Blaisdell Road, Orangeburg. On the west side of Blaisdell Road and south of intersection with Hunt Road			
Brief Description of Proposed Action: Building addition, exterior modifications, storage containers, loading dock canopy, concrete pads, fencing, parking of trailers/trucks.			
Name of Applicant or Sponsor: Dynamic Event Group Inc.		Telephone: 845-624-5101	
		E-Mail: brian@dynamicproductionsusa.com	
Address: 300 Blaisdell Road			
City/PO: Orangeburg		State: New York	Zip Code: 10962
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Orangetown Building Permit, other local boards as required by the Zoning Board			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		3.475 acres	
b. Total acreage to be physically disturbed?		0.47 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.475 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

<p>5. Is the proposed action, a. A permitted use under the zoning regulations? Approval sought for outdoor storage. b. Consistent with the adopted comprehensive plan?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	<p>N/A <input type="checkbox"/></p>
<p>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</p>	<p>NO <input type="checkbox"/></p>	<p>YES <input checked="" type="checkbox"/></p>	
<p>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: Not Applicable</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: Existing - No changes proposed</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: Existing - No changes proposed</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban</p>			
<p>15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>16. Is the project site located in the 100 year flood plain?</p>	<p>NO <input checked="" type="checkbox"/></p>	<p>YES <input type="checkbox"/></p>	
<p>17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Existing conveyance system services two properties. Stormwater runoff from area of generator and light tower storage to be directed to a new catch basin for retention and treatment for TSS and oil and grease.</p>	<p>NO <input type="checkbox"/></p>	<p>YES <input checked="" type="checkbox"/></p>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Ronald Panicucci, PE	Date: December 27, 2022	
Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

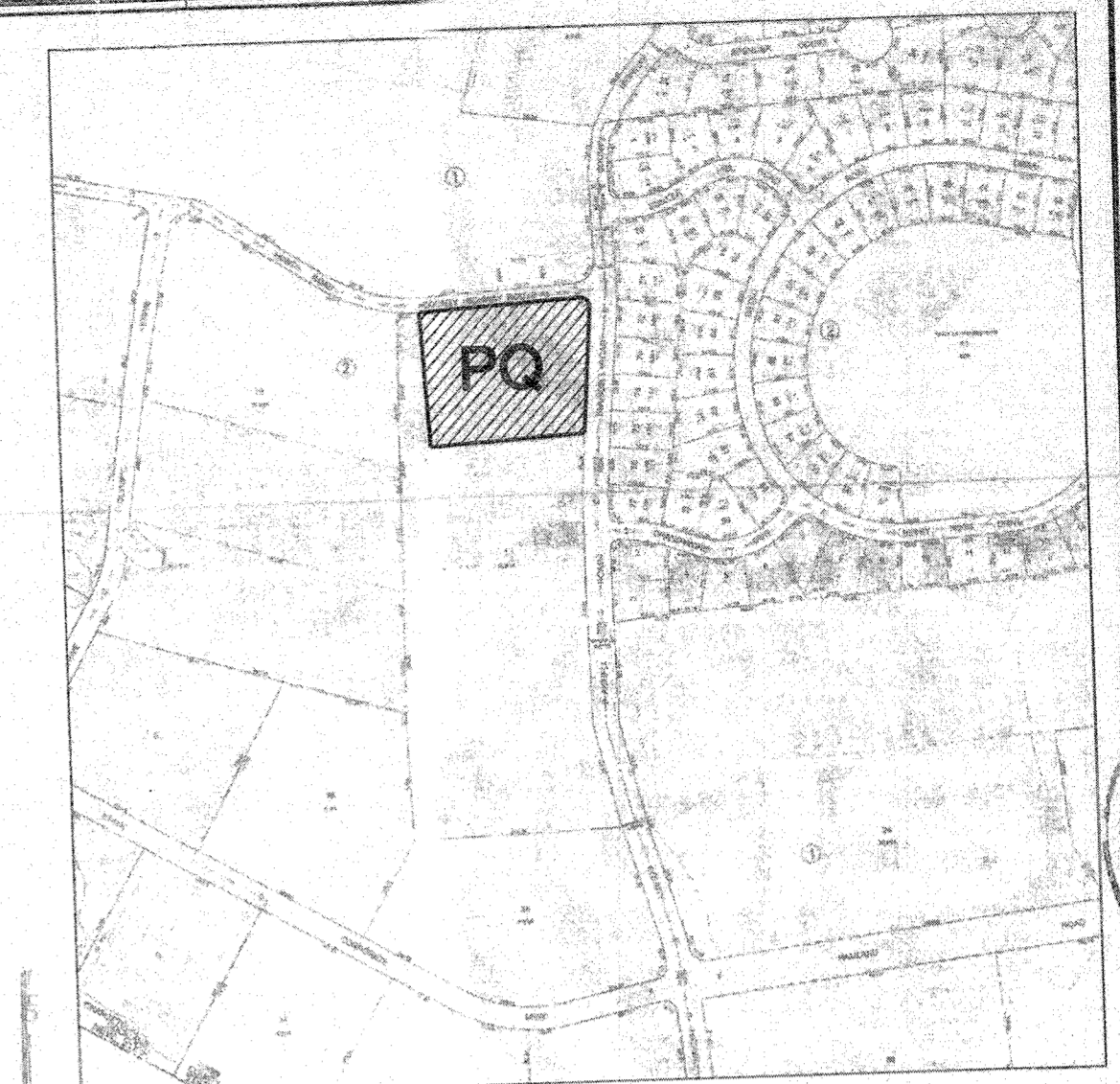
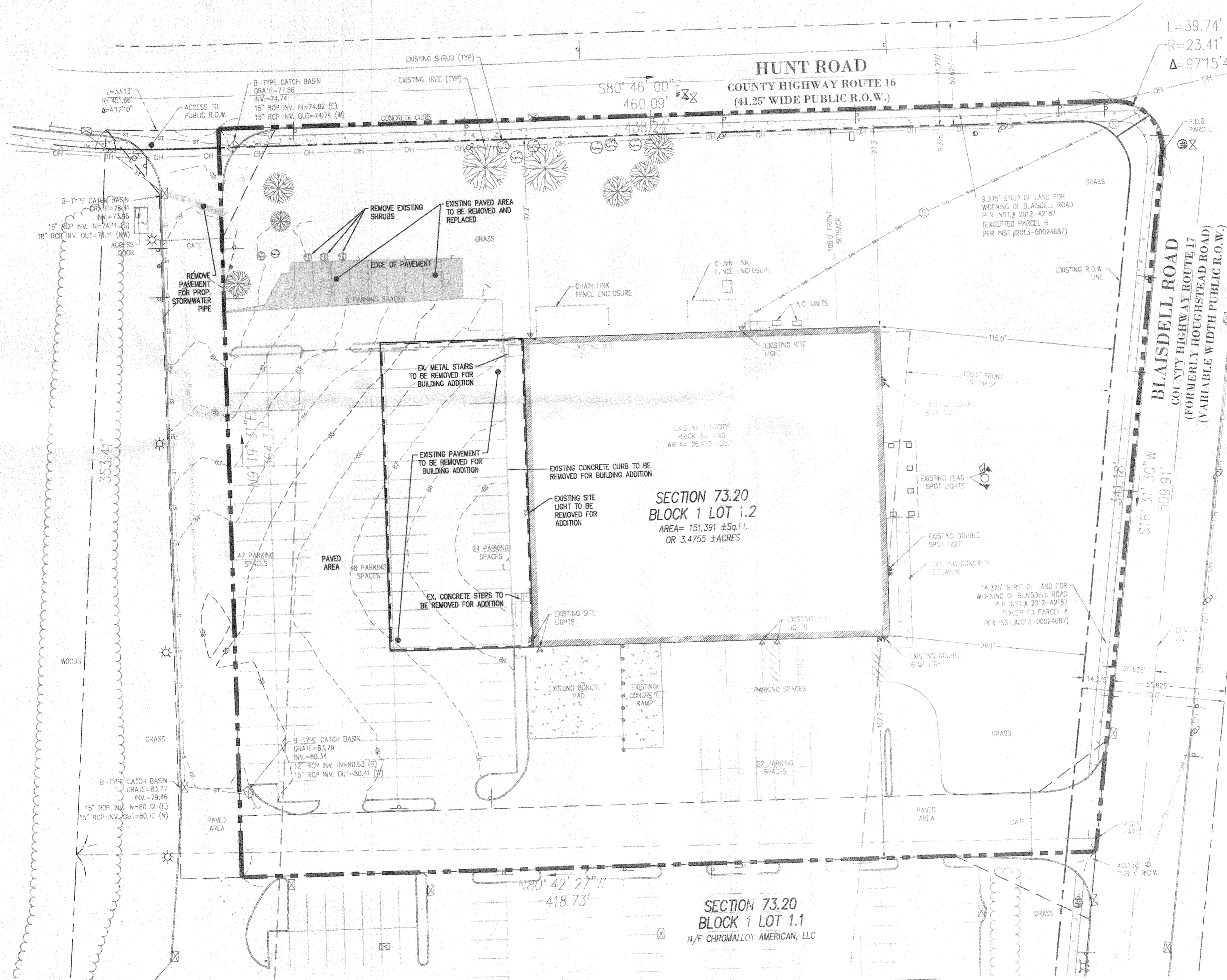
PRINT

