

TOWN OF ORANGETOWN PLANNING BOARD
Meeting of Wednesday, November 8, 2023

MEMBERS PRESENT:

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

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

New Item:

423 – 427 Western Highway Enterprises Site Plan	PB #23-48
Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review	Continued
423 – 427 Western Highway, Tappan 74.14/2/39; LI/LO zoning districts	

Continued Item from the September 13, 2023 Meeting:

Rockland Country Club Site Plan	PB #23-39
Golf Cart Wash Station Plan Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review	Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.
597 Route 340, Sparkill 78.09/1/24; R-80 zoning district	

Continued Items November 9, 2022 Meeting:

WPT Acquisitions Re-subdivision Plan	PB#22-17
Prepreliminary/ Preliminary/ Final Re-subdivision Plan and SEQRA Review	Postponed by Applicant
518 Route 303 & 13 and 21 Mountainview Ave, Orangeburg 74.07/1/2, 33 & 36; CC, LI, LO zoning districts	

WPT Acquisitions Site Plan	PB#22-18
Prepreliminary/ Preliminary Site Plan and SEQRA Review	Postponed by Applicant
518 Route 303 & 13 and 21 Mountainview Ave, Orangeburg 74.07/1/2, 33 & 36; CC, LI, LO zoning districts	

TOWN OF ORANGETOWN
NOV 14 2023
PLANNING BOARD

Planning Board Meetings of November 8, 2023

The decisions of the October 25, 2023 Planning Board Meeting were reviewed, edited, and approved. The motion for adoption was made and moved by Michael Mandel and seconded by Andrew Andrews carried as follows: Thomas Warren, Chairman, aye; Michael Mandel, Vice Chairman, aye; Michael McCrory, aye; Andrew Andrews, aye; Denise Lenihan, aye; Kevin Farry, aye; Tara Heidger, (alternate member), not voting; and Lisa DeFeciani, aye.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Michael McCrory and seconded by Kevin Farry and agreed to by all in attendance. The meeting was adjourned at 8:45 p.m. The next Planning Board meeting is scheduled for December 13, 2023.

Dated: November 8, 2023

Cheryl Coopersmith, Town of Orangetown Planning Board



TOWN OF ORANGETOWN
2023 DEC 14 P 2:38
TOWN CLERK'S OFFICE

PB #23-39: Rockland Country Club Site Plan BLDC Permit #3040-23
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.

Town of Orangetown Planning Board Decision
November 8, 2023
Page 1 of 13

TO: Bart Rodi, 234 South Grant Avenue, Congers, New York
FROM: Orangetown Planning Board

RE: Rockland Country Club Site Plan: The application of Christopher Smith, applicant, for Rockland Country Club, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review for a Golf Cart Washing Station Plan, the Site is known as **"Rockland Country Club Site Plan"**, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The Planning Board will also determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 380 Route 9W, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.09, Block 1, Lot 24; in the R-80 zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, September 13 and November 8, 2023**, at which time the Board made the following determination:

September 13, 2023

Bart Rodi and Christopher Smith appeared and testified for the applicant. The Board received the following communications:

1. Project Review Committee Report dated August 30, 2023.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, AIA, RA, Director, dated September 7, 2023.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated September 1, 2023.
4. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated August 25, 2023.
5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated September 7, 2021.
6. Letters from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated August 3, 2023 and Notices signed by Jake Palant, dated July 12, 2023.
7. Letter and notice from Rockland County Center for Environmental Health, signed by Elizabeth Mello, PE, dated August 21, 2023.
8. Letter from Rockland County Drainage Agency, from Liron Derguti, Engineer I, dated July 5, 2023.
9. Notices from Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated July 10, 2023.

2023 SEP 14 PM 3:38
TOWN OF ORANGETOWN

**PB #23-39: Rockland Country Club Site Plan
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

BLDC Permit #3040-23

**Town of Orangetown Planning Board Decision
November 8, 2023
Page 2 of 13**

10. Letter from Rockland County Sewer District No. 1, signed by Nicholas King, Engineer I, dated August 25, 2023.
11. Notices from the Town of Orangetown Zoning Board of Appeals, signed by Daniel W. Sullivan, Chairman, dated July 5, 2023.
12. A Short Environmental Assessment Form, signed by Christopher Smith, dated April 24, 2023.
13. A copy of the Town of Orangetown Building Permit Referral signed by Rick Oliver, Building Inspector, dated April 7, 2023.
14. Email from Bart Rodi, dated May 11, 2023.
15. Plans prepared by Bart Rodi, PE, dated May 23, 2023, with an attachment of a brochure entitled Containment Island System.
16. Email from B. Shonnenshein, dated September 6, 2023.

