

KIER B. LEVESQUE ARCHITECT

49 Third Avenue Nyack, New York 10960 845-358-2359

May 13, 2024

Zoning Board of Appeals
Town of Orangetown
20 Greenbush Road
Orangeburg, NY 10962



Re: Robert Marc Fisher ZBA application
7 Berachah Ave.
South Nyack, NY 10960

Town of Orangetown
MEETING OF:

SBL: 66.61-1-19.2

JUN 19 2024

Job # 2021113

UPDATED NARRATIVE

ZONING BOARD OF APPEALS

This re-submission is as requested by the ZBA at its public hearing on April 17, 2024 for additional information pertaining to the carport and its possible relocation to the east side of the property and specifically located on Berachah Ave.

Mr. Fisher engaged Mr. Dennis Letson PE to determine the feasibility of locating a 2 car garage on the downhill portion of the Fisher lot and entering from Berachah Ave. Mr. Letson's report is submitted as a part of this narrative for the board's review.

There are several obstacles to relocating the off-street parking to Berachah Ave. and other considerations that are identified in the report. First there is a utility pole centered on the lot which has at least 2-3 underground feeds to the South and its main power feed coming underground from the east making it nearly impossible to have the pole relocated. The grades are severe up hill of this pole and the property line is about 20' west of the paved area of Berachah Ave. Mr. Letson's report outlines where a 2 car garage could be located and the amount of land disturbance required to do so. I believe that the ZBA would confirm these findings when its members visit and views the site directly.

The proposed location of the carport requires a significantly less amount of land disturbance than what would be required for the garage on Berachah Ave. It should also be noted that the variances for the carport vs the garage are still the same. Accessory structures in the front yard, projecting nearer to the front lot line of the principal building, height variance and a 280-A variance for access to a private road. This portion of Berachah Ave. is privately owned. The location of the carport and/or the garage are in keeping with the character of the surrounding neighborhood.

I highly recommend that the members of the zoning board visit both street side of this property to see the conditions that Mr. Letson's report addresses on Berachah Ave and how the carport is less intrusive and less land disturbance than anything proposed for Berachah Ave. The board would clearly see that the carport will not cause visual harm or have car headlights shining into the Shure's home as it is well above their second floor windows and actually is about the midpoint of their roof. See pictures attached.

In consideration of the character of the neighborhood we don't believe the carport is a detriment to the community in that similar structures and garages are predominately located in the front yards in this area of South Nyack. The character of the neighborhood will not be adversely affected by the location of the carport because similar conditions exist in this area. The physical environment will not be adversely affected because the number of trees to be removed has been limited to the area of the proposed house, drainage area, and carport. The balance of the site will remain unchanged. The site plan shows the limits of disturbance, and the landscaping plan shows the areas of replanting with trees at the carport and shrubs at the home. The drainage design incorporates the storm water collected with roof gutters and leaders for both the carport and house, and has been reviewed and accepted by the town's DEME and preliminarily approved by the planning board. The hardship for the variances is not self-created in that the site topography is restrictive and along with easements bisecting the lot limits where the carport and home can be located with minimal tree removal and land disturbance. An additional benefit to the community is that the carport roof has been designed to accept solar panels.

To reduce the carport footprint, and as requested by this board, we presented a downsized version of the carport at the last meeting. The area reduction of the carport is noted on the last revised plan submission. We believe that all the design and engineering efforts to reduce land disturbance by using pier footing construction for the house and carport, minimize variances, install drainage structures, reduce the number of trees to be removed, a landscaping plan to screen the underside of the carport, and a smaller home all contribute to the conscientious efforts to fit this project into this neighborhood.

Additional pictures taken at Berachah Ave. show the approximate location of the property line in relation for the curb line of the street.

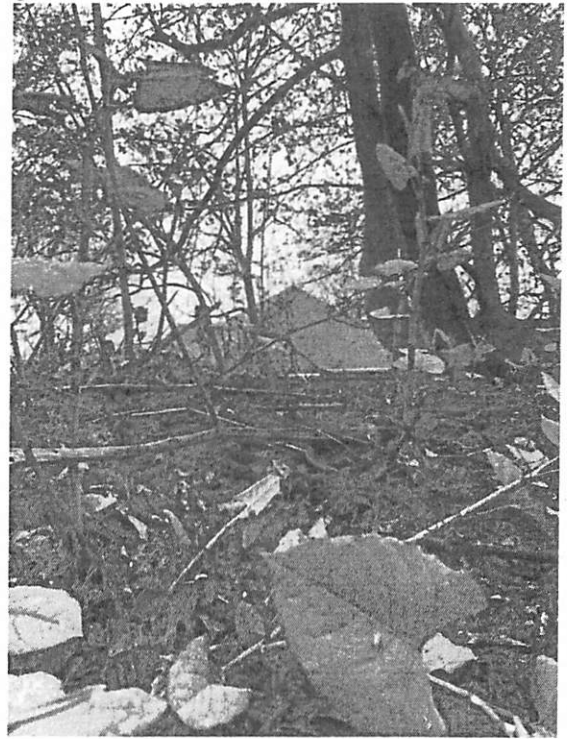
We believe we have more than complied with any reasonable demands of the ZBA, that the balance of benefits should be resolved in Mr. Fisher's favor, and that all requested variances should be granted. We renew our offer to meet the ZBA on site prior to the next hearing to confirm our position's logic and sound engineering concerning the proposed location of the carport versus the alternative on Berachah Ave.

Submitted by:

Kier B. Levesque Architect
Lic# 15938



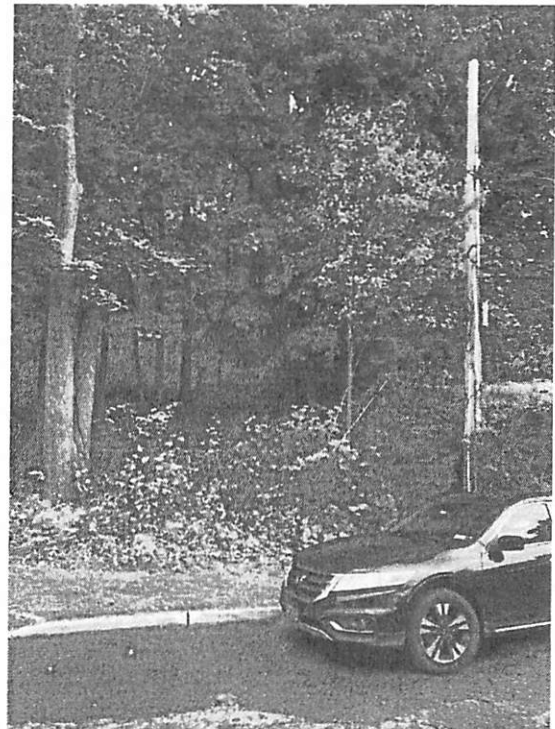
Taken at College Ave. road level



Taken at east side of College Rd where the water meter is located.



Corner of 9 Berachah and 7 Berachah



Utility in middle of lot and rising grade in right of way



Utility pole with underground feeds and property line approx. location



NE corner of property with steep sloes in the ROW

ASSESSMENT OF
SITE DISTURBANCE
for
GARAGE CONSTRUCTION
PROPOSED RESIDENCE FOR FISHER
ORANGETOWN/SOUTH NYACK, NEW YORK

Prepared by:

DENNIS M. LETSON PE & ASSOCIATES
Consulting Engineer
160 West Central Ave
Pearl River, NY 10965

File No. 24004

May 10, 2024

INTRODUCTION

At the request of Kier Levesque, RA, this report is prepared to assess the site disturbance for the proposed Fisher residential development which would occur if the proposed garage were to be located on the downhill side of the property on Berachah Ave.

In order to perform the requested analysis, we have reviewed the proposed project plans, 5 sheets prepared by Sparaco and Youngblood PLLC dated 5/5/23 and last revised 2/26/24. We also visited the site to review the existing conditions and possible constraints.

PLAN REVIEW

The current plan shows a proposed carport, 21 ft by 24 ft with a small approach apron fronting on and accesses from College Avenue at the upper part of the site. To provide a stable access a small retaining wall is proposed near the road ROW to support the apron. The carport and apron are proposed to be open below the structure.

There are two impediments to development on this property as shown on the proposed plans. First, a sewer easement benefitting the Town is located on the mid-line or the southerly bound of the lot, depending on where one is located in an east-west direction on the lot. This easement is 20 ft wide where it bisects the lot, and 10 ft where it straddles the common property line between this parcel and the parcel to the south. Second, there is an easement for "recreation, gardening and parking" on the north side of the lot which benefits the adjacent parcel to the north. This easement encumbers a 21 ft width of the parcel along the north property line.

Also shown on the plan, and of concern for the possible location of garage on Berachah Ave. is a utility pole and guy wire located in the road ROW. The concern is that this pole is located almost at the midpoint between the easements explained above, further limiting the potential access.

Finally, the slopes on the Berachah Ave side of the property are generally in the 26 to 35% and 35 to 100% range, beginning close to the edge of pavement of the roadway.

FIELD OBSERVATIONS

The existing slopes into the site from Berachah Ave are severe, as noted in the plan review section above. Significant excavation would be required to construct a garage on this portion of the site. Several large trees exist in the area which would be disturbed also.

The utility pole indicated in the plan review section above is a major impediment to the placement of a garage on this portion of the site. From observation of the pole and electric utility markings, it appears this pole is fed underground from the east, and distributes power overhead to 3 adjacent structures. Mr. Levesque recorded the house services from this pole and may have the plan updated to reflect the overhead lines. The guy anchor is located approximately where shown on the plan, and further limits the ability to access the site from Berachah Ave.

DESIGN PARAMETERS

Section 27-45 of the Orangetown Code indicates that connecting driveway grades and other design parameters shall be determined by a field meeting with Town personnel. Zoning Code Section 6.332 establishes a minimum driveway width of 10 ft., and a maximum driveway grade of 10%. For this exercise, we use a driveway width of 12 ft at the existing edge of pavement and a grade of 5% from the edge of pavement of the existing roadway, which appear reasonable based on the roadway width, grade and sight distance.

Seek to minimize the overall disturbance by placing the garage as close to the front lot line at Berachah Ave, recognizing that this will require a front yard variance. The exact setback will be determined by the driveway access around the obstructions indicted previously and the driveway path to the garage. Conversely, the driveway should allow 20 ft from the edge of pavement to the garage to allow for a vehicle to be fully off the roadway while opening the garage. The setback shall also be adequate to widen the driveway and allow for proper maneuvering into and out of the garage.

Finally, if possible the driveway should be installed at a 90 degree angle to the pavement of Berachah Ave.

RESULT

After several iterations of layout applying the design parameters, we have determined that the most viable layout of garage and driveway are as depicted in SK-1 attached, This sites the garage at a front yard setback of 8.84 ft and conforming side yards at the north and south yards. The driveway length to the garage is just under 34 feet from the edge of the roadway. This layout also allows for 40 ft radii on the driveway approach to allow for proper maneuvering into and out of the garage.

Setting the driveway grade to 5% and assuming an elevation of 260 at the edge of the pavement of Berachah Ave sets the floor elevation of the garage at 261.67 ft. This results in the rear wall of the garage being an approximately 15.5 feet high retaining wall, as the existing grade at the rear of the garage is approximately 277. Similarly, the retaining wall height at the front of the garage would be approximately 8.5 ft. Along the driveway the walls would taper in height toward the road, meeting existing grade at elevation 61, approx. 10 ft from the edge of pavement of Beerachah Ave. Beyond that point the area would be regraded.

The heights of retaining wall would require a cantilever retaining wall with a heel dimension of 4 to 6 feet in width behind the wall itself. This area is represented by the heavy dash line on SK-1, and represents the minimum area of disturbance to place the garage on this side of the lot. This is an area of 1760 s.f. or 0.04 acres. This compares to approximately 300 s.f. of disturbed area for the proposed carport located on College Ave., and is almost six (6) times the area of disturbance.

In addition, this layout requires excavation near and/or into the sewer easement and into the driveway easement on the north side of the lot. The excavation into the sewer easement would be within approx. 16 feet of the sewer line, and the bottom of the excavation would be approx. 13 feet lower than the line. Similarly, the bottom of

excavation would be approx. 18 ft below the adjacent driveway on the north side of the lot.

These excavations would certainly result in the demise of trees 3, 4, 5, 6, 8, 9, 10, 11 due to their location in the disturbed area or due to damage to the root systems. Trees 1, 2, and 7 might be similarly affected.

Finally, it appears that this layout would require the relocation of the utility pole guy anchor, and possibly the coordination with the utility for stabilizing the pole itself. This could be a difficult exercise.

CONCLUSION AND RECOMMENDATION

The relocation of the proposed garage presents a number of issues with regard to tree removal, slope disturbance and the related impacts of that work. The assessment of that impact should be reviewed in light of applicable guidance.

First, the entire area has been designated as a Critical Environmental Area since February 1998. Among the reasons for the designation was steep slope, and it is named as "Mountainous Area".

The Town of Orangetown adopted a revised Comprehensive Plan on October 10, 2023. This plan listed a number of Goals and Objectives for future development, among those are:

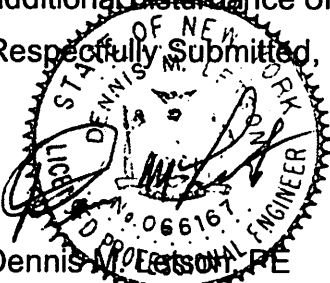
Goal 1, Objective 7 – Strengthen zoning and code protections for natural resources such as wetlands, **trees**, stormwater, **steep slopes**, and ridgelines (*emphasis added*).

Goal 4, Objective 6 – Update the Town's tree preservation ordinance to establish more robust preservation regulations.

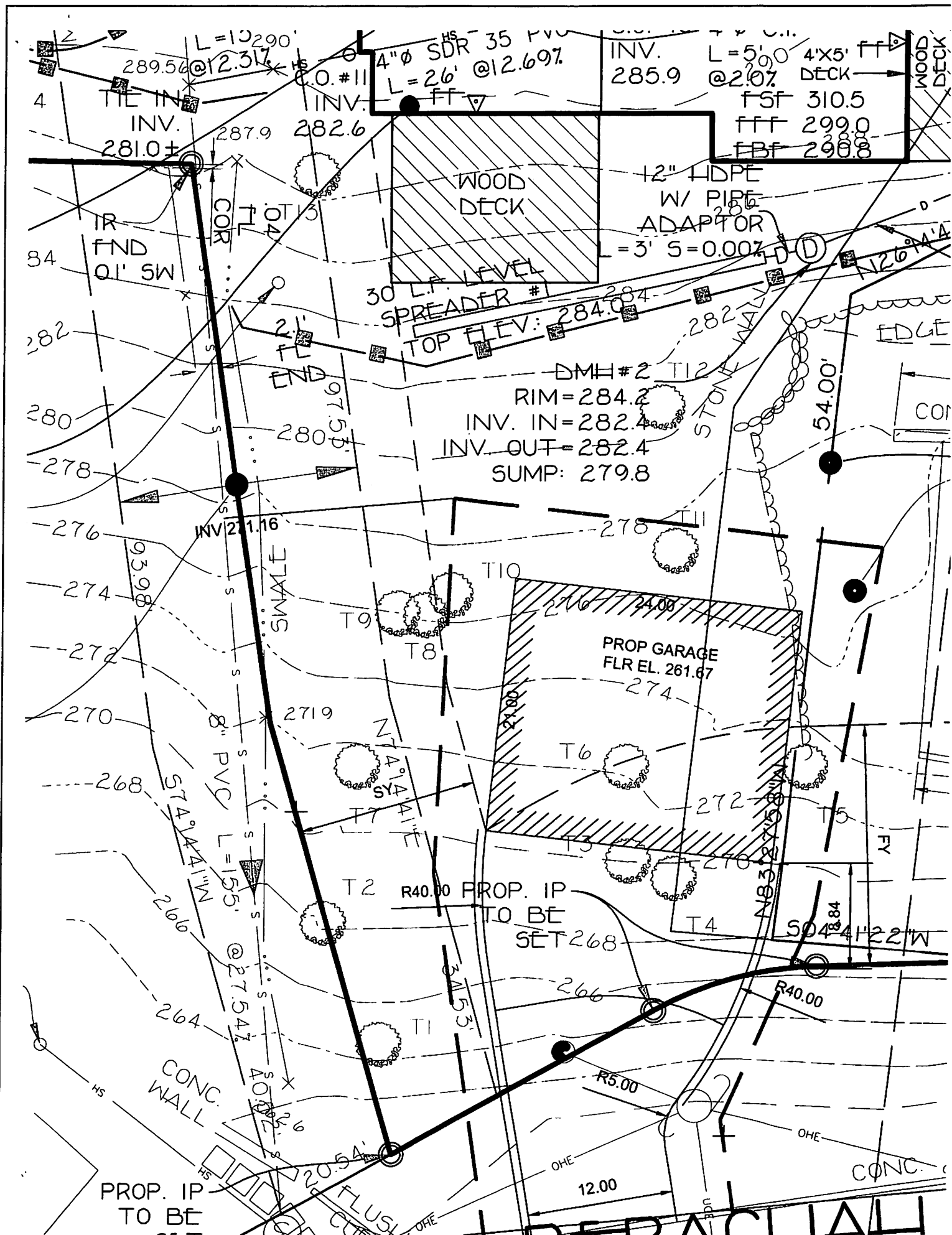
Goal 6, Objective 4 – Encourage conservation of waterfront areas. lakes, wetlands, **steep slopes** and other natural assets (*emphasis added*).

Reviewing these guidelines, it is evident that the proposed garage relocation would violate all of them. For that reason, the idea of relocating the proposed garage from College Ave to Berachah Ave is one that should be immediately abandoned due to the additional disturbance of lot area.

Respectfully Submitted,



Dennis M. Robertson, PE
NYS PE 066167



4" SDR 35 PVC	L=26' @ 12.69%	INV.	L=5'00'	4'X5' FF DECK
		285.9	@ 2.0%	
				FSF 310.5
				FFF 299.0
				FBF 290.8

DMH #2
 RIM = 284.2
 INV. IN = 282.4
 INV. OUT = 282.4
 SUMP = 279.8

PROP GARAGE
 FLR EL. 261.67

PROP. IP
 TO BE
 SET 268

PROP. IP
 TO BE

CONC. WALL

Kaitlyn Bettmann

Town of Orangetown Landuse Board

20 Greenbush Road

Orangeburg, NY 10962

May 14, 2024

RE: Robert Fisher application/7 Berachah Avenue/South Nyack, NY 10960

SBL: 66.61-1-19.2/job # 2121113

This letter is submitted in conjunction with the above application and with the re-submissions of Kier Levesque, my architect, and Dennis Letson, PE., pursuant to the ZBA's request at the 4/17/24 meeting.

4/17/24 was my first appearance at the ZBA because I was unable to attend the first ZBA meeting on this matter in January 2024. I left the 4/17/24 meeting with the overriding sense: "this meeting was not fair."