PROPOSED SITE MODIFICATIONS at: DYNAMIC EVENT GROUP, INC.

300 Blaisdell Road
Orangeburg, New York 10962

DRAWING INDEX

SP.11	EXISTING & DEMOLITION SITE PLAN
SP.21	PROPOSED SITE PLAN
SP.31	PROPOSED DRAINAGE PLAN
SC.01	SOIL EROSION & SEDIMENT CONTROL PLAN



TAX MAP
1" = 500'

LEGEND

TRANSVERSE MONUMENT	UNKNOWN MANHOLE	WATER VALVE
IRON PIPE	ELECTRIC MANHOLE	WATER METER
BOOK	SANITARY MANHOLE	FIRE HYDRANT
PAGE	CLEAN OUT	WATER SHUT OFF
RIGHT OF WAY	TELEPHONE MANHOLE	MONITORING WELL
SIGN	STORM MANHOLE	IRRIGATION CONTROL VALVE
FLAGPOLE	CATCH BASIN	GAS VALVE
MAILBOX	FLARED END SECTION	GAS METER
DUMPSTER	LIGHT POLE	UTILITY POLE
HANDICAP SYMBOL	WALL-MOUNTED SPOT LIGHT	GUY WIRE
TREE	SITE LIGHT	ELECTRIC METER
PROPERTY LINE (PO)	BOLLARD	
PROPERTY LINE	WATER LINE	
SETBACK LINE	GAS LINE	
WETLANDS BOUNDARY	ELECTRIC LINE	
STREAM OR BROOK	TELEPHONE LINE	
TREE LINE	OVERHEAD WIRES	
CHAIN LINK FENCE	SANITARY SEWER	
WOOD FENCE	STORM SEWER	
	GUIDE RAIL	

MATTHEW M. WEBB, PLS
THE PROFESSIONAL LAND SURVEYOR (License No. 050881-1)

RONALD J. FRANCIUCCI, PE
THE PROFESSIONAL ENGINEER (License No. 075880-1)

- Revisions:**
- 04/02/2018 ADDED EXISTING CONDITIONS PLAN
 - 01/31/2019 RESPONSE TO 02/24/19 DIRECTOR COMMENTS
 - 06/25/2019 PLANNING BOARD SUBMISSION
 - 08/09/2019 PLANNING BOARD RESUBMISSION
 - 01/07/2020 REV. PER PLANNING BOARD COMMENTS
 - 12/22/2022 ZONING BOARD APPLICATION

LAN ASSOCIATES
J.A.L.
engineering • planning • architecture • surveying
252 MAIN STREET, GOSHEN, NEW YORK 10924 (845) 615-0350

EXISTING & DEMOLITION SITE PLAN
SECTION 73.20 - BLOCK 1 - LOT 1.2
300 BLAISDELL ROAD
DYNAMIC EVENT GROUP, INC.
TOWN OF ORANGETOWN, ROCKLAND COUNTY, NY