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

The meeting was open to the Public, a motion was made to open the Public Hearing portion of the meeting 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; Michael McCrory, aye; Lisa DeFeciani, aye, Tara Heidger, (alternate member), not voting; and Andrew Andrews, aye.

Public Comments:

Thomas Finsterwald, 15 Mountainview Avenue, questioned the Board regarding the type of fertilizer or chemicals the applicant uses on the property.

There being no one else from the Public, a motion was made to close the Public Hearing portion of the meeting 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; Michael McCrory, aye; Lisa DeFeciani, aye, Tara Heidger, (alternate member), not voting; and Andrew Andrews, aye.

The applicant requested a **CONTINUATION**.

November 8, 2023

Bart Rodi, Steven Yassky and Christopher Smith appeared and testified for the applicant.

DO NOT WRITE IN THESE SPACES
NO. 10 OF 11
NOV 10 2023

BLDC Permit #3040-23

Town of Orangetown Planning Board Decision

November 8, 2023

Page 3 of 13

The Board received the following communications:

1. Project Review Committee Report dated October 25, 2023.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, AIA, RA, Director, dated November 3, 2023.
3. Interdepartmental memorandum from the Department of Environmental Management and Engineering, (DEME) Town of Orangetown, signed by Bruce Peters, P.E., dated November 6, 2023.
4. Letter from Rockland County Planning Department, signed by Douglas Schuetz, Acting Commissioner, dated October 31, 2023.
5. Letter from Rockland County Department of Health, signed by Elizabeth Mello, PE, Senior Public Health Engineer, dated October 30, 2023.
6. Letter from Rockland County Highway Department, signed by Dyan Rajasingham, dated October 16, 2023.
7. Email from the Palisades Interstate Park Commission, from Matthew Shook, Director of Development and Special Projects, dated October 4, 2023.
8. Plans prepared by Bart Rodi, PE, last revision date of September 19, 2023.

The meeting was open to the Public, a motion was made to open the Public Hearing portion of the meeting 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; Michael McCrory, aye; Lisa DeFeciani, aye, Tara Heidger, (alternate member), not voting; and Andrew Andrews, aye.

There being no one from the Public, a motion was made to close the Public Hearing portion of the meeting 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; Michael McCrory, aye; Lisa DeFeciani, aye, Tara Heidger, (alternate member), not voting; and Andrew Andrews, aye.

SEQRA

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (a) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. A motion was made by Michael Mandel, Vice Chairman and second by Michael McCrory and carried as follows: Thomas Warren, Chairman, aye; Denise Lenihan, aye; Michael Mandel, Vice Chairman-aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye, Tara Heidger, (alternate member), not voting; and Andrew Andrews, aye, the Board declared itself Lead Agency.

1001-1010

CONFIDENTIAL

MEMORANDUM FOR THE DIRECTOR

SUBJECT: [Illegible]

[Illegible text block]

[Illegible text block]

[Illegible text block]

[Illegible text block]

**PB #23-39: Rockland Country Club Site Plan
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

BLDC Permit #3040-23

**Town of Orangetown Planning Board Decision
November 8, 2023
Page 4 of 13**

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

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

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;
- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;

RECEIVED
NOV 14 2023
TOWN OF ORANGETOWN
PLANNING BOARD

BLDC Permit #3040-23

Town of Orangetown Planning Board Decision

November 8 2023

Page 5 of 13

- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

On motion was made by Michael Mandel, Vice Chairman and second by Lisa DeFeciani and carried as follows: Thomas Warren, Chairman, aye; Denise Lenihan, aye; Michael Mandel, Vice Chairman-aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye, Tara Heidger, (alternate member), not voting; and Andrew Andrews, aye, the Board made a Negative Declaration pursuant to SEQRA.

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

1. The following note shall be placed on the Site Plan: "At least one-week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."

2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.