- 1. It was clear to me that the ZBA never visited or adequately inspected the property, nor were they familiar with the current placement of the carport- the area in contention. *I strongly suggest that the ZBA carefully visit this unique site before the next meeting-* and I or my architect can meet them.**
- 2. The Schurs (the complaining neighbor down the hill) originally welcomed me to their home for coffee and pastries; Mr. Schur even warmly congratulated me on my purchase of 7 Berachah Avenue! Inexplicably, the Schurs then commenced a huge, relentless and fear propelled campaign to derail my project. They must subscribe to the anti-development mantra: "not (anywhere near) my backyard."**
- 3. In the over one year at the Planning Board, the Schurs tried every trick to interfere in my business, cause me delay and unnecessary expense-even hiring a lawyer and engineer- but the Planning Board**

in its wisdom. followed common sense, engineering standards, and the law, and clearly rejected their fear-based attempts.

4. The Schurs have played out their fears about “water” runoff from my carport possibly harming their so-called mansion (really a generic school building turned residence) down the hill from my land,(Mr. Schur admitted as much on 4/17/24) so they raised FOR THE FIRST TIME EVER at the 4/17/24 ZBA meeting the bogus notion that their so-called “quality of life” would be harmed from the view west up a hill- having to view my carport! This is such a desperate and specious effort for the following reasons:

- a. Because of the slope of their own land, the Schurs would have to strain their necks upward to even catch a glimpse of the carport! Looking out their rear windows they would only see their basically underutilized backyard. I saw this for myself when I was welcomed by the Schurs. And of course, their beautiful view east to the Hudson River and the Cuomo bridge is completely unimpeded by my project, since my house and carport is way above them on a hill. If anything, the Schurs’ house will block my view of the Cuomo bridge and Hudson River! *The ZBA would see this too if they ever carefully inspected the site.*
- b. To further show how their constant urgings to place the carport on Berachah Avenue is such a sham-the carport would be right next to their house’s entrance, and they would have to see it whenever they entered or left their house, and it would be visible from almost every vantage point in their house: so much for their bogus “quality of life” claim about the carport barely visible where it is now placed. *Here again, the ZBA would know this if they ever bothered to carefully view the site.*
- c. New York State law does not guarantee that a homeowner looking out his or her window will not see any structure on a contiguous piece of land-it would not just be a ludicrous standard but an impossible one to enforce- *and it is not the law.*

- d. Besides the bogus nature of the Schurs' claim above, the report of Dennis Letson, PE submitted herein, shows the impracticality, environmental and engineering nightmare, that placing the carport on Berachah Avenue would entail.
5. I was stunned and momentarily taken aback when the ZBA even entertained this bogus claim- but even more disturbing was when I attempted to refute it by saying that "I doubt anyone stares out their back window straining their neck to glimpse a carport" - I was reprimanded by Chairman Bosco and told that speaking up (ie defending myself against a bogus claim) was against my interest.
 - a. Let me be abundantly clear here: At that moment Bosco flagrantly violated my first amendment and due process rights and clearly showed his animus against my project.
 - b. Instead of being treated as I am *in reality*, which is a well meaning taxpayer making a substantial investment in a beautiful house and carport I helped design with my renowned architect, Kier Levesque and making a beneficial contribution to the community, I was treated like some kind of interloper- and made to feel like a criminal seeking early release from a parole board- that's how much the ZBA felt like a fugue state divorced from any reality I'm accustomed to.
 - c. I don't expect the ZBA to share my considerable enthusiasm for this beautiful project, but quite frankly, *the way I was treated on 4/17/24 violated my free speech and is totally unacceptable to me.*
6. I have been patient in this more than two year process, I have revised the carport at the ZBA's suggestion in January, I have incurred all kinds of delays and unnecessary expenses and operated in good faith: In the future, I plan to treat the ZBA with respect and I expect the exact same treatment in return. We intend being on the 6/5/24 ZBA calendar.
7. I sincerely hope that this letter, along with the re-submissions of Kier Levesque and Dennis Letson, PE, are considered with the prior letter submitted by Roger Seiler(former chairman of the South Nyack ZBA and in favor of our variances) makes this ZBA mindful of

its role, that it make the effort to carefully view the site, that it apply the correct balancing standard in my favor, and that it promptly approve all variances requested.

Sincerely,



Robert Fisher

cc: Kier Levesque

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

Date: March 8, 2024

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 ✓

DEC
Army Corp Eng

Review of Plans: Fisher Site Plan, 7 Berachah Avenue, South Nyack, NY
Section 66.61 Block 1 Lot 19-2 R-12HC zone

This matter is scheduled for:

Chapter 43, Section R-12HC District, however Article XVIII.. Attachment 19.3. Table 3.13 “ If any conflict shall arise between the applicability of the SN-R-12H regulations and those identified on the filed plan, those on the filed plan shall prevail” The approved subdivision indicated RG-8 zoning .Per the approved subdivision plan RG-8 Zoning district chart on page 7 of 8 the following variances are required: Maximum lot coverage permitted is 45% with 55% proposed; Side Yard required is 15’ with 12.8’ proposed; Total Side Yard required is 30’, 27’ proposed; Front Yard set-back to accessory structures is 55’ , 4’ proposed to carport; proposed carport is 753 square feet which results in a lot coverage od 15.9% with 7% permitted for accessory structures. Also per Chapter 43, Article XVIII(18), Section 18.33, number 2, Relation of Accessory buildings to streets. No accessory building shall project nearer to the street on which the principle building fronts than such principle building. Should topographic conditions be such that practical difficulties would be caused by this requirements with respect to the location of a garage, the Planning Board may authorize the erection of such garage within not less than 10 feet of the street line where the natural slope of the ground within 25 feet of such line is between 12% and 20% and within not less than five feet of the street line where such slope within 25 feet of such line exceeds 20%: Variance required; Per Chapter 43, Article XVIII (18), section 18.35, “Maximum building height applicability. In considering maximum height per Hamlet of South Nyack General Use Bulk and Parking Regulations, per Figure 1, when considering a front yard setback variance for any structure, allowable roof height to the topmost extremity shall not extend above a line drawn from 5 ½ feet above the nearest point on the front line to a point 30 feet above the required front yard setback. An exception to this limit may be granted only if there is no other feasible alternative and if the balancing of benefits to the applicant if granted, versus benefits to the community if not granted, weigh strongly in favor of the applicant. “Variance required as a portion of the carport roof is outside the envelope, see sketch. The applicant also requires an exception pursuant to New York State Town Law, Section 280-a (Relation of structure to streets or highways) for the proposed new residence and carport. 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: April 17, 2024

() Comments attached



**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 7, 2024

To: Zoning Board of Appeals

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

Subject: **Fisher Site Plan**
7 Berachah Avenue, South Nyack
Section 66.61, Block 1, Lot 19.2, R-12HC zoning district

Submission Reviewed:

Final Subdivision Plan as prepared by Lawler, Matusky & Skelly Engineers, LLP, signed by South Nyack Planning Board Chair, 6-22-2005 Site Plan as prepared by Sparaco & Youngblood PLLC, last revised 2/26/2024 and Architectural Plans as prepared by Kier B. Levesque, RA, last revised 2/23/2024.

- 1) This parcel is part of a cluster sub-division approval. The parcel is located in the R-12HC Zoning District, however per Chapter 43, Attachment 19.3, Table 3.13, *"If any conflict shall arise between the applicability of the SN-R-12H regulations and those identified on the filed plan, those on the filed plan shall prevail."* The approved subdivision plan indicates RG-8 Zoning.
- 2) Per RG-8 Zoning district chart on page 7 of the subdivision plan the following variances are required;
 - a) front yard setback to carport is 4 feet, with 55 feet required to accessory structures.
 - b) proposed carport is 505 square feet which results in a lot coverage of 10.6% with 7% required for accessory structures.
 - c) Maximum lot coverage permitted is 45% with 55% proposed.
 - d) Side yard required is 15 feet with 12.8 feet proposed.
 - e) Total side yard required is 30 feet with 27 feet proposed.
- 3) Per Chapter 43, Article XVIII (18), section 18.33, number 2, *"Relation of accessory buildings to streets. No accessory building shall project nearer to the street on which the principal building fronts than such principal building. Should topographic conditions be such that practical difficulties would be caused by this requirement with respect to the location of a garage, the Planning Board may authorize the erection of such garage within not less than 10 feet of the street"*

line where the natural slope of the ground within 25 feet of such line is between 12% and 20% and within not less than five feet of the street line where such slope within 25 feet of such line exceeds 20%.” Variance required.

- 4) Per Chapter 43, Article XVIII (18), section 18.35, “*Maximum building height applicability. In considering maximum height per Hamlet of South Nyack General Use, Bulk and Parking Regulations, per Figure 1, when considering a front yard setback variance for any structure, allowable roof height to the topmost extremity shall not extend above a line drawn from 5 1/2 feet above the nearest point on the front lot line to a point 30 feet above the required front yard setback. An exception to this limit may be granted only if there is no other feasible alternative and if the balancing of benefits to the applicant if granted, versus benefits to the community if not granted, weigh strongly in favor of the applicant.*” Variance required as a portion of the carport roof is outside of the envelope, see sketch.
- 5) College Avenue is a private road, a 280-A Variance is required.

Name of Municipality: TOWN OF ORANGETOWN

Date Submitted: 3/4/24

Please check all that apply:

<input type="checkbox"/> Commercial <input type="checkbox"/> Residential <input type="checkbox"/> Planning Board <input checked="" type="checkbox"/> Zoning Board of Appeals <input type="checkbox"/> Subdivision <input type="checkbox"/> Number of Lots <input type="checkbox"/> Site Plan <input type="checkbox"/> Conditional Use <input type="checkbox"/> Special Permit <input type="checkbox"/> Variance <input type="checkbox"/> Performance Standards Review <input type="checkbox"/> Use Variance <input type="checkbox"/> Other (specify): _____	<input type="checkbox"/> Historical Board <input type="checkbox"/> Architectural Board <input type="checkbox"/> Consultation <input type="checkbox"/> Pre-Preliminary/Sketch <input type="checkbox"/> Preliminary <input type="checkbox"/> Final <input type="checkbox"/> Interpretation <div style="border: 1px solid black; padding: 5px;"> <p>PERMIT#: <u>2102-1784-22</u></p> <p>ASSIGNED _____</p> <p>INSPECTOR: <u>KL</u></p> <p>Referred from Planning Board: YES / NO If yes provide date of Planning Board meeting: _____</p> </div>
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Project Name: Fisher Residence

Street Address: 7 Berachah Ave. South Nyack, NY 10960

Tax Map Designation:

Section: 66.61 Block: 1 Lot(s): 19.2

Section: _____ Block: _____ Lot(s): _____

Directional Location:

On the west side of Berachah Ave., approximately
300 feet south of the intersection of Terrace Drive, in the
 Town of Orangetown in the hamlet/village of South Nyack.

Acreage of Parcel <u>.34</u>	Zoning District <u>SN RG-8H</u>
School District <u>Nyack Union Free</u>	Postal District <u>Nyack</u>
Ambulance District <u>Nyack</u>	Fire District <u>Nyack Joint Fire Dist.</u>
Water District <u>Nyack</u>	Sewer District <u>O-town</u>

Project Description: (If additional space required, please attach a narrative summary.)
New residence and carport. Narrative is attached
revised carport per ZBA request

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

Date: March 4, 2024 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 _____
- 2) Total square footage _____
- 3) Number of dwelling units _____

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 gross area 14,640sf net area 4,720 sf see plot plan

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

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

no

Project History:

Has this project ever been reviewed before? no

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.

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

SWIS	PRINT KEY	NAME	ADDRESS
192489	66.61-1-7	Bonnie R Christian	2 Berachah Av, So Nyack, NY 10960
192489	66.61-1-11	Suzanne B Porter	4 Berachah Ave, South Nyack, NY 10960
192489	66.61-1-15	Patricia A Burchell	26 College Ave, Nyack, NY 10960
192489	66.61-1-16	Dolly A Stewart	15 College Ave, South Nyack, NY 10960
192489	66.61-1-17	Yeshivath Viznitz Dkhal	15 Elyon Rd, Monsey, NY 10952
192489	66.61-1-18	Vernon Hamilton	22 College Ave, So Nyack, NY 10960
192489	66.61-1-19.1	Alissa Schurr	9 Berachah Av, South Nyack, NY 10960
192489	66.61-1-19.2	Robert M Fisher	7 Berachah Ave, South Nyack, NY 10960
192489	66.61-1-20	Roger Seiler	5 Berachah Av, S Nyack, NY 10960
192489	66.61-1-21	Fred P Joachim	P.O. Box 894, Nyack, NY 10960

August 22, 2022

Robert Marc Fisher
301 East 47th Street. Apt. 18E
New York, NY 10017


Town of Orangetown – Building Department
20 Greenbush Rd.
Orangeburg, NY 10962

Re: Written authorization for agent to appear on owner behalf
7 Berachah Ave.
South Nyack, NY 10960

Dear Zoning Board members,

I hereby authorize Kier B. Levesque Architect to appear on my behalf before the Town of Orangetown Zoning Board of Appeals as agent for the above referenced property.

Sincerely,



Robert Marc Fisher
917-704-3355

KIER B. LEVESQUE ARCHITECT

49 Third Avenue Nyack, New York 10960 845-358-2359

February 15, 2024

revised 2.27.24

Mr. Ric Oliver
Town of Orangetown
Building Department
20 Greenbush Road
Orangeburg, NY 10962

Re: Robert Marc Fisher permit application
7 Berachah Ave.
South Nyack, NY 10960

SBL: 66.61-1-19.2

Job # 2021113

NARRATIVE

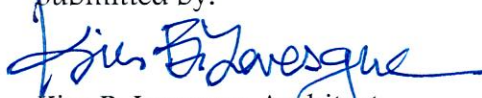
This re-submission is as requested by the ZBA at it's public hearing on January 3, 2024 and as follows;

1. The site plan and architectural plans show the requested reduction in the size of the carport. The Max. Lot Coverage calculations have been reduced from 2,759 sf (59%) to 2,586 sf (55%). The area under roof has been reduced from 616 sf to 505 sf. The overall dimensions have been reduced from 24'6" x 31" to 21' x 24'. The setbacks for the carport are front yard 4'-0" South side is 96.3' and rear is 15/3'.
2. There is no change in the height of the carport requiring a variance for an accessory structure in the front yard.
3. The location of the change in College Ave. from public street to private road has been confirmed by the highway department's Brian DeBonis and has been recorded on the site plan by the surveyor with metes and bounds. Also included is Jade Abstract's description and finding of the private road.

These revisions require a new denial so we may reappear before the zoning board with revised information. Two copies of additional pertinent information accompany the revised plans for your consideration.

Please let me know if there is any other information that is required to process this application.

Submitted by:


Kier B. Levesque Architect
Lic# 15938

email kblevesque@optonline.net

RECEIVED

MAR 05 2024

TOWN OF ORANGETOWN
BUILDING DEPARTMENT

RECEIVED

MAR 05 2024

TOWN OF ORANGETOWN
BUILDING DEPARTMENT

Fisher Project 7 Berachah Ave.

Proposed Impervious Areas

- Dwelling 931 s. f.
 - Carport 799 s. f.
 - Walks and steps 375 s. f.
 - Decks 314 s. f.
 - Utility pads 21 s. f.
 - Adjoining Driveway 319 s. f. (Seiler property)
- Total 2,759 s. f.

Bill J.

William M. Johnson

Senior Staff Engineer

Sparaco and Youngblood, PLLC

PO Box 818

Harriman, NY 10926

845-782-8543 ext. 105

Project floor areas

First floor 908 s. f.
Second floor 484 s. f.
Total 1,392 s. f.

Carport 799 s. f.

2.12.24 revisions

Reduce carport to 626 sf

Reduction of 173 sf.

RECEIVED

MAR 05 2024

TOWN OF ORANGETOWN
BUILDING DEPARTMENT

August 22, 2022

Robert Marc Fisher
301 East 47th Street. Apt. 18E
New York, NY 10017

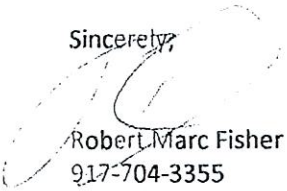
Town of Orangetown – Building Department
20 Greenbush Rd.
Orangeburg, NY 10962

Re: Written authorization for agent to appear on owner behalf
7 Berachah Ave.
South Nyack, NY 10960

Dear Zoning Board members,

I hereby authorize Kier B. Levesque Architect to appear on my behalf before the Town of Orangetown Zoning Board of Appeals as agent for the above referenced property.

Sincerely,



Robert Marc Fisher
917-704-3355

RECEIVED

MAR 05 2024

TOWN OF ORANGETOWN
BUILDING DEPARTMENT

Fisher 7 Berachah Ave. South Nyack

From: Brian DeBonis <bdebonis@orangetown.com>

Sent: Tuesday, February 6, 2024 1:15 PM

To: kblevesque@optonline.net

Subject: College Ave S. Nyack

Hi Mr. Kier

The Public part of College Ave ends at the change of the Blacktop. The part with out the top course is private part of the road.

Brian DeBonis
Orangetown Highway
Highway Maintenance Supervisor
845-359-6500

TIME RECEIVED
December 21, 2023 at 2:46:53 PM EST

REMOTE CSID
5343463548

DURATION
110

PAGES
4

STATUS
Received

12-21-23 14:39 FROM-

T-105 P0001/0004 F-754

Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

December 21, 2023

DEC 22 2023

Orangetown Zoning Board of Appeals
20 Greenbush Road
Orangeburg, NY 10962

Tax Data: 66.61-1-19.2

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date: 05/02/2023

Date Review Received: 11/11/2023

Item: FISHER RESIDENCE SITE PLAN - 7 BERACHAH AVENUE (O-2460A)

A variance application to permit construction of a two-story single-family dwelling on 0.34 gross (0.11 net) acres in the R-12HC zoning district and Mountainous Area critical environmental area. Variances are required for lot coverage, side yard, total side yard, front yard setback to accessory structures, lot coverage of accessory structures, relation of accessory buildings to streets, and height for a portion of the carport roof. A variance is also required for New York Town Law Section 280-a, regarding driveway access from a private road.

East side of Chase Avenue, opposite of College Avenue

Reason for Referral:

New York State Thruway, US Route 9W

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

1. The applicant requires multiple variances to construct a single-family dwelling and carport. Permitting development that does not comply with the applicable bulk standards can set an undesirable land use precedent and result in the overutilization of individual sites. The proposed structures almost double the overall maximum allowed lot coverage, and the carport itself exceeds the maximum allowed lot coverage for accessory structures by 127%. Additional yard and setback variances are necessary to accommodate an oversized residential building. The side and total side yards are 20% and 10% deficient, respectively. The carport is proposed along the northern property line, fully encroaching into the 55-foot front setback required for an accessory structure. We caution the Town to consider precedent before granting substantial variances for lot coverage, yards, and setbacks. These bulk standards can define neighborhood character. Granting development coverage and yard variances of great magnitude will set a precedent that may result in nearby property owners seeking the same relief. An increase of impervious surface area will result in a neighborhood characterized by less green space and may also lead to increased stormwater runoff. The Zoning Board of Appeals (ZBA) must consider the cumulative and community impacts of permitting such development. Given that this is a steeply sloped site, subject to significant lot area deductions, and located within the Mountainous Area critical environmental area, we recommend that the proposal be scaled back to more closely comply with the bulk regulations of the RG-8 zoning district, as per the letter from the Orangetown Office of Building, Zoning, Planning Administration and

FISHER RESIDENCE SITE PLAN - 7 BERACHAH AVENUE (O-2460A)

Enforcement (OBZPAE), dated November 9, 2023.