Job No. 2.30096.01
File No. 3009601C1
SP.11

ZONING BOARD OF APPEALS
Meeting Of:
MAR 1 2023
Town Of Orangetown

PLANNING BOARD APPROVAL CERTIFICATION

APPROVED FOR FILING: _____ DATE: _____

TOWN ENGINEER
APPROVED AS A FINAL PLAT BY A RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF ORANGETOWN. _____ DATE: _____

CHAIRMAN OF THE ROCKLAND COUNTY DRAINAGE AGENCY _____ DATE: _____

OWNER CERTIFICATION

I/WE, OWNER(S), HEREBY GIVE CONSENT TO THE FILING OF THIS MAP. _____ DATE: _____

AUTHORIZED SIGNATURE _____ DATE: _____

PRINT NAME _____

APPLICANT & PROPERTY INFORMATION

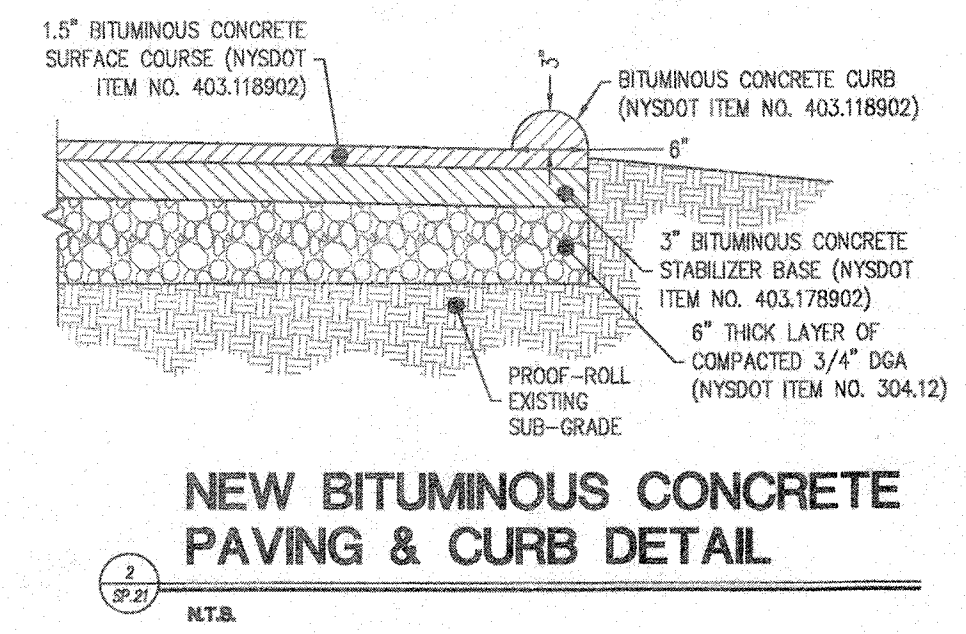
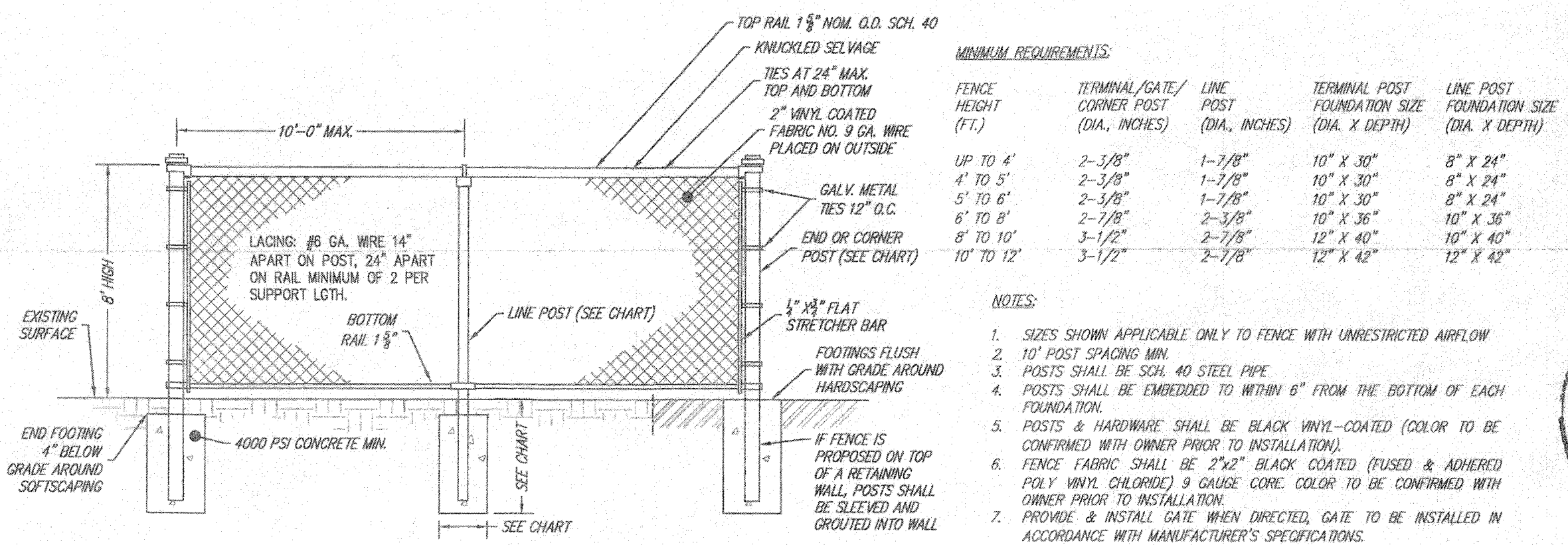
OWNER/APPLICANT:
DYNAMIC EVENT GROUP, INC.
300 BLAISDELL ROAD
ORANGETOWN, NY 10962

PROPERTY LOCATION:
SECTION 73.20 - BLOCK 1 - LOT 1.2
TOWN OF ORANGETOWN, COUNTY OF ROCKLAND, NEW YORK
AREA OF PROPERTY= 151,391 ± SQ.FT. OR 3.4755 ± ACRES