SECRET

**PB #23-39: Rockland Country Club Site Plan
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

BLDC Permit #3040-23

**Town of Orangetown Planning Board Decision
November 8 2023
Page 6 of 13**

3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The required front yard is 50' with 54' existing. The existing setback dimension shall be shown on the actual plan. The proposed setback to the proposed containment pads and the GSMS wash station shall also be shown as it appears the setback is approximately 47 feet.
5. An enlarged plan detail and elevations must be provided showing all components of the Containment Island System including the biological wash water recycling equipment.
6. The photo provided shows a roof structure, is a roof structure proposed over the wash area?
7. The Short Environmental Assessment Form (SEAF) appears to be in order.
8. The applicant is reminded that no work can begin and no permit will be issued until all comments are met from the various agencies, all approvals are obtained, the Final Site Plan is stamped and the construction plans are reviewed and approved by the inspector.
9. The total area of disturbance (including all construction and all removals) shall be clearly delineated and list on the drawings.
10. The area for the proposed new concrete pad is given as 638 SQFT. However, the area of the Mixing Pad, GSMS Wash Station & the Chemical Containment and Recovery Pad is 1070 SQFT. The proposed impervious area for these pads shall be revised.
11. Details for the proposed containment pad shall be given on the plans.
12. The proposed & existing surfaces shall be more clearly defined & labeled on the plans.

**PB #23-39: Rockland Country Club Site Plan
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

BLDC Permit #3040-23

**Town of Orangetown Planning Board Decision
November 8 2023
Page 7 of 13**

13. A stabilized construction entrance shall be added to the plans.
14. A legend shall be added to the site plan that includes the proposed soil erosion and sediment control devices.
15. The Soil erosion and sediment control symbols shall conform to NYSDEC standards.
16. All existing sanitary sewer building connections shall be shown on the plans (if applicable.)
17. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum (including the BM elevation.)
18. The Town of Orangetown Bureau of Fire Prevention reviewed the submitted information and had no comment at this time

19. Drainage Review – Brooker Engineering:

The application has provided sufficient information to demonstrate that there are no potential significant impacts with respect to drainage that require mitigation. Brooker Engineering therefore recommends that the Rockland Country Club Site Plan be approved for drainage subject to the following Project Comments.

Project Description

This is the first drainage review report for this project. The proposed action consists of the construction of a new concrete pad for an equipment washing station, located just east of Route 340. The concrete pad is located on an existing asphalt area. Ground surface cover is not changing and there is no increase in peak stormwater runoff rates. Stormwater runoff flows west towards Route 340; the proposed project appears to maintain the existing drainage pattern.

Project Comments

1. Provide a detail of the concrete pad and well pit.
2. Show discharge point from well pit.
3. Show proposed grading around concrete pad.
4. Show limit of disturbance on the Site Plan.

604-771-1102

604-771-1102

**PB #23-39: Rockland Country Club Site Plan
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

BLDC Permit #3040-23

**Town of Orangetown Planning Board Decision
November 8 2023
Page 8 of 13**

20. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:

- A review must be completed by the New York State Department of Transportation, and any required permits obtained.
- An updated review of the September 19, 2023 site plan must be completed by the County of Rockland Drainage Agency and all required permits obtained. In addition, the applicant shall comply with the comments in the Drainage Agency letter of July 5, 2023.
- The Palisades Interstate Park Commission shall be given the opportunity to review the proposal and any comments or concerns addressed.
- The August 25, 2023 letter from the Orangetown Fire Inspector states that the Town Bureau of Fire Prevention has no comments at this time. In addition, the Rockland County Office of Fire and Emergency Services and the Sparkill Fire District shall have the opportunity to review this site plan to ensure that the site is designed in a safe manner and there is sufficient maneuverability on the site for emergency vehicles.
- The Planning Board must be satisfied that the application meets all requirements of Section 8.7 A through D of the local code. Due to the environmentally sensitive attributes on this part of the site, the handling and disposal of wash water must be properly addressed.
- The Sparkill Creek is listed in the FINAL New York State 2018 Section 303(d) List of Impaired/TMDL Waters (June 2020) as a waterbody with impairments that do not support best uses and requires development of a Total Maximum Daily Load (TMDL). The pollutants identified are fecal coliform and oxygen demand. The suspected source of the pollution is urban/stormwater runoff. Development applications within the Sparkill Creek watershed must consider the adverse impact of potential pollutants loadings to the Creek.
- Water is a scarce resource in Rockland County, thus proper planning and phasing of this project are critical to supplying the current and future residents of Villages, Towns, and County with an adequate supply of water. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed PE and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the RCDOH.