2 A review must be done by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.

3 A review must be completed by the New York State Department of Environmental Conservation and any required permits obtained.

4 The proposed development significantly exceeds the maximum allowed lot coverage. To help reduce the impact of this development, reduction of impervious surface should be considered. It is recommended that porous pavers or porous concrete be considered to replace the use of conventional asphalt. If installed correctly ~~and properly maintained porous pavers have been shown to be effective in helping manage off site runoff of~~ stormwater. In addition to permeable pavers, other green infrastructure techniques should be considered such as bioswales, rain gardens, and rainwater capture. For long term effectiveness of permeable pavers and other green infrastructure techniques it is recommended that the Village and the applicant review Chapter 5 "Green Infrastructure Practices" of the 2015 NYSDEC Stormwater Design Manual.


5 The lot coverage calculations must be broken down in further detail, such as by structures and other site improvements, rather than just impervious surfaces.

6 The Hudson Valley Natural Resources Mapper (<https://gisservices.dec.ny.gov/gis/hvnm/>) identifies the subject site as a Significant Biodiversity Areas (SBAs). SBAs are landscape areas in the Hudson River Estuary that contain high concentrations of biodiversity or unique ecological features. These areas contribute to and serve ~~as a framework for conservation partnerships and voluntary protection efforts.~~ One of the most significant threats to biodiversity is habitat destruction, alteration, and fragmentation. Careful consideration should be given to development impacts with an SBA. Proactive planning that avoids or minimizes impact to the habitat of important areas and maintains habitat connections for wildlife movement will contribute to the long-term biodiversity of the region.

7 The following additional comments are offered strictly as observations and are not part of our General Municipal Law (GML) review. ~~The Board may have already addressed these points or may disregard them~~ without any formal vote under the GML process:

7.1 All County interests within 500 feet of the site, and all corresponding Referral Agencies, must be indicated on Page 6 of the Town of Orangetown Application Review Form.

7.2 A north arrow shall be included on the vicinity map.



 Douglas J. Schuetz
 Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
 New York State Department of Environmental Conservation
 New York State Department of Transportation
 New York State Thruway Authority
 Rockland County Department of Health

Sparaco & Youngblood, PLLC
 Kier B. Levesque Architect

Robert Marc Fisher

Rockland County Planning Board Members

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

FISHER RESIDENCE SITE PLAN - 7 BERACHAH AVENUE (O-2460A)

The review undertaken by the County of Rockland Department of Planning is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239 m(6), the referring body shall file a report of final action it has taken with the County of Rockland Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

ROCKLAND COUNTY SEWER DISTRICT #1

4 Route 340
Orangeburg, New York 10962
Phone: (845) 365-6111 Fax: (845) 365-6686
RCSD@co.rockland.ny.us

Michael Specht
Chairman

Michael R. Saber, P.E.
Executive Director

January 3, 2024

Ms. Deborah Arbolino
Town of Orangetown Zoning Board of Appeals
20 South Greenbush Road
Orangeburg, NY 10962

Re: Fisher Residence Site Plan
7 Becarah Avenue, South Nyack
Tax Lot 07/66.61-1-19.2 (formerly 7-125-1209.6/1/2)

Dear Ms. Arbolino:

Our office has received and reviewed plot plan that was last revised on September 19, 2023, which Sparaco & Youngblood prepared for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

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

Please inform us if any developments in this project change to affect the District. If you have any questions, please contact this office at 845-365-6111.

Very truly yours,



Nicholas King
Engineer I

cc: M. Saber M. Dolphin J. LaFiandra
Jake Palant – Rockland County Department of Planning

File: TOO 66.61-1-19.2 – 7 Becarah Avenue
Reader

Town of Orangetown Planning Board Meeting
Wednesday, February 8, 2023

Project Name: Fisher Residence Site Plan – Critical Environmental Area, South Nyack

Location of Parcel: The site is located at 7 Berachah Avenue, South Nyack, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 66.61, Block 1, Lot 19.2 in the R-12HC zoning district.

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

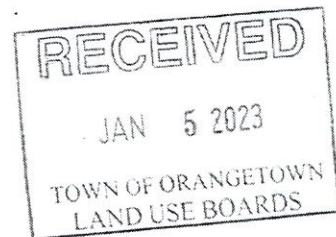
If your agency does not have any comments at this time, please respond to this office by sending back this sheet.

- U.S. Postal: 20 South Greenbush Road, Orangeburg, New York 10962
- Email to Planning Board at ccoopersmith@orangetown.com, or
- Fax to the Town of Orangetown Planning Board @845 359-8526

- () Comments Attached (or to be provided prior to Meeting date noted above)
- () 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.

Dated: 01.05, 2023

Rockland City Hwy Dept.
Agency Name
By: Dyan Rajasingham
Please Print Name





CENTER FOR ENVIRONMENTAL HEALTH

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building D
Pomona, New York 10970
Phone: (845) 364-2608 Fax: (845) 364-2025



Public Health
Prevent. Promote. Protect.

EDWIN J. DAY
County Executive

SAMUEL RULLI, PE
Director, Environmental Health

December 19, 2023

Ms. Deborah Arbolino
Town of Orangetown Zoning Boards of Appeals
20 Greenbush Road
Orangeburg, NY 10962



Re: Fisher Residence
Site Plan
Tax lot 66.61-1-19.2

Dear Ms. Arbolino:

We have received an application and plans as prepared by Sparaco & Youngblood, PLLC, revised through May 2, 2023, for the above referenced project. Comments are as follows:

1. Application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code.

If you have any questions regarding this matter, do not hesitate to call.

Very truly yours,

A handwritten signature in blue ink, appearing to read "E. Mello".

Elizabeth Mello, P.E.
Senior Public Health Engineer
(845) 364-2616

cc: Jake Palant, Rockland County Department of Planning
Sparaco & Youngblood, PLLC
MBSP (via email)

Town of Orangetown Planning Board Meeting
Wednesday, February 8, 2023

Project Name: Fisher Residence Site Plan – Critical Environmental Area, South Nyack

Location of Parcel: The site is located at 7 Berachah Avenue, South Nyack, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 66.61, Block 1, Lot 19.2 in the R-12HC zoning district.

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

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

- U.S. Postal: 20 South Greenbush Road, Orangeburg, New York 10962
- Email to Planning Board at ccoopersmith@orangetown.com, or
- Fax to the Town of Orangetown Planning Board @845 359-8526

- () Comments Attached (or to be provided prior to Meeting date noted above)
- () 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.

Dated: 1/03/23

Rockland County Environmental Resources
50 Sanatorium Road – Building A – 6th Floor
Pomona, New York 10970

Please Print Name



ZONING BOARD OF APPEALS Town of Orangetown 20 Greenbush Road
Orangeburg, New York 10962
(914) 359-8410 (ex. 4211)

Date: November 13, 2023

TO: OBAPAE

Environmental Management and Engineering	Rockland County Drainage ✓
✓ Rockland County Sewer District #1	Rockland County Health ✓
New York State Dept. of Transportation	Rockland County Planning ✓
Palisades Interstate Park Commission	Rockland County Highway
Orange and Rockland Utilities	NYS DEC ✓
Orangetown Highway	ARMY CORR ✓

Review of Plans: Fisher Site Plan, 7 Berachah Avenue, South Nyack, NY

Section 66.61 Block 1 Lot 19-2 R-12HC zone

This matter is scheduled for:

January 3, 2024

DEC 27 2023

Chapter 43, Section R-12HC District, however Article XVIII, Attachment 19.3, Table 3.13 " If any conflict shall arise between the applicability of the SN-R-12H regulations and those identified on the filed plan, those on the filed plan shall prevail" The approved subdivision indicated RG-8 zoning. Per the approved subdivision plan RG-8 Zoning district chart on page 7 of 8 the following variances are required: Maximum lot coverage permitted is 45% with 59% proposed; Side Yard required is 15' with 12.8' proposed; Total Side Yard required is 30' . 27' proposed; Front Yard set-back to accessory structures is 55' . 0' proposed to carport; proposed carport is 753 square feet which results in a lot coverage of 15.9% with 7% permitted for accessory structures. Also per Chapter 43, Article XVIII(18), Section 18.33, number 2, Relation of Accessory buildings to streets. No accessory building shall project nearer to the street on which the principle building fronts than such principle building. Should topographic conditions be such that practical difficulties would be caused by this requirements with respect to the location of a garage, the Planning Board may authorize the erection of such garage within not less than 10 feet of the street line where the natural slope of the ground within 25 feet of such line is between 12% and 20% and within not less than five feet of the street line where such slope within 25 feet of such line exceeds 20%. Variance required: Per Chapter 43, Article XVIII (18), section 18.35, "Maximum building height applicability. In considering maximum height per Hamlet of South Nyack General Use Bulk and Parking Regulations, per Figure 1, when considering a front yard setback variance for any structure, allowable roof height to the topmost extremity shall not extend above a line drawn from 5 ½ feet above the nearest point on the front line to a point 30 feet above the required front yard setback. An exception to this limit may be granted only if there is no other feasible alternative and if the balancing of benefits to the applicant if granted, versus benefits to the community if not granted, weigh strongly in favor of the applicant. " Variance required as a portion of the carport roof is outside the envelope, see sketch. The applicant also requires an exception pursuant to New York State Town Law, Section 280-a (Relation of structure to streets or highways) for the proposed new residence and carport. 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: January 3, 2024

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, January 3, 2024. Kindly forward your completed review to this office by January 3, 2024.

Reviewing Agency RC Health Dept

Name Liz Mello date: 12/19/23

PB #23-04: Fisher Site Plan
Critical Environmental Area-South Nyack
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.

Permit #BLDG #1784-22

Town of Orangetown Planning Board Decision
October 25, 2023
Page 1 of 16

TO: Kier Levesque,
FROM: Orangetown Planning Board

RE: Fisher Site Plan – Critical Environmental Area: The application of Kier Leveque, applicant for Robert Marc Fisher, owner, for review of a site plan to be known as “Fisher Site Plan”, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at 7 Berachah Avenue, South Nyack, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 66.61, Block 1, Lot 19.2 in the RG-8H zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **February 8, July 12 and October 25, 2023** at which time the Board made the following determinations:

February 8, 2023

Kier Leveque appeared and testified before the Board.

The Board received the following communications:

1. Project Review Committee Report dated January 25, 2023.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Jane Slavin, Director, Deputy Building Inspector dated January 26, 2023.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated February 6, 2023.
4. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated January 24, 2023.
5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated February 7, 2023.
6. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated January 27, 2023.
7. Letter and Notice from Rockland County Department of Health, signed by Elizabeth Mello, P.E., Senior Public Health Engineer dated January 11, 2023.
8. Notice from the Rockland County Department of Highways, signed by Dyan Rajasingham, Engineer II dated January 5, 2023.
9. Letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, dated January 20, 2023.
10. Email from Orange and Rockland Utilities, from Alfred Gaddi, PE, dated January 3, 2023.
11. Notices from the Town of Orangetown Zoning Board of Appeals, signed by Patricia Castelli, Acting Chairman, dated January 4, 2023.
12. Notice from the Rockland County Environmental Resources, dated January 3, 2023.

TOWN OF ORANGETOWN

ZONING BOARD

PLANNING BOARD

RECEIVED

MAR 05 2024

TOWN OF ORANGETOWN
BUILDING DEPARTMENT

PB #23-04: Fisher Site Plan
Critical Environmental Area-South Nyack
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.

Permit #BLDG #1784-22

Town of Orangetown Planning Board Decision
October 25, 2023
Page 2 of 16

13. Project Narrative prepared by Kier Leveque, RA, dated November 21, 2022.
14. Short Environmental Assessment Form signed by Kier Leveque, RA, dated September 6, 2022.
15. Hydrologic Analysis, prepared by Sparaco & Youngblood, dated August 1, 2022.
16. Building Permit Referral dated August 4, 2022, prepared by Rick Oliver, Building Inspector.
17. Plans as follows:
Final Subdivision Plan prepared by Lawler, Matusky & Skelly Engineers, LLP, signed by South Nyack Planning Board Chair, 6-22-2005,
Plot Plan as prepared by Sparaco & Youngblood, PLLC, last revised 9/22/2022,
Architectural Plans as prepared by Kier B. Levesque, RA, dated August 1, 2022.
18. Email from Alissa and Barry Schurr, 9 Berachah, South Nyack, with attachments.

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

A motion was made to open the Public Hearing portion of the meeting by Andrew Andrews and second by Michael McCrory and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel, Vice Chairman, aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger, (alternate member), absent; and Andrew Andrews, aye.

Public Comments:

Barry Schurr, 9 Berachah Avenue, presented photographs to the Board. He noted that the site is very steep with soil and water erosion. Mr. Schurr's property is downhill from the site and he is concerned with protecting himself and neighbors during construction. He held that the new construction on Willow Street has impacted his neighborhood. Also, he noted that in 2022, the catch basin failed on Route 9W.

Roger Seiler, 5 Berachah Avenue, raised concerns that water is already a problem in the area.

Allyssa Schurr, 9 Berachah Avenue, requested that the applicant place the proposed carport in another location.

Patricia Burchell, 26 College Avenue, raised concerns that mud and water sliding down College Avenue from Willow Street.

EXTENDS SERVICE TO PUBLIC

TOWN OF ORANGETOWN

COMPLIANCE DEPARTMENT

RECEIVED

MAR 05 2024

TOWN OF ORANGETOWN
BUILDING DEPARTMENT

**PB #23-04: Fisher Site Plan
Critical Environmental Area-South Nyack
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #BLDG #1784-22

**Town of Orangetown Planning Board Decision
October 25, 2023
Page 3 of 16**

There being no one else to be heard from the Public, a motion was made by Andrew Andrews and seconded by Denise Lenihan and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel, Vice-Chairman, aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger, (alternate member), absent; and Andrew Andrews, aye.

The applicant requested a **CONTINUATION**.

July 12, 2023

Kier Leveque appeared and testified before the Board.

The Board received the following communications:

1. Project Review Committee Report dated June 28, 2023.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Jane Slavin, Director, Deputy Building Inspector dated July 6, 2023.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated July 7, 2023.
4. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated June 21, 2023.
5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E, dated July 11, 2023.
6. The following plans were submitted:
Architectural Plans prepared by Kier Levesque, RA, last revised May 3, 2023,
Site Plan prepared by Sparaco & Youngblood, dated May 2, 2023,
Landscape Plan prepared by Kier Levesque, RA, dated March 15, 2023.
7. Drainage Report prepared by Sparaco & Youngblood, dated May 3, 2023.
The Board reviewed the plans. The hearing was then opened to the Public.
8. Project Narrative prepared by Kier Levesque, RA, dated May 8, 2023

A motion was made to open the Public Hearing portion of the meeting by Andrew Andrews 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), absent; and Andrew Andrews, aye.

There being no one to be heard from the Public, a motion was made by Andrew Andrews and seconded by Denise Lenihan and carried as follows: Thomas Warren – Chairman, absent; Denise Lenihan, aye; Michael Mandel, Vice-Chairman, aye; Kevin Farry, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger, (alternate member), absent; and Andrew Andrews, aye.

The applicant requested a **CONTINUATION**.

2023 OCT 25 10:00 AM

2023 OCT 25 10:00 AM

2023 OCT 25 10:00 AM

RECEIVED

MAR 05 2024

TOWN OF ORANGETOWN
BUILDING DEPARTMENT

PB #23-04: Fisher Site Plan
Critical Environmental Area-South Nyack
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.

Permit #BLDG #1784-22

Town of Orangetown Planning Board Decision
October 25, 2023
Page 4 of 16

October 25, 2023

Kier Levesque and Robert Fisher appeared and testified before the Board. The Board received the following communications:

1. Project Review Committee Report dated October 11, 2023.
2. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Jane Slavin, Director, Deputy Building Inspector dated October 19, 2023.
3. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated July 31 and October 20, 2023.
4. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated October 6, 2023.
5. Letter from Brooker Engineering, signed by Kenneth DeGennaro, PE, dated October 24, 2023.
6. Project Narrative, prepared by Kier B. Levesque, dated September 26, 2023
7. Letter from Clifford Davis, Attorney at Law, counsel for Alissa and Barry Schurr, dated October 25, 2023.
8. The following plans were submitted:
 - Plan entitled "Fisher Residence Parking Platform Plan", prepared by Kier B. Levesque, RA, signed and sealed by Kier B. Levesque, PA, drawings A-1A, A-1 through A-1, S-1, last revised May 3, 2023
 - "Fisher Site Plans", prepared by Sparaco & Youngblood, PLLC, signed and sealed by Steven M. Sparaco, PE, Sheets 1-5, dated 09/19/2023
 - "Final Cluster Subdivision Plat" prepared by Lawler, Matusky & Skelly Engineers LLP, signed and sealed by Gary Rich, LLS, last revised 03/04/05

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

A motion was made to open the Public Hearing portion of the meeting 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, absent; Michael McCrory, aye; Lisa DeFeciani, aye Tara Heidger, (alternate member), absent; and Andrew Andrews, aye.

Public Comments:

Clifford Davis, 200 Mamaroneck Avenue, counsel for downhill neighbors, Schurr, who do not want water coming into their house. He referenced Rockland County Planning letter regarding concerns for variances and setting precedence. He requested that the Board require the applicant to make the scope of work smaller, thereby lessening the impact to his client's property.

INLAND COUNTY RECORD

2023 OCT 25 10:00 AM

TOWN OF ORANGETOWN

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TOWN OF ORANGETOWN
BUILDING DEPARTMENT

**PB #23-04: Fisher Site Plan
Critical Environmental Area-South Nyack
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

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There being no one to be heard from the Public, a motion was made by Andrew Andrews and seconded by Denise Lenihan and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel, Vice-Chairman, aye; Kevin Farry, absent; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger, (alternate member), absent; 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.

On motion 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, absent; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger (alternate member), absent, and Andrew Andrews, aye; the Board declared itself Lead Agency.

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

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

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- 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 the 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 aesthetes;
- Will not have an impairment of the character or quality of important aesthetes;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural hemes;
- 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 aesthetic.

On motion by Andrew Andrews and seconded by Michael Mandel, Vice Chairman and carried as follows: Thomas Warren – Chairman, aye; Denise Lenihan, aye; Michael Mandel, Vice Chairman, aye; Kevin Farry, absent; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger, (alternate member) absent; and Andrew Andrews, aye, the Board made a Negative Declaration pursuant to SEQRA.