- SURVEY REFERENCES**
- INSTRUMENT #2013-00024687 INST. #2012-42187
 - MAP ENTITLED "MINOR SUBDIVISION FOR GASBORO DEVELOPMENT CORP." FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON FEBRUARY 24, 1975 IN BOOK 88 PAGE 23 AS MAP No. 4584 AS AMENDED BY FILED MAP No. 4772 IN BOOK 90 PAGE 54
 - MAP ENTITLED "SURVEY FOR LOTION SYSTEMS IN ORANGETOWN" FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON JUNE 14, 1988 IN BOOK 111 OF MAPS AT PAGE 58 AS MAP No. 3461.
 - MAP ENTITLED "SUBDIVISION OF TAX LOT 26-345-18.8, ROCKLAND CORPORATE PARK" FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON DECEMBER 17, 1985 AS MAP No. 5523, BOOK 104 PAGE 64.
 - MAP ENTITLED "SUBDIVISION OF TAX LOT 26-345-18.3, ROCKLAND CORPORATE PARK" FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON OCTOBER 3, 1985 AS MAP No. 5957 IN BOOK 106 PAGE 36.
 - MAP ENTITLED "SUBDIVISION OF TAX LOT 26-345-18.3, ROCKLAND CORPORATE PARK" FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON OCTOBER 3, 1985 AS MAP No. 5957 IN BOOK 106 PAGE 36.
 - TOPOGRAPHIC SURVEY WAS PERFORMED BY LAN ASSOCIATES ENGINEERING-PLANNING-ARCHITECTURE, L.P. WILLIAM T. MANNING, P.L.S. L.S. No. 05088 ON JUNE 20, 2000.
 - MAP ENTITLED "CHROMALLOY MINOR SUBDIVISION SECTION 73.20 BLOCK 1 LOT 1" RECORDED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON SEPTEMBER 5, 2017 AS MAP No. 5376.

ZONING REQUIREMENTS			
ZONE DISTRICT LIO (LIGHT INDUSTRIAL-OFFICE) GROUP CC	REQUIRED	EXISTING	PROPOSED (10,500 SF ADD)
MINIMUM LOT REQUIREMENTS			
MINIMUM LOT AREA (SQUARE FEET)	87,120	151,391	NO CHANGE
MINIMUM LOT AREA (ACRES)	2	3	NO CHANGE
MINIMUM LOT WIDTH (FEET)	300	358.2 (BLAISDELL)	NO CHANGE
MINIMUM STREET FRONTAGE (FEET)	150	372.4 (BLAISDELL)	NO CHANGE
MINIMUM OPEN SPACE (PERCENT)	25	39.52	38.26
MINIMUM YARD REQUIREMENTS (PRINCIPAL BUILDING)			
MINIMUM FRONT YARD (FEET)	100	96.1 (E)	NO CHANGE
MINIMUM SIDE YARD (FEET)	100	97.2	91.9 (V, STORAGE CONTAINERS)
MINIMUM TOTAL SIDE YARD (FEET)	200	N.A.	N.A.
MINIMUM REAR YARD (FEET)	100	145.9	+/- 75 LF (V)
MAXIMUM LOT REQUIREMENTS			
MAXIMUM FLOOR AREA RATIO	0.40	0.174	0.245
MAXIMUM BUILDING HEIGHT (FEET)	25	24	24.3

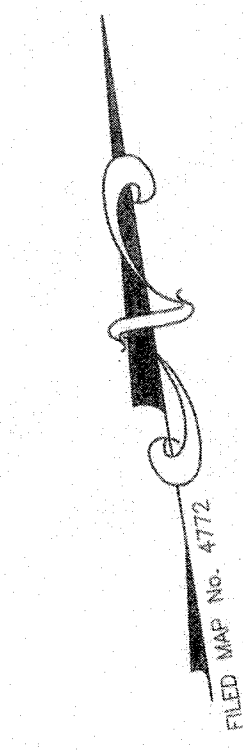
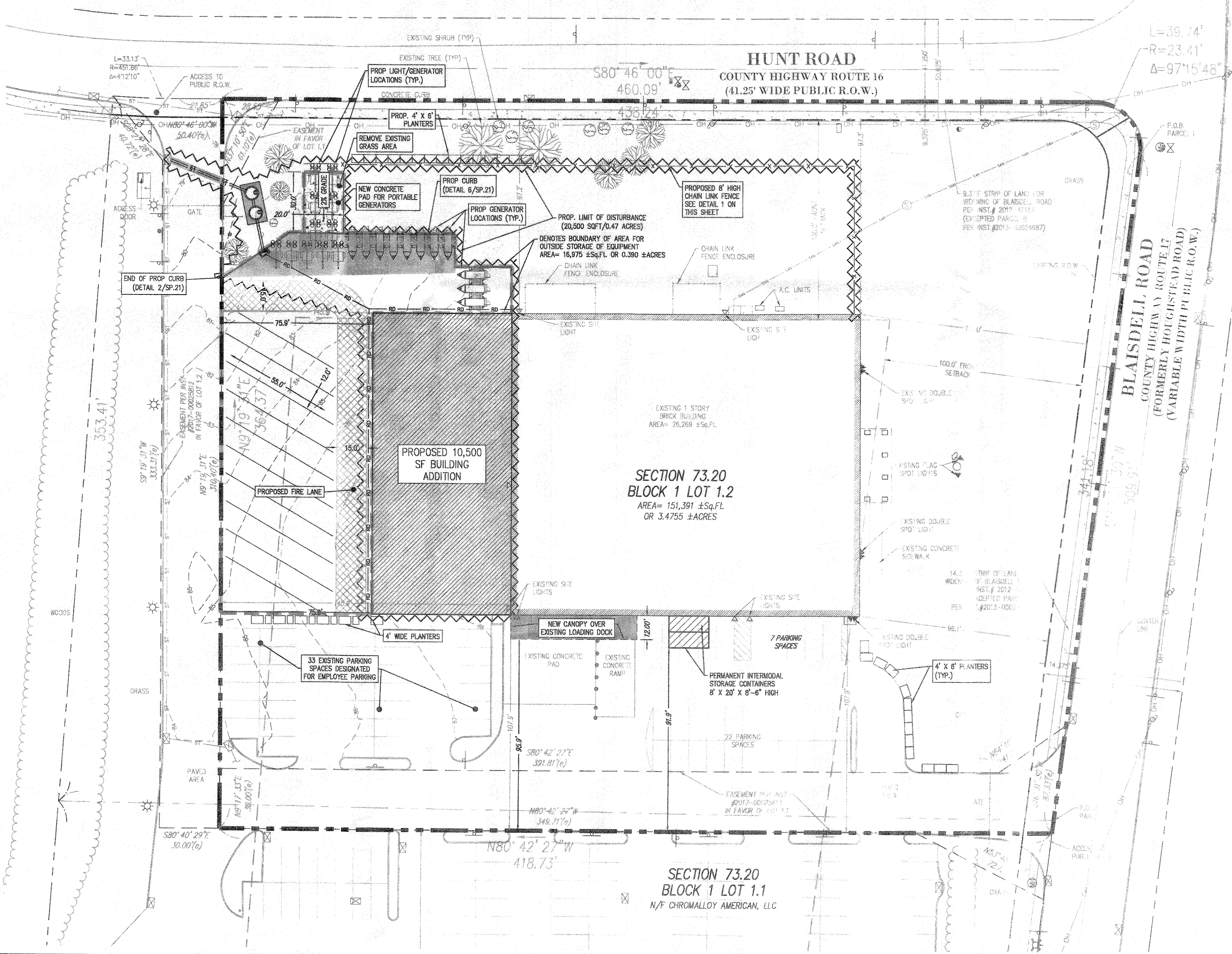
(E) PRE-EXISTING NON-CONFORMING
(V) VARIANCE REQUIRED