**PB #23-39: Rockland Country Club Site Plan
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

BLDC Permit #3040-23

**Town of Orangetown Planning Board Decision
November 8 2023
Page 9 of 13**

Continuation of Condition #20...

- According to the Hudson River Natural Resource Mapper, the subject site is part of a "Known Important Area for Rare Wetlands Animals." The NY Natural program identifies these as specific locations where rare animals have been observed, as well as additional habitat needed to support animal populations. This includes areas which may be used by rare animals for breeding, nesting, feeding, roosting, or over wintering; and areas that support the ecological processes critical to maintaining the habitats of these animal populations. Protective planning that avoids or minimizes impact to the habitat quality of important areas and maintains habitat connections for wildlife movement will contribute to the long-term survival of rare animal species and their associates
- As part of the Sparkill Creek watershed, the subject site is also within a "Known Important Area for Migratory Fish." The important areas highlight stream reaches providing important passage for fish travelling between ocean and freshwater habitats, such as American eel and river herring. Routes were modeled from tributary stream reaches with documented migratory fish presence to the Atlantic Ocean. Specific documented migratory fish species may be identified using the Migratory Fish Runs data set, located under Estuary data layers. The important areas include upstream habitat and stream adjacent areas that support the health and integrity of stream habitats used by migratory fish. Proactive planning that avoids or minimizes impacts to the habitat quality of Important Areas and maintains connectivity will contribute to the long-term survival of migratory fish populations.

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

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

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

- More details regarding the water source and collection and treatment of the wash water are to be provided to determine if any approvals are required from RCDOH.

**PB #23-39: Rockland Country Club Site Plan
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

BLDC Permit #3040-23

**Town of Orangetown Planning Board Decision
November 8 2023
Page 10 of 13**

24. The Palisades interstate Park Commission reviewed the submitted information and found that they do not anticipate any issues at this time.

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

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

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

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

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

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10-foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

**PB #23-39: Rockland Country Club Site Plan
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

BLDC Permit #3040-23

**Town of Orangetown Planning Board Decision
November 8 2023
Page 11 of 13**

Continuation of Condition #29...

- One (1) foot radius from trunk per inch DBH
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of $\frac{3}{4}$ inch of plywood or boards, or equal over the area to be protected.

The builder or its agent may not change grade within the tree protection zone of a preserved tree unless such grade change has received final approval from the Planning Board. If the grade level is to be changed more than six (6) inches, trees designated to be preserved shall be welled and/or preserved in a raised bed, with the tree well a radius of three (3) feet larger than the tree canopy.

30. All landscaping shown on the site plans shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

31. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

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

**PB #23-39: Rockland Country Club Site Plan
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

BLDC Permit #3040-23

**Town of Orangetown Planning Board Decision
November 8 2023
Page 12 of 13**

33. If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's (applicants' engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicants engineer's) disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Federal Wetlands - U.S. Army Corps of Engineers).

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

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

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

Override

The Board made motions to override Conditions #1, #7 and #8 of the October 31, 2023 letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, for the following reasons:

"#1. The site plan drawing provided only depicts the area of the lot being developed. A drawing that illustrates the entire lot must be furnished. Additionally, the existing yard depths noted on the Table of Bulk Regulations must be indicated on the drawing."

The Board held that the submittal of a full site plan is not necessary.

A motion to override the condition was made and moved by Michael Mandel, Vice Chair and seconded by Kevin Farry and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Andrew Andrews, aye; Kevin Farry, aye; Lisa DeFeciani, aye; Kevin Farry, aye, Tara Heidger, (alternate member), not voting and Michael McCrory, aye.

2023 NOV 8 PM 4:00

2023 NOV 8 PM 4:00

TOWN OF ORANGETOWN

**PB #23-39: Rockland Country Club Site Plan
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

BLDC Permit #3040-23

**Town of Orangetown Planning Board Decision
November 8 2023
Page 13 of 13**

"#7. The site plan drawing delineates the propose washing station outside a 100-foot wetland buffer. The drawing does not specify if these are Federal or State regulated wetlands. According to the Hudson River Natural Resource Mapper, the western portion of the site appears to be deeper within a "State Regulated Wetland Check zone." The check zone is an area near other Mapped wetlands where an actual wetland may occur. The Hudson River Natural Resource Mapper also identifies this portion of the site as a "Known Important Area for Rare Wetland Plants" This department recommends that field delineation of onsite Wetlands be conducted to avoid potential negative impacts or any Wetland buffer. NYSDEC wetlands permits may be necessary."