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

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1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. 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.
5. This parcel is part of a cluster sub-division approval. The parcel is located in the R-12HC Zoning District, however per Chapter 43, Attachment 19.3, Table 3.13, "If any conflict shall arise between the applicability of the SM-R-12H regulations and those identified on the filed plan, those on the filed plan shall prevail." The approved subdivision plan indicates RG-8 Zoning.
6. Per RG-8 Zoning district chart on page 7 of the subdivision plan the following variances are required from the Town of Orangetown Zoning Board of Appeals;
 - a) Front yard setback to carport is 0 feet, with 55 feet required to accessory structures.
 - b) Proposed carport is 753 square feet which results in a lot coverage of 15.9% with 7% required for accessory structures.
 - c) Maximum lot coverage permitted is 30% with 50% proposed.
 - d) Side yard required is 15 feet with 8.7 feet proposed.
 - e) Total side yard required is 30 feet with 27 feet proposed.

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7. Per Chapter 43, Article XVIII (18), section 18.33, number 2, "*Relation of accessory buildings to streets. No accessory building shall project nearer to the street on which the principal building fronts than such principal building. Should topographic conditions be such that practical difficulties would be caused by this requirement with respect to the location of a garage, the Planning Board may authorize the erection of such garage within not less than 10 feet of the street line where the natural slope of the ground within 25 feet of such line is between 12% and 20% and within not less than five feet of the street line where such slope within 25 feet of such line exceeds 20%.*" Variance required from the Town of Orangetown Zoning Board of Appeals.

8. Per Chapter 43, Article XVIII (18), section 18.35, "*Maximum building height applicability. In considering maximum height per Hamlet of South Nyack General Use, Bulk and Parking Regulations, per Figure 1, when considering a front yard setback variance for any structure, allowable roof height to the topmost extremity shall not extend above a line drawn from 5 1/2 feet above the nearest point on the front lot line to a point 30 feet above the required front yard setback. An exception to this limit may be granted only if there is no other feasible alternative and if the balancing of benefits to the applicant if granted, versus benefits to the community if not granted, weigh strongly in favor of the applicant.*" Variance required from the Town of Orangetown Zoning Board of Appeals as a portion of the carport roof is outside of the envelope, see sketch.

9. Address is Berachah Avenue, however the driveway entrance is on College Avenue and it appears that College Avenue is a private road. If College Avenue is in fact a private road, a 280-A Variance is required from the Town of Orangetown Zoning Board of Appeals.

10. Review and approval is required from the Town of Orangetown Architecture and Community Appearance Board of Review (ACABOR.)

11. The Short Environmental Assessment Form appears to be in order.

12. The architectural plans indicate new front concrete steps and landing; however, the plot plan shows all existing, which is correct?

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13. **DEME** hereby rescinds comment/ recommendation #2 – DEME letter to the Planning Board dated July 7, 2023:

"2. The drawings shows that stormwater runoff from the new carport roofing will flow into piping that crosses the existing sanitary sewer easement. This is not acceptable. A separate stormwater system shall be designed for the carport and on the "Carport side" of the easement - possibly south of the proposed carport, preferably close to the road for ease of maintenance. An overflow with level spreader shall be designed for said system. The design calculations for this system shall be added to the drainage calculations. The drainage report project narrative shall describe this system as well."

This comment is rescinded with the proviso that the property owner prepares and signs a Hold Harmless Agreement with the Town of Orangetown/Sewer Department, that indemnifies the Town and that states that if the drainage piping from the Carport roof ever needs to be removed in order to repair, reconstruct, maintain the existing sanitary main, the Owner shall be responsible for all costs associated with any repair and or replacement of the piping system. The precise language of the agreement shall be coordinated with the Town of Orangetown Town Attorney's Office. The Hold Harmless Agreement shall be submitted to DEME and the Town Attorney's Office for review and approval.

14. The revised drainage calculations submitted are under review. However, determination of groundwater elevations shall be performed at all of the of the proposed subsurface detention system location. These tests/ investigations shall be performed in the spring or fall when the ground water table is typically at its highest. These tests shall be performed **PRIOR** to this proposal receiving **Final Approval** to ensure the adequacy of the design. The information/ test results/ elevations shall be added and incorporated into the drainage calculations. DEME shall be notified at least 48 hours in advance of these field tests/ investigations. Copies of all correspondence related to this issue shall be submitted to DEME.

15. DEME is aware that, as per DEME recommendation to the Board in our letter of 8/16/23, the applicant/ applicant's attorney has prepared a Hold Harmless agreement for the proposed work (at grade wooden walkway & 6-inch drain pipe) within the Town of Orangetown Sanitary Sewer Easement for filing.

16. A detailed plan and elevation view shall be provided for the proposed dual 48-inch stormwater detention system, which shows: interconnection via manifold, top & invert elevations, etc. Only a cross-section is provided.

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17. A profile for the proposed 6-inch carport drainage piping shall be added to the plans.

18. All drainage piping materials shall be labeled on the plans, profiles and details.

19. Sheets 2 & 3 label the "P Storm inlet/ outlet" manhole as #4. However, the detail for same on sheet 5 labels it as manhole #2. The labels shall be coordinated.

20. A note shall be added to sheets 2 & 3 saying "The Town of Orangetown Sewer Inspector shall be notified at least 48 hours in advance of **ANY** work being done on or near the existing sanitary sewer main and or the proposed sanitary building connection."

21. A post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for the proposed stormwater systems shall be submitted to DEME and the Town Attorney's office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contact person with telephone number, yearly report to be submitted to DEME, etc.

22. The Town of Orangetown Bureau of Fire Bureau reviewed the submitted information and had no comments at this time.

23. Drainage Review Recommendation – Brooker Engineering

The application has demonstrated that potential significant impacts with respect to drainage can be mitigated. Brooker Engineering therefore recommends that the Fisher Site Plan be approved for drainage subject to the following Project Comments.

Project Description:

This is the third drainage review report for this project; the last review was dated July 11, 2023. The proposed action consists of the construction of a new single-family home, deck, detached carport, and walks. The lot contains steep slopes and slopes downhill to the east, towards Berachah Avenue. The lot has street frontage on both Berachah Avenue and College Avenue; access to the site is from the uphill Berachah Avenue. The home portion of the development, including the stormwater management detention system, is located on the portion of the lot that fronts directly on Berachah Avenue. The area containing the carport is located uphill of an adjacent off-site developed downhill lot; stormwater runoff will be piped from the carport to the stormwater management system around this adjacent lot. The proposed drainage detention system has capacity to store six inches of rainfall runoff over the new 1,830 SF of impervious area.

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Continuation of Condition #23 ...

Project Comments:

1. As per the July 11, 2023 drainage review, change the label on "Inlet/Outlet Manhole #2" on the Detail Sheet to "Inlet/Outlet Manhole #5 to match the Grading Plan.

2. As per the July 11, 2023 drainage review, the drainage calculations support the no net increase in peak runoff rates; however, Brooker Engineering recommends the 12-inch overflow pipe elevation be raised from the proposed elevation of 290.6 to take full advantage of the storage available in the 48-inch pipes for the 100-year storm. If this cannot be accomplished, provide a narrative response that supports why the change cannot be made.

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

- The Bulk Table on the Site Plan by Sparaco & Youngblood, PLLC indicates that the property is within the RG-8H zoning district per Map #7769 filed June 22, 2005. The GML Referral Form and the GIS Mapping data maintained by the Rockland County GIS Division (updated to reflect the adoption of Orangetown Local Law 3 of 2022), indicates that the subject property is zoned R-12HC. According to Section 3.13, lots within the R-12HC zoning district are subject to the bulk requirements of the R-12H district. This discrepancy must be resolved and the Bulk Table corrected.
- Permitting development that does not comply with the applicable bulk standards can set an undesirable land use precedent and result in the over utilization of individual sites. The proposal exceeds the maximum lot coverage for the R-12H and RG-8H districts by 11% and 67%, respectively. We caution the Town to consider precedent before granting substantial variances for lot coverage. This bulk standard, in particular, can define neighborhood character. Granting development coverage variances of great magnitude will set a precedent that may result in nearby property owners seeking the same relief. An increase of impervious surface area will result in a neighborhood characterized by less green space and may also lead to increased stormwater runoff. The Planning Board must consider the cumulative and community impacts of permitting such development. Given that this is steeply sloped site, subject to significant lot area deductions, and located within the Mountainous Area critical environmental area, we recommend that the proposal be scaled back to more closely comply with the maximum lot coverage standard.

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Continuation of Condition #24 ...

- To help reduce the impact of this development, a reduction of impervious surfaces should be considered. Permeable pavers and additional green infrastructure techniques should be considered such as bioswales, rain gardens, and rainwater capture. It is recommended that the applicant review Chapter 5 "Green Infrastructure Practices" of the 2015 NYSDEC Stormwater Design Manual.
- A review must be completed by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- As question 12b of the Short Environmental Assessment Form (SEAF) is answered affirmatively, a review must be completed by the NYS Office of Historic Preservation.
- Prior to the start of construction or grading, all soil and erosion control measures must be in place for this steep site. These measures must meet the latest edition (November 2016) of the NYS Standards for Urban Erosion and Sediment Control.
- There shall be no net increase in the peak rate of discharge from the site at all design points.
- Despite a stormwater pollution prevention plan (SWPPP) not being required, due to the steep slopes on the site, the Planning Board must be satisfied that the hydrologic analysis prepared for the subject site and the proposal for managing construction and post-construction stormwater is adequate.
- For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the RC Department of Health prior to construction.
- Water is a scarce resource in Rockland County; thus, proper planning and phasing of this project is critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed and approved by the Rockland County Department of Health prior to construction in order to ensure compliance with Article II (Drinking Water Supplies) of the Rockland County Sanitary Code and Part 5 of the New York State Sanitary Code.

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Continuation of Condition #24....

- The Narrative in the November 21, 2022 letter from Kier B. Leveque Architect states that a lot coverage of 61% is being requested. The Bulk Table on the Site Plan indicates a lot coverage of 50% is proposed. All application materials should be consistent and accurate.
- The lot coverage calculations must be broken down in further detail, such as by structure and other sites improvements, rather than just impervious surfaces.
- Sheet 1 of the site plan by Sparaco & Youngblood PLLC depict the slopes of the property as patterns, which are overlain with different features, making the plan difficult to read. A separate sheet must be used to illustrate the slopes.
- The Hudson Valley Natural Resources Mapper identifies the subject site as Significant Biodiversity Areas (SBAs). SBAs are landscape areas in the Hudson River Estuary that contain high concentrations of biodiversity or unique ecological features. These areas contribute to and serve as a framework for conservation partnerships and voluntary protection efforts. One of the most significant threats to biodiversity is habitat destruction, alteration and fragmentation. Careful consideration should be given to development impacts with an SBA. Proactive planning that avoids or minimizes impact to the habitat of important areas and maintain habitat connections for wildlife movement will contribute to the long-term biodiversity of the region.

25. The Rockland County Department of Health reviewed the information and offered the following comment;

- Application is to be made to the Rockland County Department of Health for review of the system for compliance with the County Mosquito Code.

26. 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.

27. Orange and Rockland Utilities reviewed the submitted information and offered the following comment:

The proposed work will most likely be in conflict with the existing gas facilities. Please contact O&R's new business department for any disconnects/reconnects. All code 753 rules must be followed.

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28. 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 Health Department
- Rockland County Sewer District No. 1

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

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

31. 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.

32. 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:
 - 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.

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Continuation of Condition #32...

- Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

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

33. 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.

34. 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.

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

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

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

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

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

The foregoing Resolution was made and moved by Michael Mandel, Vice Chairman and seconded Andrew Andrews and carried as follows: Thomas Warren, Chairman – aye; Denise Lenihan, aye; Michael Mandel, Vice Chairman, aye; Kevin Farry, absent; Michael McCrory, aye; Lisa DeFeciani, aye; Tara Heidger, (alternate member), absent; 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: October 25, 2023
Cheryl Coopersmith
Town of Orangetown Planning Board
Attachment



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TOWN OF ORANGETOWN
BUILDING DEPARTMENT

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

**PB #23-04: Fisher Site Plan
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**Town of Orangetown Planning Board Decision
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This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Regulation) of the Environmental Conservation Law.

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

NAME OF ACTION: Fisher Site Plan - Critical Environmental Area-South Nyack

SEQR STATUS: Type I _____ Unlisted XXXXXX
CONDITIONED NEGATIVE DECLARATION: Yes _____ No XXXXXX

**DESCRIPTION OF ACTION: Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

LOCATION: The site is located at 7 Berachah Avenue, South Nyack, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 66.61, Block 1, Lot 19.2 in the RG-8H 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

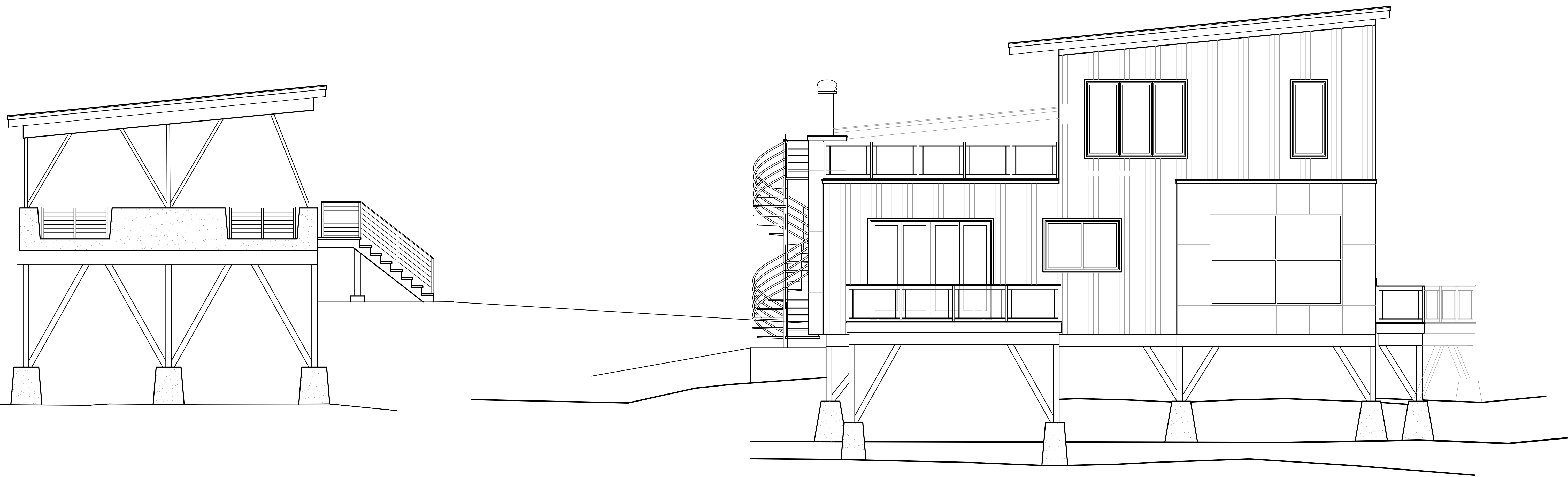
For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC, - Town Supervisor, Applicant, Involved Agencies