DECREASE IN OPEN SPACE	
NET INCREASE NEW ADDITION	= 1134 SF
NEW PAVEMENT	= 172 SF
NEW CONCRETE PAD	= 602 SF
TOTAL INCREASE	= 1908 SF
TOTAL INCREASE	= 1.28%
EXISTING %	= 39.52%
PROPOSED %	= 39.52 - 1.28 = 38.26%

FLOOR AREA RATIO BREAKDOWN	
FLOOR AREA RATIO	= (TOTAL FLOOR AREA)/(LOT AREA)
	= (37,088)/(151,391)
FLOOR AREA RATIO	= 0.245

REQUIRED PARKING SPACES	
1 PARKING SPOT = 300 SQFT OFFICE SPACE	8,269 SQFT OFFICE SPACE = 27 SPACES
1 PARKING SPOT = 2 EMPLOYEES OR 300 SQFT PRODUCTION EQUIPMENT STORAGE	28,820 SQFT PRODUCTION EQUIPMENT STORAGE SPACE = 96 SPACES
	28 EMPLOYEES = 13 SPACES
TOTAL REQUIRED SPACES = 55 SPACES	
TOTAL OFFICE AND PRODUCTION EMPLOYEES = 34 SPACES	
PROVIDED = 62 SPACES	



SCALE: 1" = 30'

MATTHEW M. WEBB, PLS
PROFESSIONAL LAND SURVEYOR NO. 050851-1

RONALD A. PANUCCI, P.E.
PROFESSIONAL ENGINEER NO. 072600-1

- Revisions:**
- 04/02/2018 ADDED EXISTING CONDITIONS PLAN.
 - 01/31/2019 RESPONSE TO OZPPE DIRECTOR COMMENTS.
 - 06/25/2019 PLANNING BOARD SUBMISSION.
 - 08/09/2019 PLANNING BOARD RESUBMISSION.
 - 07/27/2020 REV. PER PLANNING BOARD COMMENTS.
 - 12/22/2022 ZONING BOARD APPLICATION.

LAN ASSOCIATES
engineering • planning • architecture • surveying
282 MAIN STREET, GOSHEN, NEW YORK 10924 (845)815-0350

PROPOSED SITE PLAN
SECTION 73.20 - BLOCK 1 - LOT 1.2
300 BLAISDELL ROAD
DYNAMIC EVENT GROUP, INC.
TOWN OF ORANGETOWN, ROCKLAND COUNTY, NY