The Board held that proposed project was moved in order to avoid negative impacts to the wetland buffer.

A motion to override the condition was made and moved by Michael Mandel, Vice Chair and seconded by Andrew Andrews and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Andrew Andrews, aye; Kevin Farry, aye; Lisa DeFeciani, aye; Kevin Farry, aye, Tara Heidger, (alternate member), not voting and Michael McCrory, aye.

"8. The Sparkill Creek, wetlands, and other natural features should be depicted on the drawings per Section 21A-7B(8) of the Town of Orangetown Code."

The Board held that the Sparkill Creek in not close to the proposed project and the applicant proposes to leave the wetlands and other natural features intact.

A motion to override the condition was made and moved by Michael Mandel, Vice Chair and seconded by Michael McCrory and carried as follows: Thomas Warren - Chairman, aye; Denise Lenihan, aye; Michael Mandel, aye; Andrew Andrews, aye; Kevin Farry, aye; Lisa DeFeciani, aye; Kevin Farry, aye, Tara Heidger, (alternate member), not voting and Michael McCrory, aye.

The foregoing Resolution was made and moved by Kevin Farry and second by Michael McCrory and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel, Vice Chairman-aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye, Tara Heidger, (alternate member), not voting; and Andrew Andrews, aye,

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

Dated: November 8, 2023
Cheryl Coopersmith
Town of Orangetown Planning Board



2023 DEC 14 P 2:48
TOWN OF ORANGETOWN

1. The first part of the report is a general statement of the purpose and scope of the study.

2. The second part is a description of the methods used in the study.

3. The third part is a description of the results of the study.

4. The fourth part is a discussion of the results and their implications.

5. The fifth part is a conclusion and a list of references.

6. The sixth part is a list of appendices.

7. The seventh part is a list of figures and tables.

8. The eighth part is a list of footnotes.

9. The ninth part is a list of symbols and abbreviations.

10. The tenth part is a list of acknowledgments.

11. The eleventh part is a list of references.

12. The twelfth part is a list of appendices.

13. The thirteenth part is a list of figures and tables.

14. The fourteenth part is a list of footnotes.

15. The fifteenth part is a list of symbols and abbreviations.

16. The sixteenth part is a list of acknowledgments.

17. The seventeenth part is a list of references.

18. The eighteenth part is a list of appendices.

19. The nineteenth part is a list of figures and tables.

20. The twentieth part is a list of footnotes.

21. The twenty-first part is a list of symbols and abbreviations.

22. The twenty-second part is a list of acknowledgments.

23. The twenty-third part is a list of references.

24. The twenty-fourth part is a list of appendices.

25. The twenty-fifth part is a list of figures and tables.

26. The twenty-sixth part is a list of footnotes.

27. The twenty-seventh part is a list of symbols and abbreviations.

28. The twenty-eighth part is a list of acknowledgments.

29. The twenty-ninth part is a list of references.

30. The thirtieth part is a list of appendices.

31. The thirty-first part is a list of figures and tables.

32. The thirty-second part is a list of footnotes.

33. The thirty-third part is a list of symbols and abbreviations.

34. The thirty-fourth part is a list of acknowledgments.

35. The thirty-fifth part is a list of references.

36. The thirty-sixth part is a list of appendices.

37. The thirty-seventh part is a list of figures and tables.

38. The thirty-eighth part is a list of footnotes.

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

**PB #23-39: Rockland Country Club Site Plan BLDC #Permit #3040-23
Golf Cart Wash Station Plan
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
November 8, 2023**

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

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

NAME OF ACTION: Rockland Country Club Site Plan – Golf Cart Wash Station

SEQR STATUS: Type I _____ Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 597 Route 340, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 78.09, Block 1, Lot 24; in the R-80 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

Office of Building, Zoning and Planning

Administration and Enforcement

Town of Orangetown

20 Greenbush Road, Orangeburg, NY 10962

Telephone Number: 845-359-5100

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

APPROVED FOR SIGNATURE

DATE OF DECISION

APPROVED FOR SIGNATURE