RECEIVED
MAY 10 2024

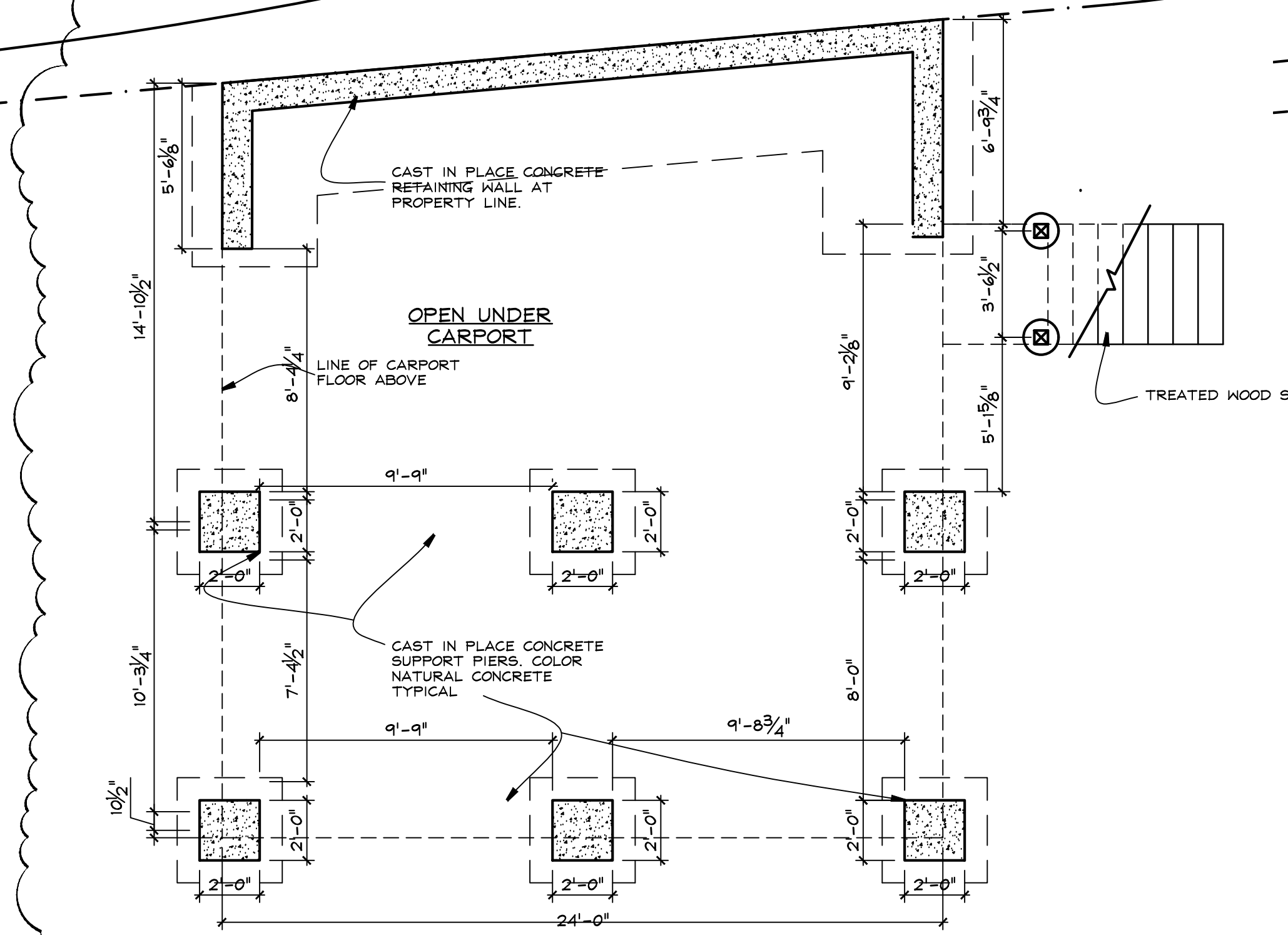
RECEIVED

MAR 05 2024

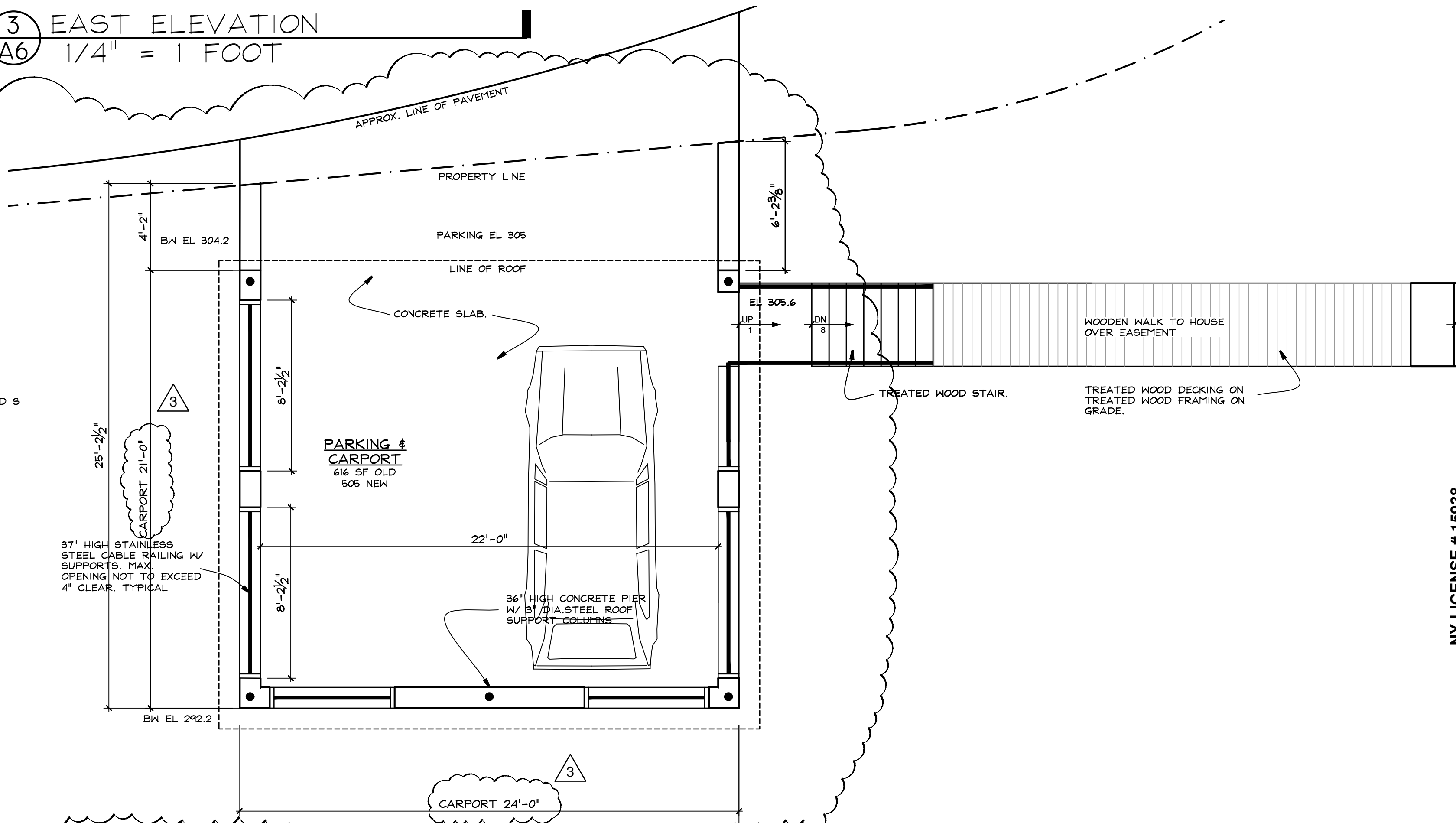
TOWN OF ORANGETOWN
BUILDING DEPARTMENT



3 EAST ELEVATION
A6 1/4" = 1 FOOT



2 CARPORT FOUNDATION PLAN
A6 1/4" = 1 FOOT



1 CARPORT PLAN
A6 1/4" = 1 FOOT

DESIGN IN COLLABORATION WITH

MARY ORTMAN ARCHITECT

719 TRENTON AVENUE
POINT PLEASANT BEACH, NJ 08742
PH/ FAX: 732.892.3304
EMAIL: MORTMAN@COMCAST.NET

FISHER RESIDENCE
7 BERACHAH AVE.
S. NYACK, N.Y. 10960

KIER B. LEVESQUE, R.A.
ARCHITECT
49 THIRD AVENUE
NYACK, NEW YORK 10960
845-358-2359

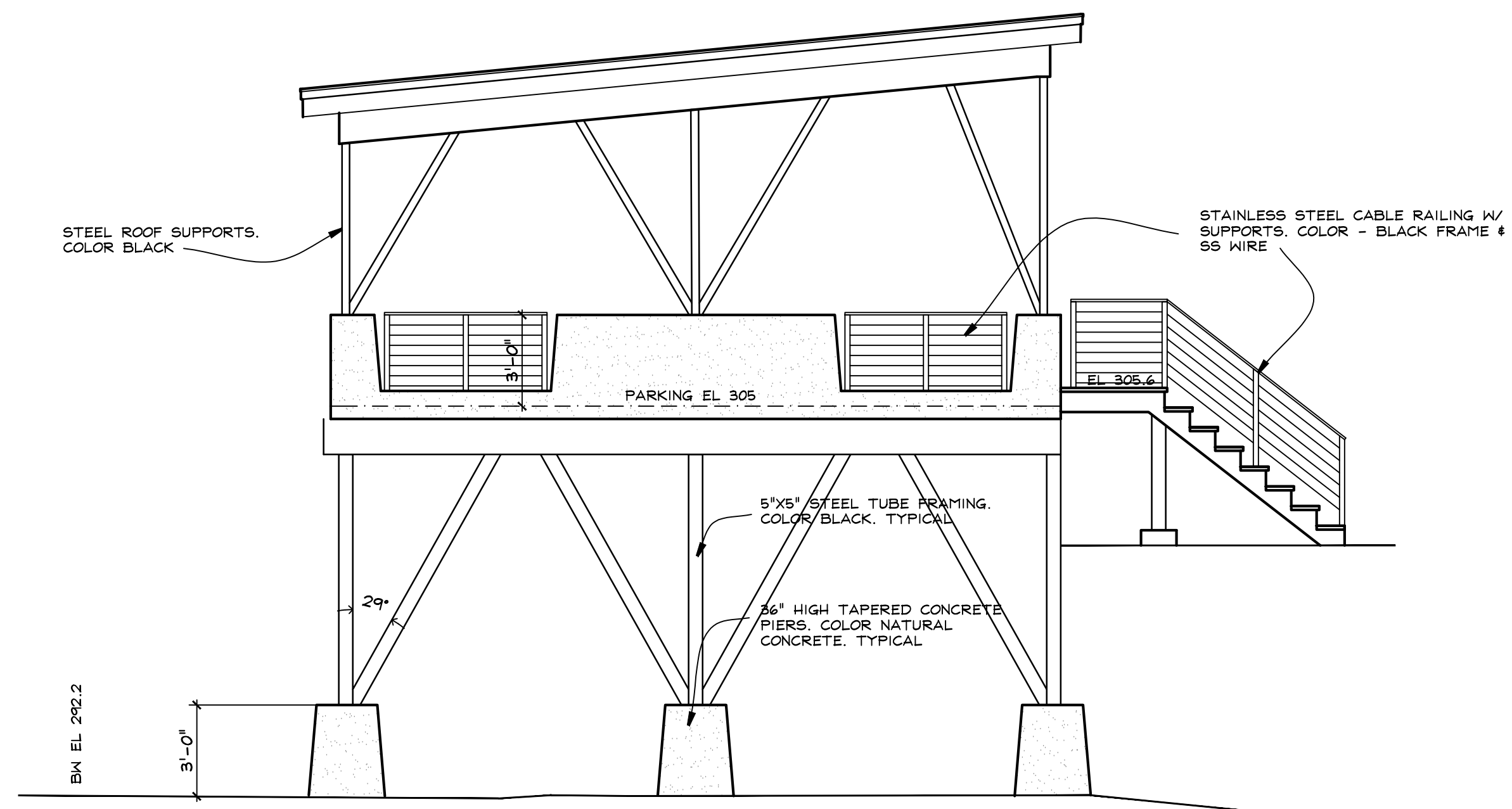
CARPORT PLANS & ELEVATION

SCALE AS SHOWN
DATE AUGUST 1, 2022
JOB NO. 2021113
REVISIONS:

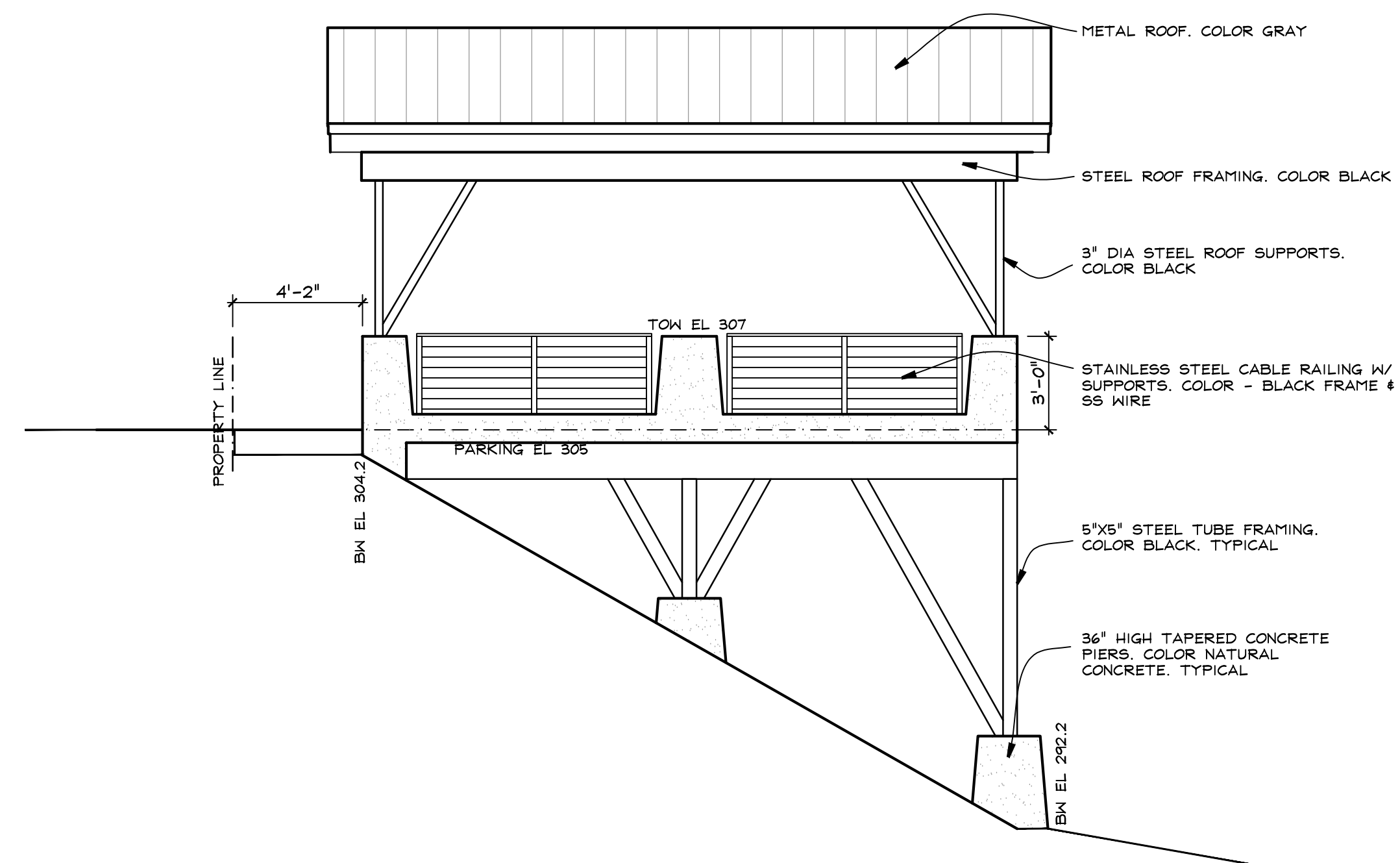
- 1 MAY 3, 2023
- 2 JAN. 5, 2024
- 3 FEB. 23, 2024

SHEET NO.
A-6

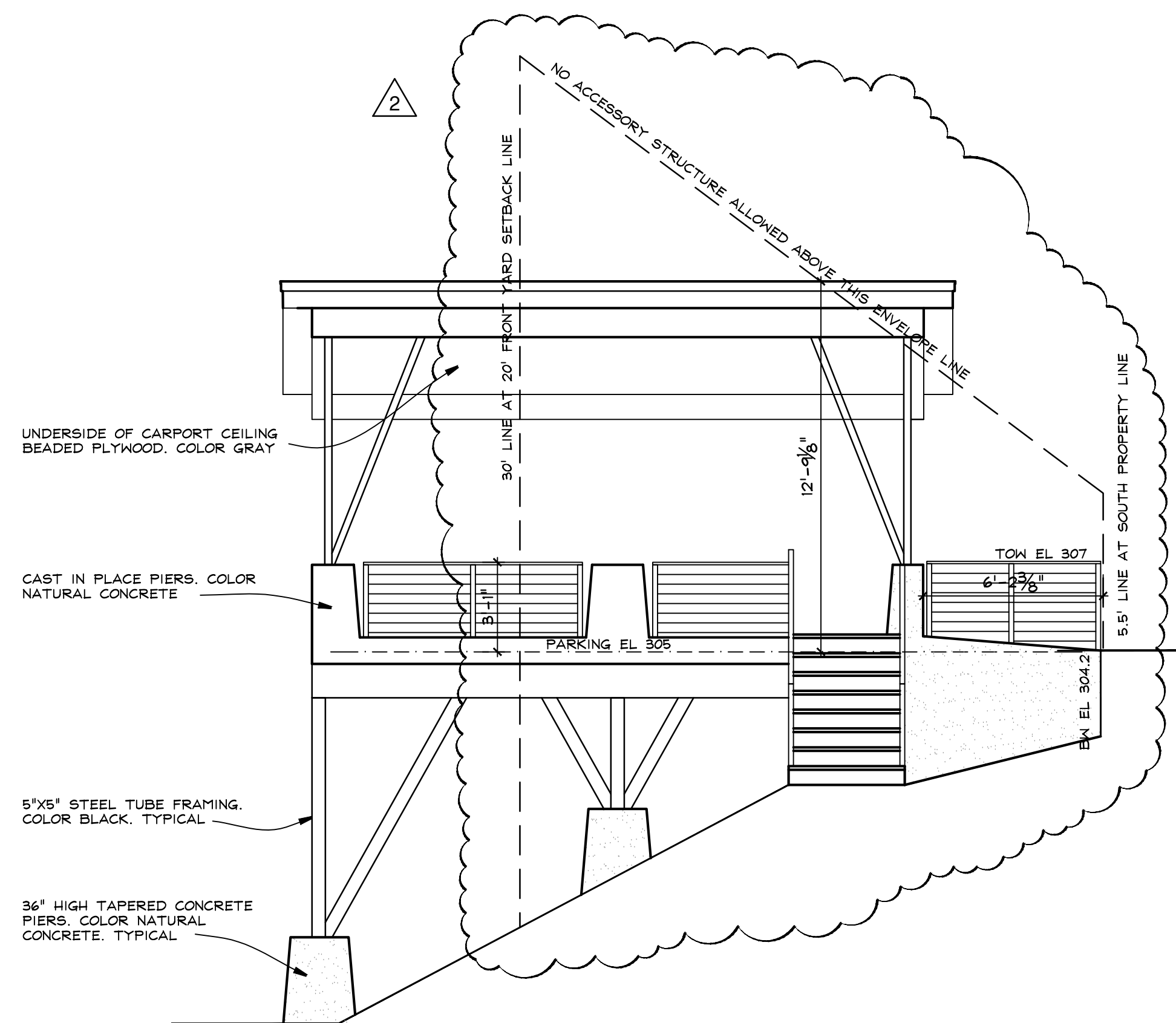




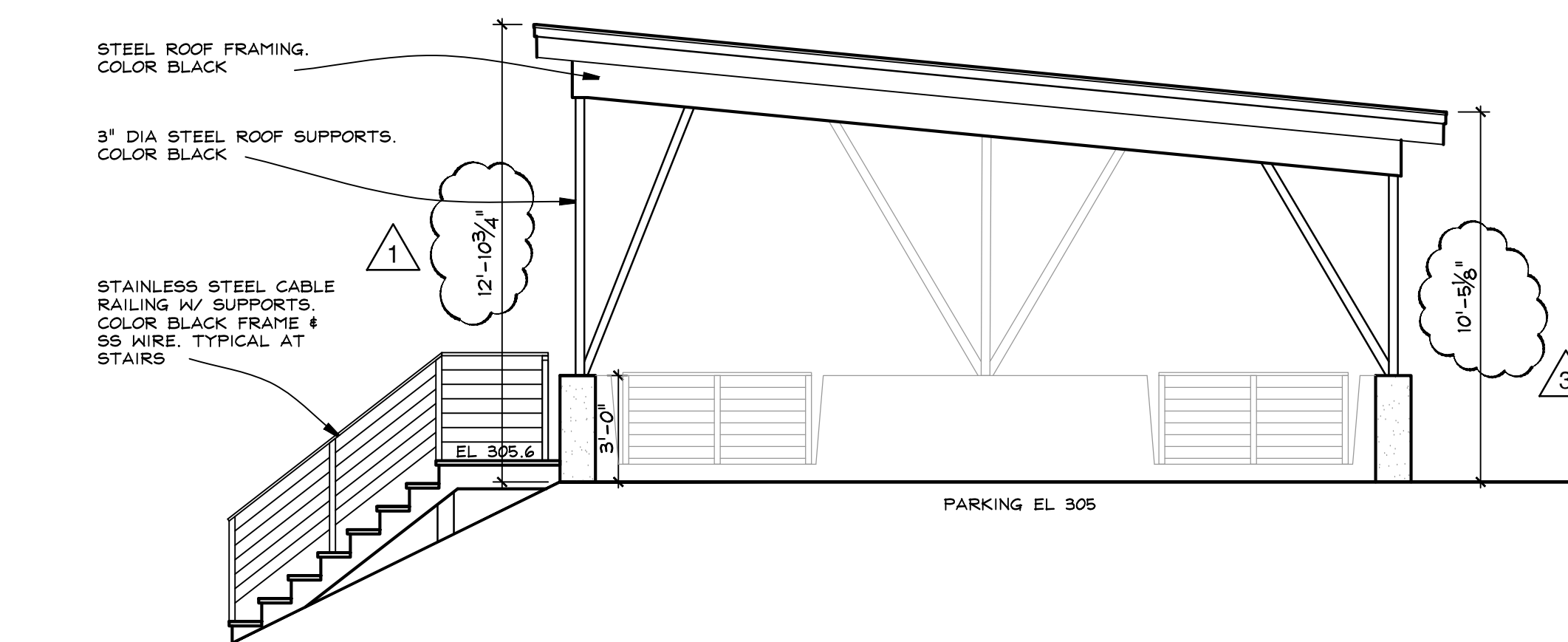
3 EAST ELEVATION
A7 1/4" = 1 FOOT



4 SOUTH ELEVATION
A7 1/4" = 1 FOOT



2 NORTH ELEVATION
A7 1/4" = 1 FOOT



1 WEST ELEVATION STREET VIEW
A7 1/4" = 1 FOOT

DESIGN IN
COLLABORATION WITH

MARY ORTMAN
ARCHITECT

719 TRENTON AVENUE
POINT PLEASANT BEACH, NJ 08742
PH/FAX: 732.892.3304
EMAIL: MORTMAN@COMCAST.NET

FISHER RESIDENCE
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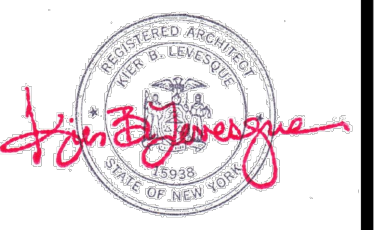
CARPORT PLANS

SCALE AS SHOWN
DATE AUGUST 1, 2022
JOB NO. 2021113
REVISIONS: SHEET NO.