Job No. 2.30096.01
Plan No. 3009601C1

SP.21

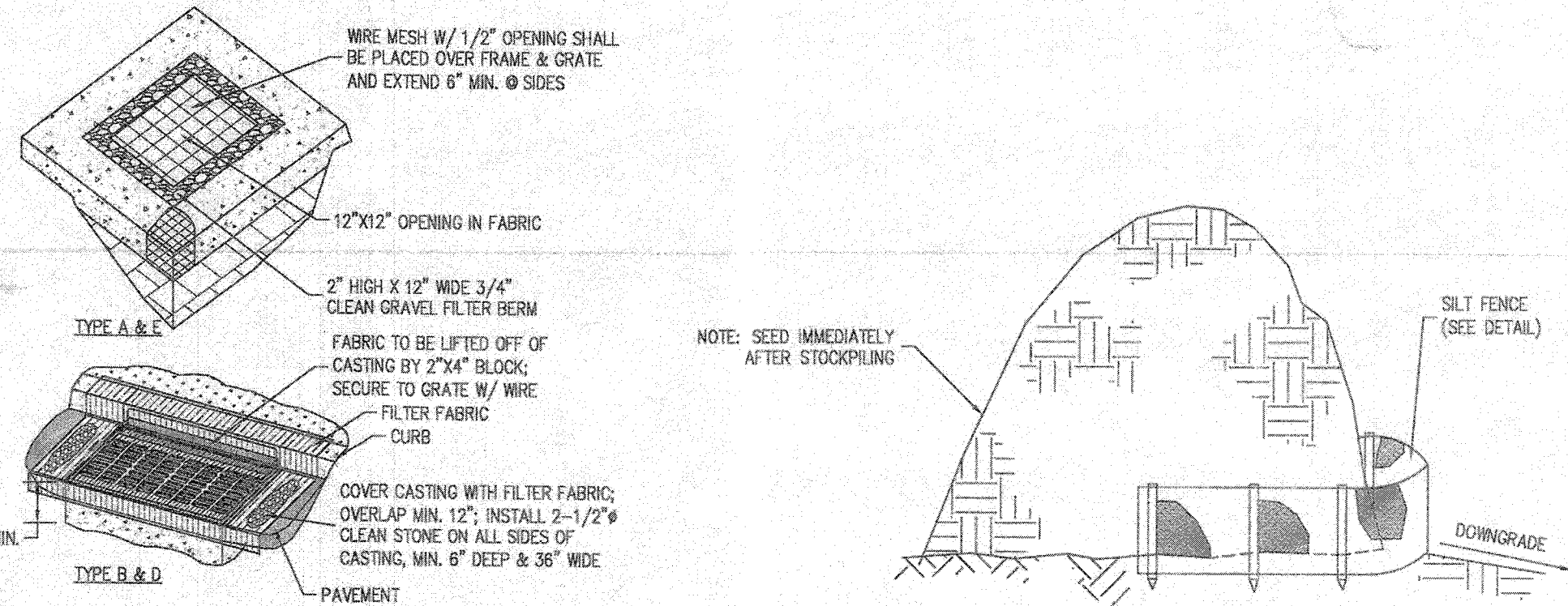
STANDARD EROSION CONTROL NOTES

AN EROSION CONTROL SYSTEM WILL BE UTILIZED BY THE DEVELOPER TO MINIMIZE THE PRODUCTION OF SEDIMENT FROM THE SITE. METHODS TO BE UTILIZED WILL BE THOSE FOUND MOST EFFECTIVE FOR THE SITE AND SHALL INCLUDE ONE OR MORE OF THE FOLLOWING AS APPLICABLE:

1. TEMPORARY SEDIMENTATION ENTRAPMENT AREAS SHALL BE PROVIDED AT THE KEY LOCATIONS TO INTERCEPT AND CLARIFY SILT LADEN RUNOFF FROM THE SITE. THESE MAY BE EXCAVATED OR MAY BE CREATED UTILIZING RIP-RAP OR CRUSHED STONE DAMS, HAY BALES, OR OTHER SUITABLE MATERIALS. DIVERSION SWALES, BERMS, OR OTHER CHANNELIZATION SHALL BE CONSTRUCTED TO ENSURE THAT ALL SILT LADEN WATERS ARE DIRECTED INTO 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.
2. ALL DISTURBED AREAS EXCEPT BROADWAYS, WHICH WILL REMAIN UNFINISHED FOR MORE THAN 30 DAYS SHALL BE TEMPORARILY SEEDING WITH 1 LB. OF RYE GRASS OR MULCHED WITH 100 LBS. OF STRAW OR HAY PER 1,000 SQ. FEET. BROADWAYS SHALL BE STABILIZED AS RAPIDLY AS PRACTICABLE BY THE INSTALLATION OF THE BASE COURSE.
3. SILT THAT LEAVES THE SITE IN SPITE OF THE REQUIRED PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS DIRECTED BY THE APPROPRIATE MUNICIPAL AUTHORITIES.
4. ALL EROSION AND SEDIMENT CONTROL MEASURES, EXCLUDING CATCH-BASIN MEASURES, SHALL BE IN PLACE PRIOR TO ANY GRADING OPERATIONS AND INSTALLATION OF PROPOSED STRUCTURES AND/OR UTILITIES.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL REMAIN IN PLACE AND BE MAINTAINED UNTIL CONSTRUCTION IS COMPLETED AND /OR STABILIZED.

LAND GRADING CONSTRUCTION SPECIFICATIONS

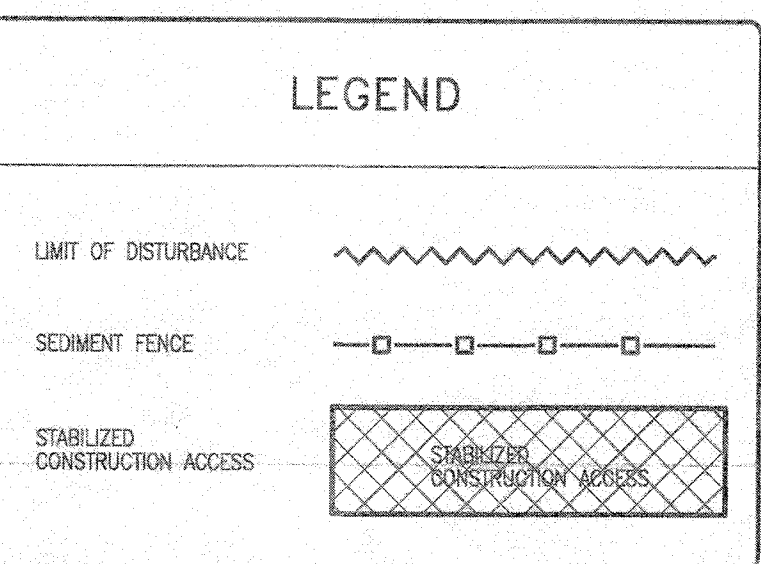
1. ALL GRADED OR DISTURBED AREAS INCLUDING SLOPES SHALL BE PROTECTED DURING CLEARING AND CONSTRUCTION IN ACCORDANCE WITH THE APPROVED SEDIMENT CONTROL PLAN UNTIL THEY ARE PERMANENTLY STABILIZED.
2. ALL SEDIMENT CONTROL PRACTICES AND MEASURES SHALL BE CONSTRUCTED, APPLIED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED SEDIMENT CONTROL PLAN AND THE STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL IN DEVELOPING AREAS.
3. TOPSOIL REQUIRED FOR THE ESTABLISHMENT OF VEGETATION SHALL BE STOCKPILED IN AMOUNT NECESSARY TO COMPLETE FINISHED GRADING OF ALL EXPOSED AREAS.
4. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED, AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS OR OTHER OBJECTIONABLE MATERIALS.
5. AREAS WHICH ARE TO BE TOPSOILED SHALL BE SCARIFIED TO A MINIMUM DEPTH OF FOUR INCHES PRIOR TO PLACEMENT OF TOPSOIL.
6. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLUMPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES.
7. ALL FILL TO BE PLACED AND COMPACTED IN LAYERS NOT TO EXCEED 9 INCHES IN THICKNESS.
8. EXCEPT FOR APPROVED LANDFILLS, FILL MATERIAL SHALL BE FREE OF FROZEN PARTICLES, BRUSH, ROOTS, SOIL, OR OTHER FOREIGN OR OTHER OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS.
9. FROZEN MATERIALS OR SOFT, MUCKY OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED IN FILLS.
10. FILL SHALL NOT BE PLACED ON SATURATED OR FROZEN SURFACES.
11. ALL BERMS SHALL BE KEPT FREE OF SEDIMENT DURING ALL PHASES OF DEVELOPMENT.
12. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH THE STANDARD AND SPECIFICATION FOR SUBSURFACE DRAIN OR OTHER APPROVED METHOD.
13. ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY FOLLOWING FINISHED GRADING.
14. STOCKPILES, BORROW AREAS AND SPOIL AREAS SHALL BE SHOWN ON THE PLANS AND SHALL BE SUBJECT TO THE PROVISIONS OF THIS STANDARD AND SPECIFICATION.
15. CONTRACTOR SHALL LIMIT ACCESS OF HIGH-IMPACT EARTH MOVING EQUIPMENT.
16. CONTRACTOR SHALL NOT OVER-EXCAVATE.
17. CONTRACTOR SHALL USE DE-COMPACTATION PRACTICES TO RESTORE THE SOILS ORIGINAL INFILTRATION PRACTICES.
18. THE CONTRACTOR SHALL CONSTRUCT THE STORMWATER BASINS AND OTHER STORMWATER INFRASTRUCTURE PER THE REQUIREMENTS AND RECOMMENDATIONS WITHIN THE THE NYS DEC STORMWATER DESIGN MANUAL (2010 VERSION).
19. ALL SLOPES CONSTRUCTED WITH FILL MATERIAL SHALL BE TOPSOILED, SEED, MULCHED, AND STABILIZED.
20. ANY AREAS CONSIDERED CRITICAL FOR SEEDING AND STABILIZATION SHALL BE PROTECTED USING EROSION CONTROL MATS.