- 1 MAY 3, 2023
- 2 OCTOBER 26, 2023
- 3 JAN 5, 2024

A-7

NY LICENSE # 15938



SEAM IN PAVEMENT MARKS SEPERATION
BETWEEN PUBLIC AND PRIVATE ROAD
PER BRIAN DEBONIS OF THE
ORANGETOWN HIGHWAY DEPARTMENT

COLLEGE AVE.

(A PRIVATE ROAD AS DEFINED BY LETTER OF
JULY 31, 2023 BY JADE ABSTRACT COMPANY INC.)

CENTRAL AVENUE ROAD
WIDENING DEDICATION PER
F.M. #7769
AREA=769 SF

CHASE AVE. (FORMERLY KNOWN AS CENTRAL AVE.)

EASEMENT PER L. 153 / P. 2065
IN FAVOR OF THE CHRISTIAN
MISSIONARY ALLIANCE FOR
INGRESS, EGRESS AND UTILITIES
RELEASED PER INSTR. #2022-18089

A=14,640 SF.
=0.3361 ACRES

EASEMENT "A"
PER INSTR.
#2001-12458
ABANDONED PER
INST. #2022-18090
N/F
SEILER
66.61-1-20

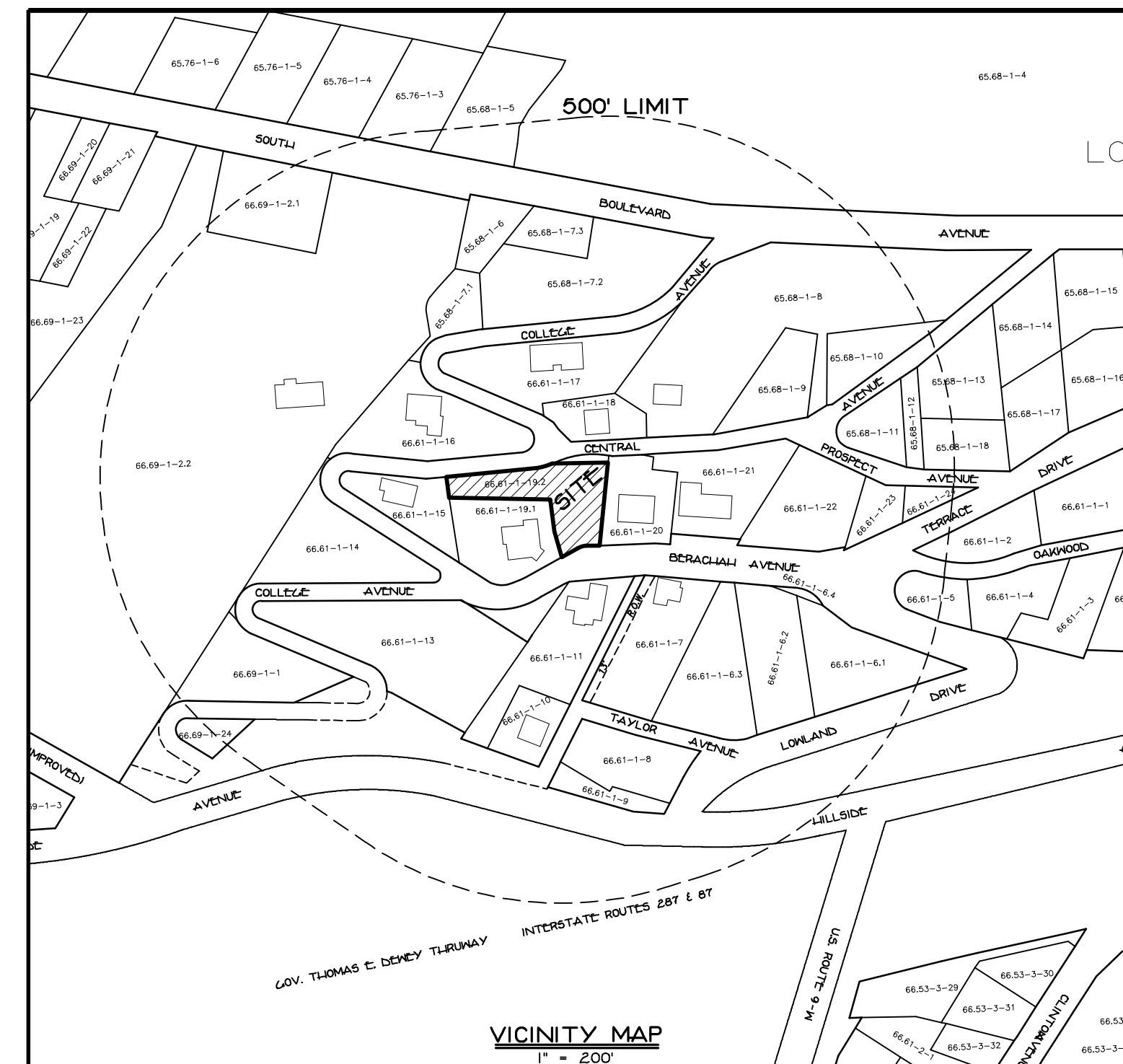
EASEMENT FOR THE
LIMITED USE OF
RECREATION,
GARDENING AND
PARKING
AREA=1,268 SF.
PER INSTR. #2022-18090

EASEMENT "B"
PER INSTR.
#2001-12458
ABANDONED PER
INST. #2022-18090

20' WIDE SANITARY
SEWER EASEMENT
PER F.M. #7769 &
INSTR. 2005-34858
OWNER DANSOME LLC

EASEMENT PER
INSTR. 2002-23213

EXISTING	PROPOSED	ITEMS
---	---	PROPERTY LINE
---	---	BUILDING SETBACK LINE
⊙	⊙	SAN. SEWER MANHOLE
⊙	⊙	CLEAN-OUT
⊙	⊙	WATER VALVE
⊙	⊙	GAS VALVE
⊙	⊙	DRAINAGE MANHOLE
⊙	⊙	CATCH BASIN
⊙	⊙	UTILITY POLE
---	---	OVERHEAD ELECTRIC



BULK TABLE

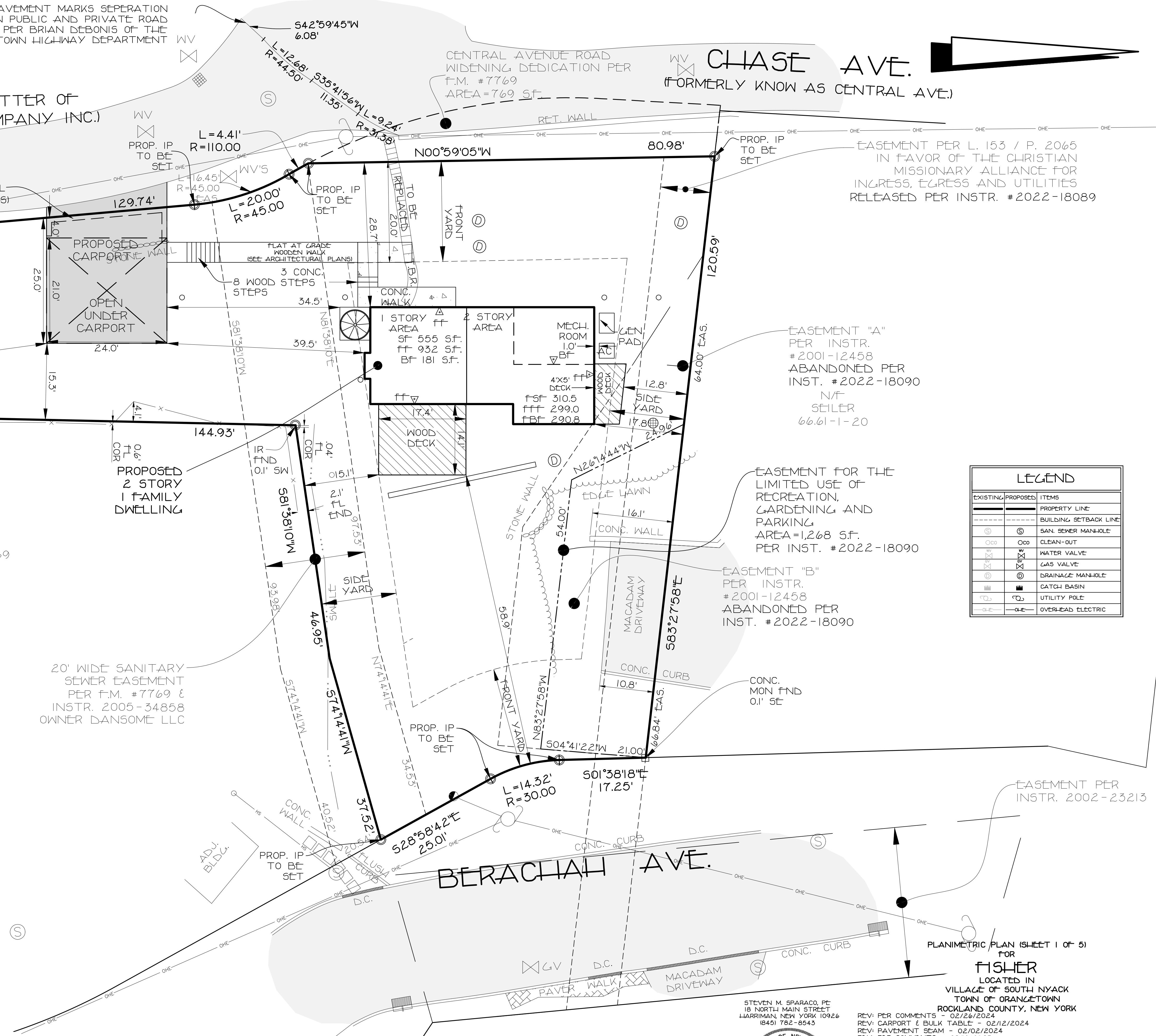
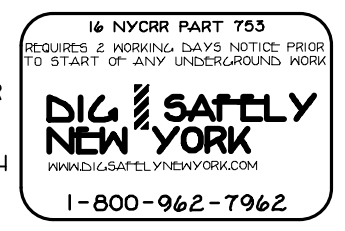
ZONE	MINIMUM LOT AREA	STREET FRONTAGE (FEET)	MAXIMUM LOT COVERAGE RATIO	MAXIMUM BUILDING HEIGHT (STORIES/ FT)	FRONT YARD (FEET)	REAR YARD (FEET)	SIDE YARD (FEET)	TOTAL SIDE YARD (FEET)
REQUIRED	8,000	80	30%	3/30	20	32	15	30
FILED MAP	14,640	56.58	50%	3/30	20	32	15	30
PROPOSED	4,720	235.13	55%	2/25	20	58	12	27
VARIANCE			YES		YES		YES	YES

*280-A REQUIRED FOR LACK OF FRONTAGE ON A PUBLIC STREET.

ZONING AREA CALCULATIONS:
LOT AREA - SLOPE DEDUCTIONS = ZONING LOT AREA
14,640 SF. - 9,920 SF. = 4,720 SF.

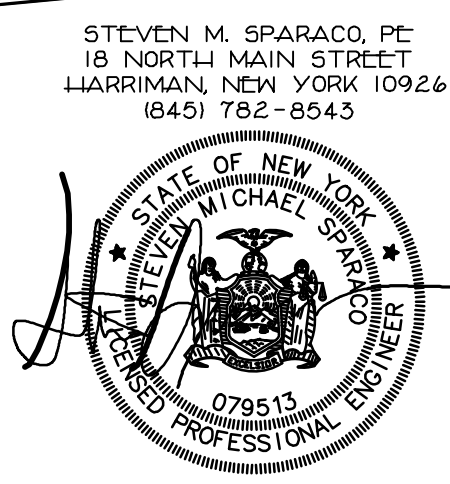
MAXIMUM LOT COVERAGE CALCULATIONS:
IMPERVIOUS SURFACE / LOT AREA = LOT COVERAGE
2,586 SF. / 4,720 SF. = 0.548 (0.55)

ALL UTILITIES ARE SHOWN IN AN APPROXIMATE WAY FROM AVAILABLE INFORMATION. THE CONTRACTOR SHALL CALL THE LOCAL UNDERGROUNDS FACILITIES PROTECTIVE ORGANIZATION TO HAVE ALL UNDERGROUNDS UTILITIES MARKED IN THE FIELD PRIOR TO ANY CLEARING OR ANY CONSTRUCTION. THE CONTRACTOR SHALL ALSO VERIFY THE LOCATION, SIZE AND INVERT OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION. ANY UTILITY FOR WHICH NO EVIDENCE CAN BE SEEN ON THE SURFACE OF THE LANDS MAY NOT BE SHOWN ON THIS DRAWING.



PLANIMETRIC PLAN (SHEET 1 OF 5)
FOR
FISHER

LOCATED IN
VILLAGE OF SOUTH NYACK
TOWN OF ORANGETOWN
ROCKLAND COUNTY, NEW YORK



STEVEN M. SPARACO, PE
18 NORTH MAIN STREET
HARRIMAN, NEW YORK 10926
(845) 782-8543

REVI: PER COMMENTS - 02/28/2024
REVI: CARPORT & BULK TABLE - 02/12/2024
REVI: PAVEMENT SEAM - 02/02/2024
REVI: PER COMMENTS - 09/19/2023

SPARACO & YOUNGBLOOD, PLLC
CIVIL ENGINEERING • LAND SURVEYING
SITE PLANNING
18 NORTH MAIN STREET
P.O. BOX 608
HARRIMAN, N.Y. 10926
TEL: (845) 782-8543
FAX: (845) 782-5901
SPARACO.STEVE@SELSNY.COM WDL151@GMAIL.COM

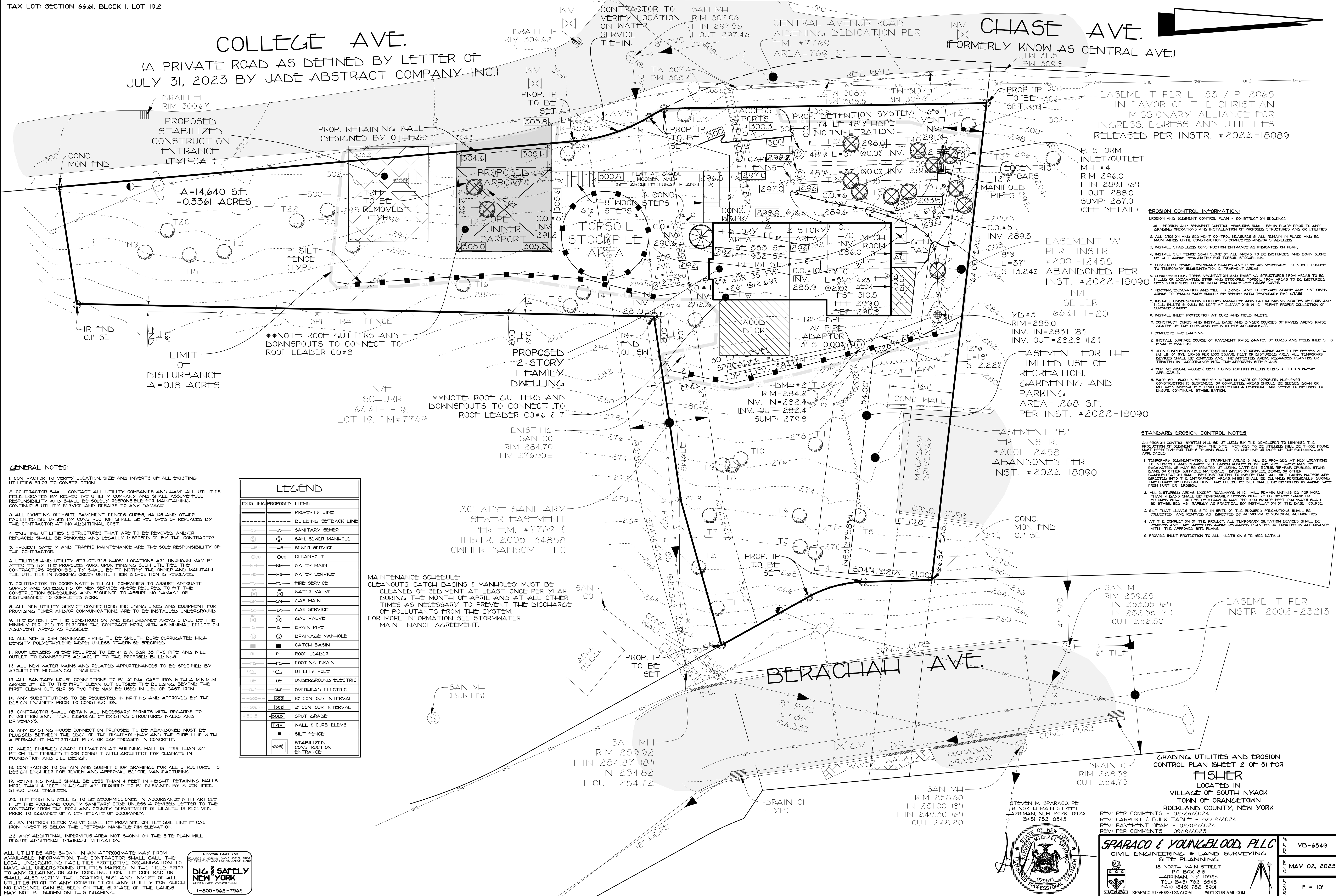
FILE #	YB-6549
DATE	MAY 02, 2023
SCALE	1" = 10'

COLLEGE AVE.

(A PRIVATE ROAD AS DEFINED BY LETTER OF JULY 31, 2023 BY JADE ABSTRACT COMPANY INC.)