- NOTE:**
PROTECTION DEVICE DESIGNED TO CAPTURE AND FILTER RUNOFF FROM THE 1 YEAR, 24 HOUR STORM EVENT AND SAFELY CONVEY HIGHER FLOWS DIRECTLY INTO THE STORM SEWER SYSTEM.
1. CONTRACTOR IS TO CLEAN INLET FILTER AFTER EVERY STORM.
 2. CONTRACTOR TO REMOVE FABRIC STONE & LUMBER JUST PRIOR TO PAVING.
 3. FABRIC TO BE MIRAFI 100X OR EQUIVALENT.
 4. ALL PROTECTED INLETS (OR MANHOLES) SHALL BE PROTECTED THROUGHOUT THE CONSTRUCTION PERIOD AND UNTIL ALL DISTURBED AREAS WHICH DRAIN TO THEM ARE STABILIZED.

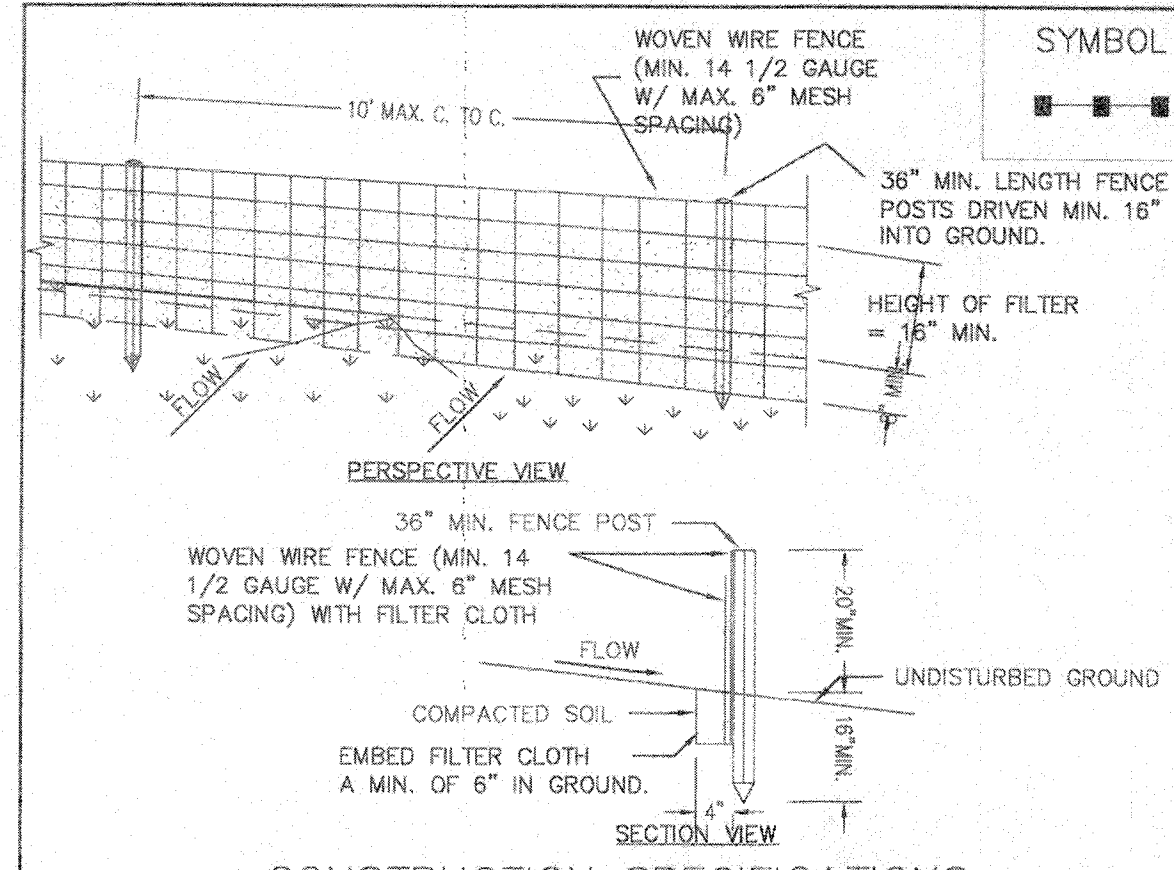
INLET FILTER DETAIL

TYPICAL TOPSOIL STOCKPILE

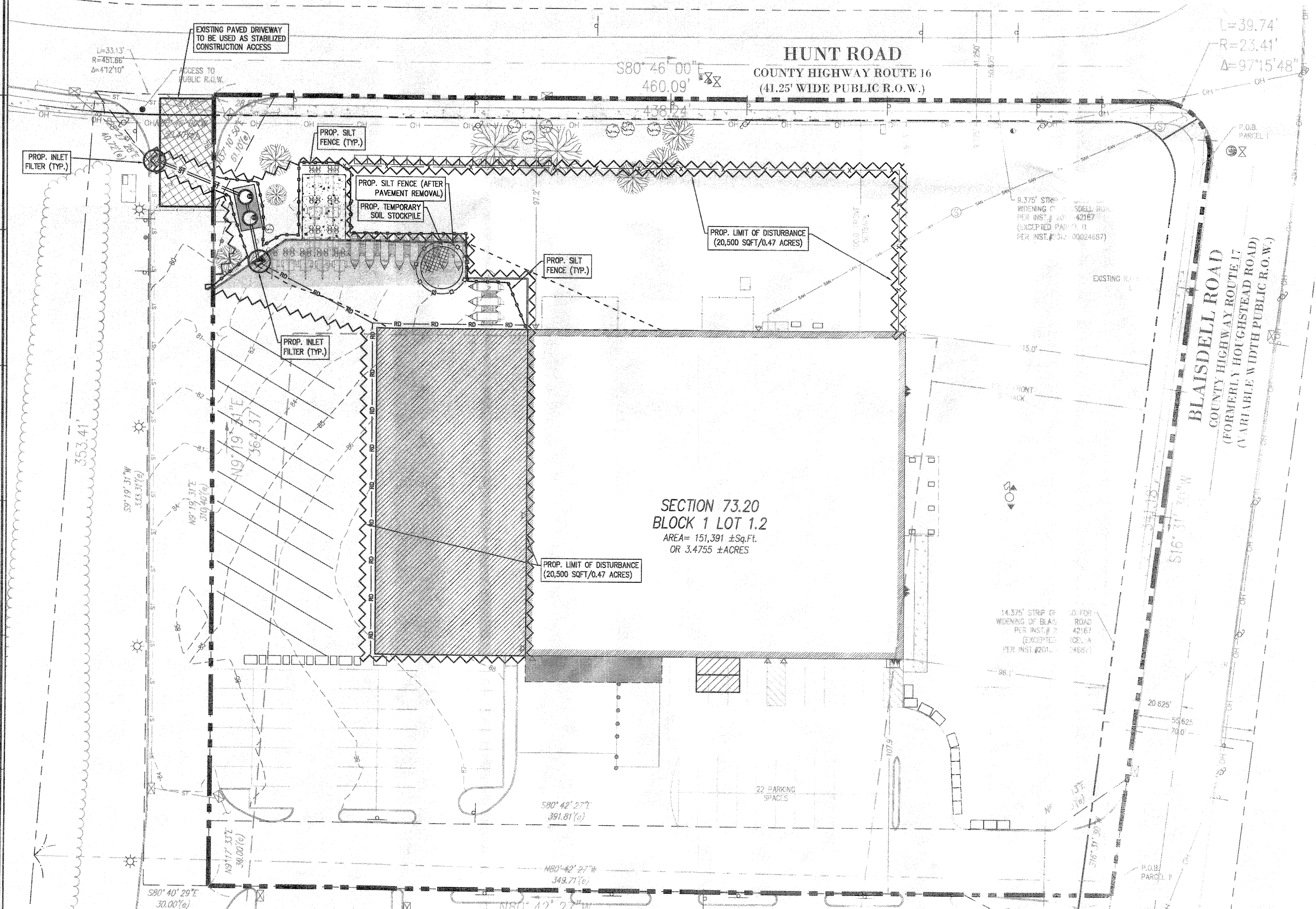


EROSION AND SEDIMENT CONTROL PLAN - CONSTRUCTION SEQUENCE

1. AT LEAST 48 HOURS PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL HOLD A PRE-CONSTRUCTION MEETING TO INVOLVE OWNER, ENGINEER, SO-CAL REPRESENTATIVES, & CONTRACTOR.
2. PRIOR TO LAND DISTURBANCE, INSTALL NEW SILT FENCES, INLET PROTECTION, AND PREPARE STABILIZED CONSTRUCTION ACCESS.
3. CONSTRUCT NEW CONCRETE PADS AND STORAGE SHELVING.
4. PLACE NEW PLANTERS, STORAGE CONTAINERS, AND PROPANE GAS CYLINDER CABINETS.
5. STRIP AND STOCKPILE TOPSOIL AS REQUIRED.
6. PERFORM PRELIM GRADING OF NEW PAVEMENT AND CONCRETE AREAS.
7. CONSTRUCT NEW CATCH BASIN WITH FILTER, SEEPAGE PITS, AND REQUIRED PIPING.
8. CONSTRUCT NEW CHAIN LINK FENCING.
9. INSTALL NEW CAMPIER OVER LOADING DOCK.
10. CONSTRUCT NEW PAVEMENT AREAS AND CURBING.
11. PERFORM FINAL STABILIZATION.
12. REMOVE SCD MEASURES (SILT FENCE, ETC.) AFTER FINAL SITE STABILIZATION.



- CONSTRUCTION SPECIFICATIONS**
1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "J" TYPE OR HARDWOOD.
 2. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 12 1/2 GAUGE, 6" MAXIMUM MESH OPENING.
 3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140X, OR APPROVED EQUIVALENT.
 4. PREFABRICATED UNITS SHALL BE GEOFAB, ENVROFENCE, OR APPROVED EQUIVALENT.
 5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "FALLOUT" OCCURS IN THE SILT FENCE.
- U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE



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SC.01