CHASE AVE.

(FORMERLY KNOWN AS CENTRAL AVE.)



EASEMENT PER L. 153 / P. 2065 IN FAVOR OF THE CHRISTIAN MISSIONARY ALLIANCE FOR INGRESS, EGRESS AND UTILITIES RELEASED PER INSTR. #2022-18089

P. STORM INLET/OUTLET MH #4 RIM 296.0 I IN 289.1 (6") I OUT 288.0 SUMP: 287.0 (SEE DETAIL)

EASEMENT "A" PER INSTR. #2001-12458 ABANDONED PER INSTR. #2022-18090

N/F SILEX 66.61-1-20 YD#3 RIM=285.0 INV. IN=283.1 (8") INV. OUT=282.8 (12")

EASEMENT FOR THE LIMITED USE OF RECREATION, GARDENING AND PARKING AREA=1,268 SF. PER INSTR. #2022-18090

EASEMENT "B" PER INSTR. #2001-12458 ABANDONED PER INSTR. #2022-18090

EASEMENT PER INSTR. 2002-23213

GRADING, UTILITIES AND EROSION CONTROL PLAN (SHEET 2 OF 5) FOR FISHER LOCATED IN VILLAGE OF SOUTH NYACK TOWN OF ORANGETOWN ROCKLAND COUNTY, NEW YORK

REV: PER COMMENTS - 02/26/2024
REV: CARPORT & BULK TANK - 02/12/2024
REV: PAVEMENT SEAM - 02/02/2024
REV: PER COMMENTS - 09/19/2023

SPARACO & YOUNGBLOOD, PLLC
CIVIL ENGINEERING • LAND SURVEYING
SITE PLANNING
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HARRIMAN, N.Y. 10926
TEL: (845) 782-8543
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SPARACO.STEVE@SLSNY.COM WOLSI@GMAIL.COM



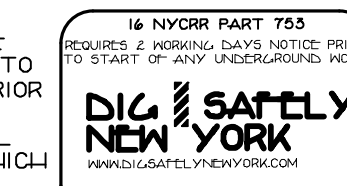
LEGEND		
EXISTING	PROPOSED	ITEMS
---	---	PROPERTY LINE
---	---	BUILDING SETBACK LINE
---	---	SANITARY SEWER
---	---	SAN. SEWER MANHOLE
---	---	SEWER SERVICE
---	---	CLEAN-OUT
---	---	WATER MAIN
---	---	WATER SERVICE
---	---	FIRE SERVICE
---	---	WATER VALVE
---	---	GAS MAIN
---	---	GAS SERVICE
---	---	GAS VALVE
---	---	DRAIN PIPE
---	---	DRAINAGE MANHOLE
---	---	CATCH BASIN
---	---	ROOF LEADER
---	---	FOOTING DRAIN
---	---	UTILITY POLE
---	---	UNDERGROUND ELECTRIC
---	---	OVERHEAD ELECTRIC
---	---	10' CONTOUR INTERVAL
---	---	2' CONTOUR INTERVAL
---	---	SPOT GRADE
---	---	WALL & CURB ELEV.
---	---	SILT FENCE
---	---	STABILIZED CONSTRUCTION ENTRANCE

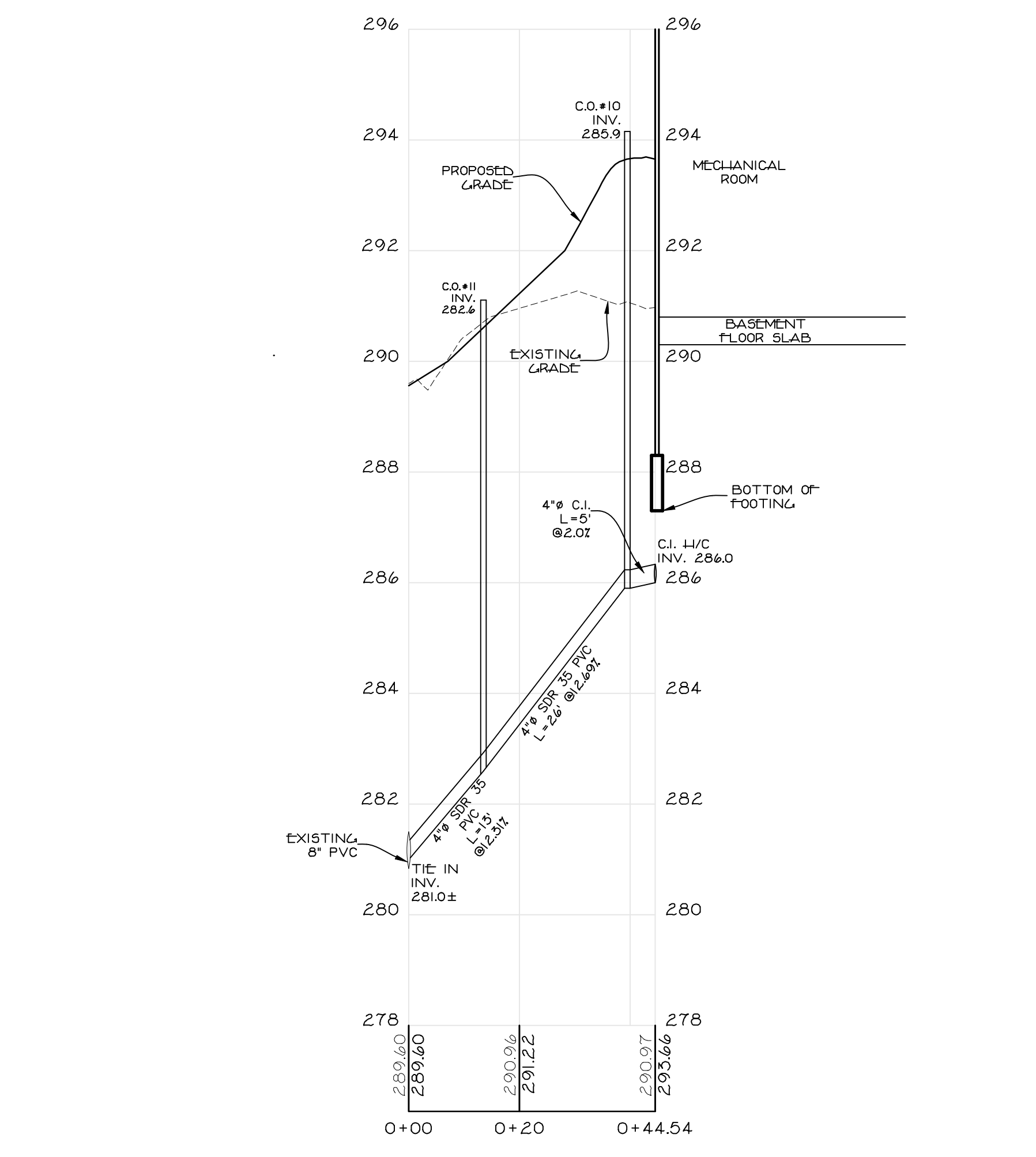
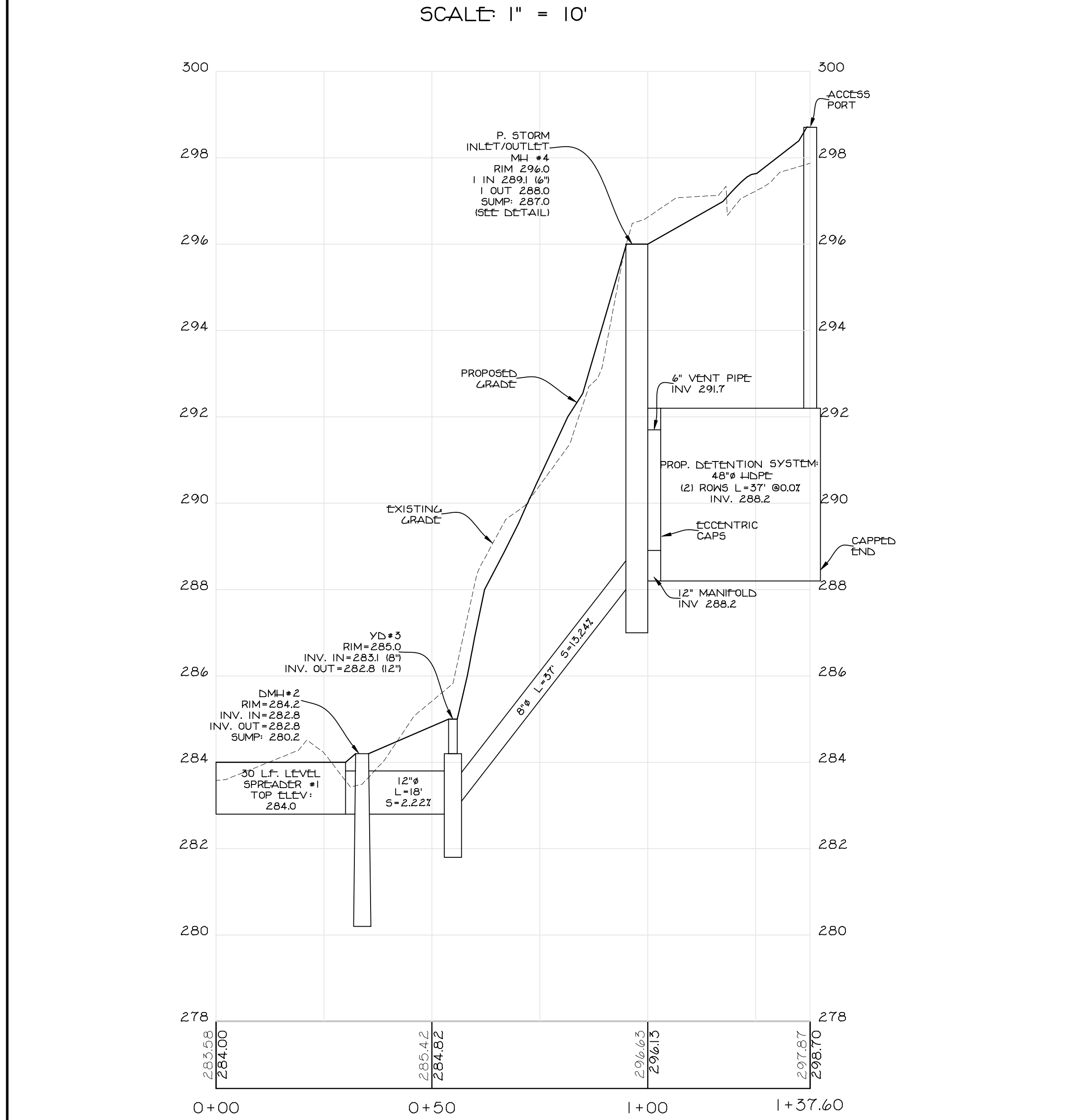
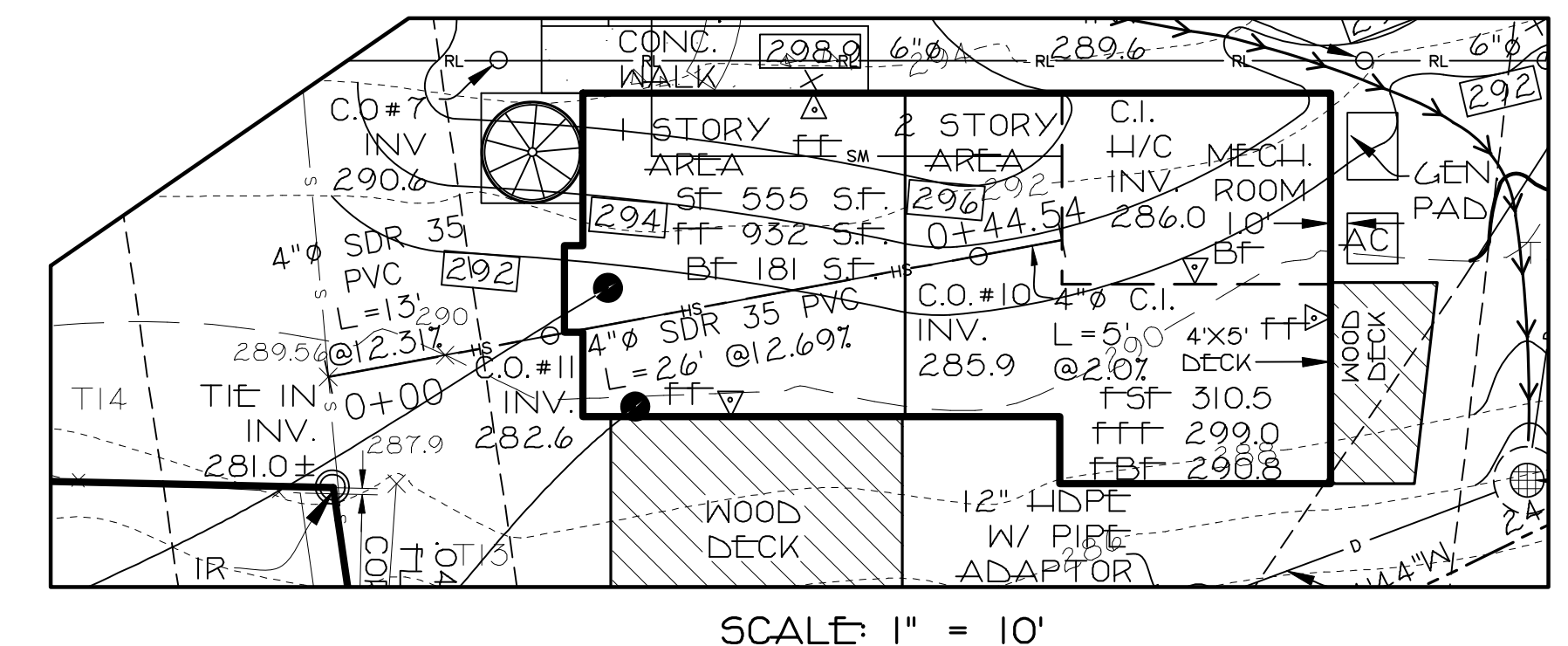
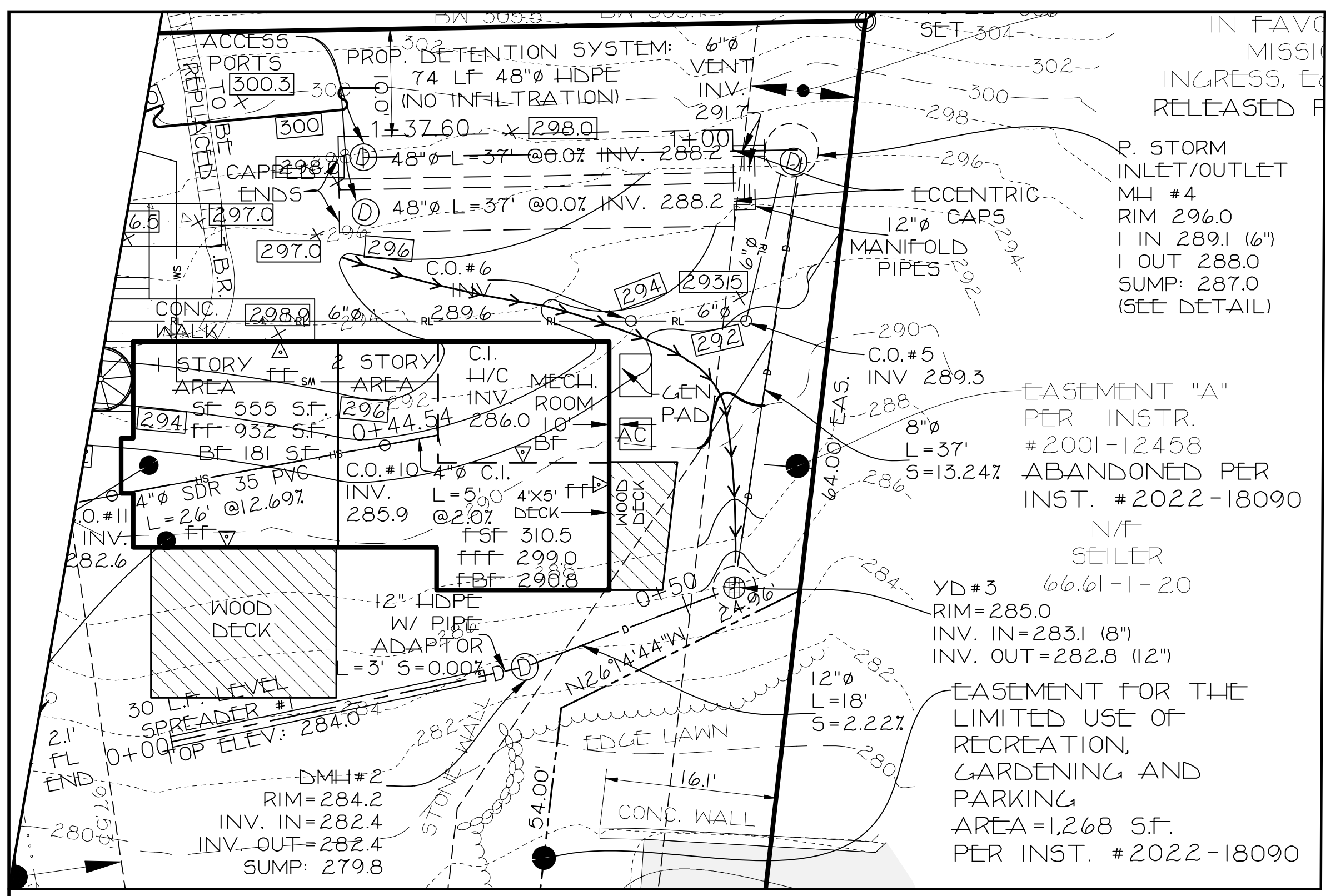
20' WIDE SANITARY SEWER EASEMENT PER F.M. #7769 & INSTR. 2005-34858 OWNER DANSOUE LLC

MAINTENANCE SCHEDULE:
CLEANOUTS, CATCH BASINS & MANHOLES MUST BE CLEANED OF SEDIMENT AT LEAST ONCE PER YEAR DURING THE MONTH OF APRIL AND AT ALL OTHER TIMES AS NECESSARY TO PREVENT THE DISCHARGE OF POLLUTANTS FROM THE SYSTEM. FOR MORE INFORMATION SEE STORMWATER MAINTENANCE AGREEMENT.

- GENERAL NOTES:**
- CONTRACTOR TO VERIFY LOCATION, SIZE AND INVERTS OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
 - CONTRACTOR SHALL CONTACT ALL UTILITY COMPANIES AND HAVE ALL UTILITIES FIELD LOCATED BY RESPECTIVE UTILITY COMPANY AND SHALL ASSUME FULL RESPONSIBILITY AND SHALL BE SOLELY RESPONSIBLE FOR MAINTAINING CONTINUOUS UTILITY SERVICE AND REPAIRS TO ANY DAMAGE.
 - ALL EXISTING OFF-SITE PAVEMENT, FENCES, CURBS, WALKS AND OTHER FACILITIES DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED BY THE CONTRACTOR AT NO ADDITIONAL COST.
 - EXISTING UTILITIES & STRUCTURES THAT ARE TO BE REMOVED AND/OR REPLACED SHALL BE REMOVED AND LEGALLY DISPOSED OF BY THE CONTRACTOR.
 - PROJECT SAFETY AND TRAFFIC MAINTENANCE ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
 - UTILITIES AND UTILITY STRUCTURES WHOSE LOCATIONS ARE UNKNOWN MAY BE AFFECTED BY THE PROPOSED WORK UPON FINDING SUCH UTILITIES. THE CONTRACTOR'S RESPONSIBILITY SHALL BE TO NOTIFY THE OWNER AND MAINTAIN THE UTILITIES IN WORKING ORDER UNTIL THEIR DISPOSITION IS RESOLVED.
 - CONTRACTOR TO COORDINATE WITH ALL COMPANIES TO ASSURE ADEQUATE SUPPLY AND SCHEDULING OF NEW SERVICE WHERE REQUIRED TO FIT THE CONSTRUCTION SCHEDULING AND SEQUENCE TO ASSURE NO DAMAGE OR DISTURBANCE TO COMPLETED WORK.
 - ALL NEW UTILITY SERVICE CONNECTIONS, INCLUDING LINES AND EQUIPMENT FOR PROVIDING POWER AND/OR COMMUNICATIONS ARE TO BE INSTALLED UNDERGROUND.
 - THE EXTENT OF THE CONSTRUCTION AND DISTURBANCE AREAS SHALL BE THE MINIMUM REQUIRED TO PERFORM THE CONTRACT WORK WITH AS MINIMAL EFFECT ON ADJACENT AREAS AS POSSIBLE.
 - ALL NEW STORM DRAINAGE PIPING TO BE SMOOTH BORE CORRUGATED HIGH DENSITY POLYETHYLENE HDPE UNLESS OTHERWISE SPECIFIED.
 - ROOF LEADERS (WHERE REQUIRED) TO BE 4" DIA. SDR 35 PVC PIPE AND WILL OUTLET TO DOWNSPOUTS ADJACENT TO THE PROPOSED BUILDINGS.
 - ALL NEW WATER MAINS AND RELATED APPURTENANCES TO BE SPECIFIED BY ARCHITECT'S MECHANICAL ENGINEER.
 - ALL SANITARY HOUSE CONNECTIONS TO BE 4" DIA. CAST IRON WITH A MINIMUM GRADE OF .22 TO THE FIRST CLEAN OUT OUTSIDE THE BUILDING. BEYOND THE FIRST CLEAN OUT, SDR 35 PVC PIPE MAY BE USED IN LIEU OF CAST IRON.
 - ANY SUBSTITUTIONS TO BE REQUESTED IN WRITING AND APPROVED BY THE DESIGN ENGINEER PRIOR TO CONSTRUCTION.
 - CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS WITH REGARDS TO DEMOLITION AND LEGAL DISPOSAL OF EXISTING STRUCTURES, WALKS AND DRIVEWAYS.
 - ANY EXISTING HOUSE CONNECTION PROPOSED TO BE ABANDONED MUST BE PLUGGED BETWEEN THE EDGE OF THE RIGHT-OF-WAY AND THE CURB LINE WITH A PERMANENT WATER-TIGHT PLUG OR CAP ENCASED IN CONCRETE.
 - WHERE FINISHED GRADE ELEVATION AT BUILDING WALL IS LESS THAN 24" BELOW THE FINISHED FLOOR CONSULT WITH ARCHITECT FOR CHANGES IN FOUNDATION AND SILL DESIGN.
 - CONTRACTOR TO OBTAIN AND SUBMIT SHOP DRAWINGS FOR ALL STRUCTURES TO DESIGN ENGINEER FOR REVIEW AND APPROVAL BEFORE MANUFACTURING.
 - RETAINING WALLS SHALL BE LESS THAN 4 FEET IN HEIGHT. RETAINING WALLS MORE THAN 4 FEET IN HEIGHT ARE REQUIRED TO BE DESIGNED BY A CERTIFIED STRUCTURAL ENGINEER.
 - IF THE EXISTING WELL IS TO BE DECOMMISSIONED IN ACCORDANCE WITH ARTICLE 11 OF THE ROCKLAND COUNTY SANITARY CODE UNLESS A REVISED LETTER TO THE CONTRARY FROM THE ROCKLAND COUNTY DEPARTMENT OF HEALTH IS RECEIVED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
 - AN INTERIOR CHECK VALVE SHALL BE PROVIDED ON THE SOIL LINE IF CAST IRON INVERT IS BELOW THE UPSTREAM MANHOLE RIM ELEVATION.
 - ANY ADDITIONAL IMPROVEMENTS AREA NOT SHOWN ON THE SITE PLAN WILL REQUIRE ADDITIONAL DRAINAGE MITIGATION.

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DRAINAGE PROFILE STA: 0+00 TO 1+37.60

SANITARY PROFILE STA: 0+00 TO 0+44.54

DRAINAGE & SANITARY PROFILE
SHEET 3 OF 51 FOR
FISHER
LOCATED IN
VILLAGE OF SOUTH NYACK
TOWN OF ORANGETOWN
ROCKLAND COUNTY, NEW YORK



STEVEN M. SPARACO, PE
18 NORTH MAIN STREET
HARRIMAN, NEW YORK 10926
(845) 782-8043

REVI: PER COMMENTS - 02/12/2024
REVI: CARPORT & BULK TABLE - 02/12/2024
REVI: PAVEMENT SEAM - 02/02/2024
REVI: PER COMMENTS - 09/19/2023

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FAX: (845) 782-5901
SPARACO.STEVE@SELSNY.COM WDWLS1@GMAIL.COM

FILE #	YB-6549
DATE	MAY 02, 2023
SCALE	1" = 10'

TAX LOT: SECTION 6661, BLOCK 1, LOT 19.2

SEAM IN PAVEMENT MARKS SEPARATION BETWEEN PUBLIC AND PRIVATE ROAD PER BRIAN DEBONIS OF THE ORANGETOWN HIGHWAY DEPARTMENT

COLLEGE AVE.

(A PRIVATE ROAD AS DEFINED BY LETTER OF JULY 31, 2023 BY JADE ABSTRACT COMPANY INC.)

CENTRAL AVENUE ROAD WIDENING DEDICATION PER F.M. #7769 AREA=769 SF.

CHASE AVE. (FORMERLY KNOWN AS CENTRAL AVE.)

EASEMENT PER L. 153 / P. 2065 IN FAVOR OF THE CHRISTIAN MISSIONARY ALLIANCE FOR INGRESS, EGRESS AND UTILITIES RELEASED PER INSTR. #2022-18089

A=14,640 SF.
=0.3361 ACRES

N/F SCHURR
66.61-1-19.1
LOT 19, F.M.#7769

20' WIDE SANITARY SEWER EASEMENT PER F.M. #7769 & INSTR. 2005-34858 OWNER DANSOME LLC

EASEMENT "A" PER INSTR. #2001-12458 ABANDONED PER INSTR. #2022-18090 N/F SEILER 66.61-1-20

EASEMENT "B" PER INSTR. #2001-12458 ABANDONED PER INSTR. #2022-18090

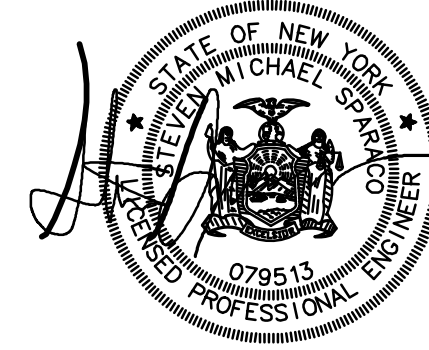
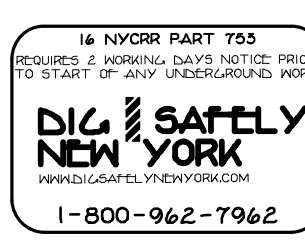
TREE LIST			
NO.	DIA.	SPECIES	REMOVED
T1	24"	CHERRY TWIN	
T2	16"	MAPLE	
T3	14"	MAPLE	
T4	16"	MAPLE	
T5	36"	MAPLE	
T6	10"	SASSAFRAS	
T7	8"	MAPLE	
T8	14"	MAPLE	
T9	10"	MAPLE	
T10	16"	OAK	
T11	40"	OAK	
T12	8"	MAPLE TWIN	
T13	14"	WALNUT	
T14	12"	TULIP	
T15	16"	CATALPA	
T16	20"	MAPLE	
T17	14"	MAPLE TWIN	
T18	16"	TULIP	
T19	30"	TULIP	
T20	36"	TULIP	
T21	40"	OAK	
T22	12"	MAPLE	
T23	12"	MAPLE	
T24	36"	MAPLE	X
T25	24"	MAPLE	X
T26	24"	MAPLE TWIN	
T27	16"	MAPLE TRIPLE	
T28	12"	MAPLE TWIN	
T29	12"	MAPLE	X
T30	20"	MAPLE	X
T31	14"	MAPLE	X
T32	12"	MAPLE ORN TWIN	
T33	8"	MAPLE	X
T34	10"	MAPLE	
T35	8"	MAPLE	
T36	14"	MAPLE	
T37	8"	MAPLE	
T38	10"	MAPLE	
T39	8"	MAPLE	
T40	8"	MAPLE	
T41	8"	MAPLE	

SLOPES

RANGE	AREA (SF)	% OF AREA ALLOWED
02-15%	1,245	100
16%-25%	2,405	60
26%-35%	5,081	40
36%-100%	5,909	0

ZONING AREA CALCULATIONS:
LOT AREA - SLOPE DEDUCTIONS = ZONING LOT AREA
14,640 SF. - 9,920 SF. = 4,720 SF.

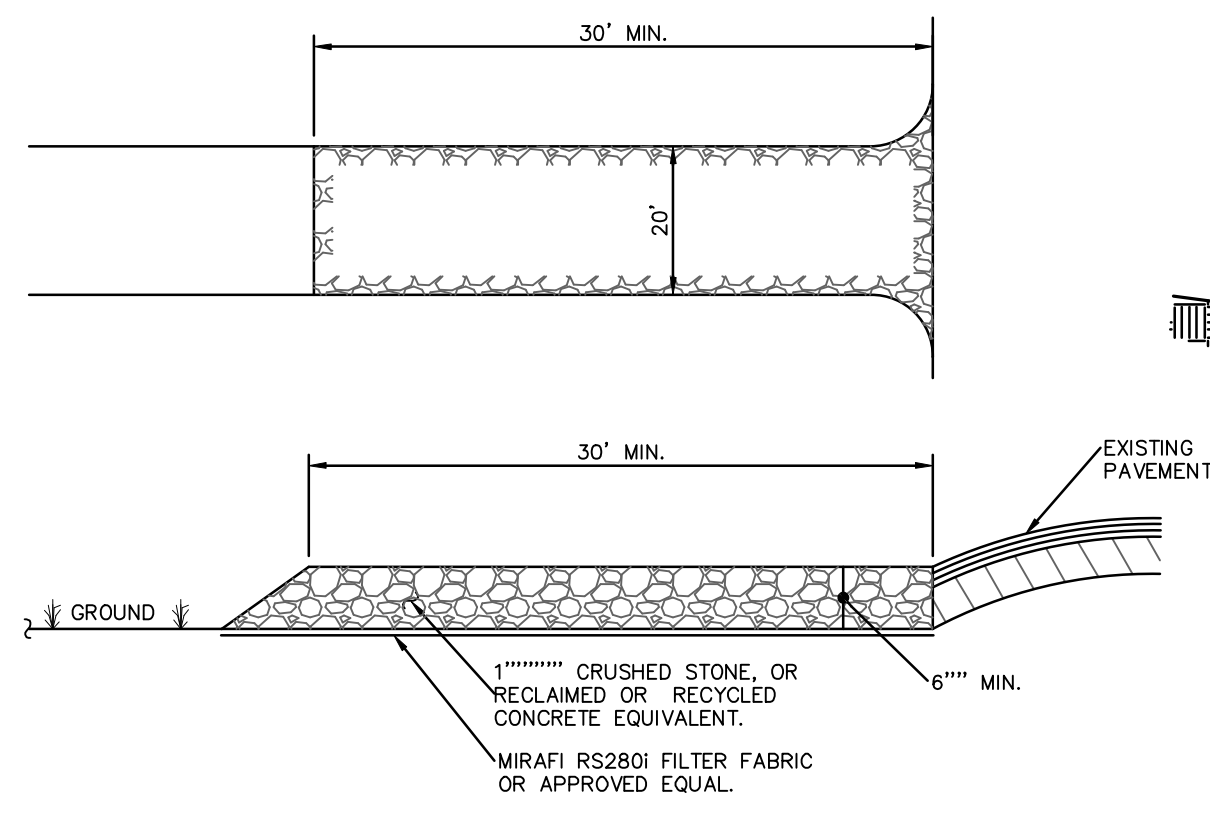
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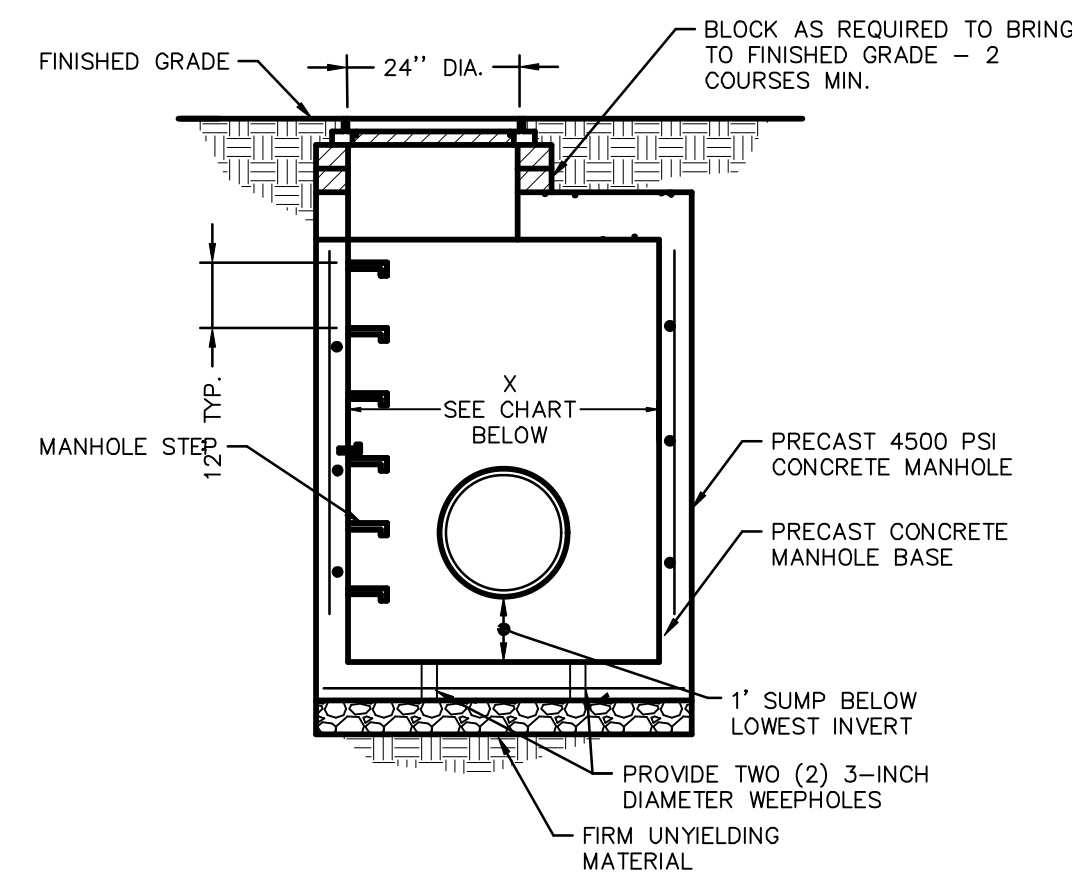
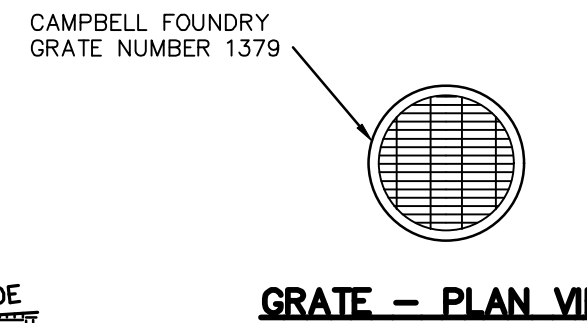
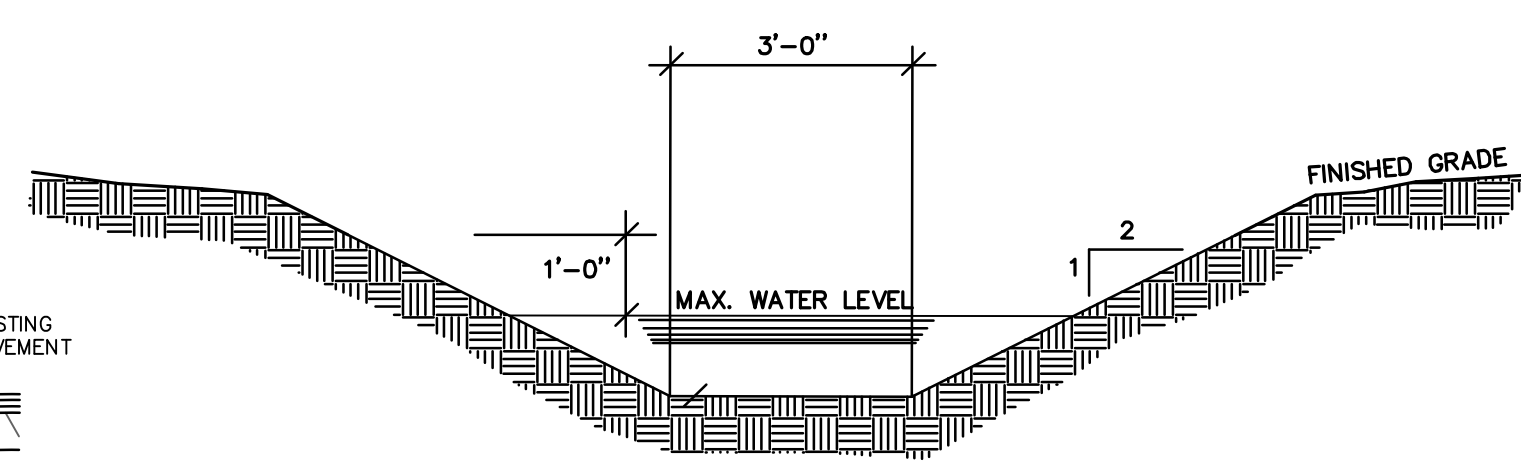
REV: PER COMMENTS - 02/26/2024
REV: CARPORT & BULK TABLE - 02/12/2024
REV: PAVEMENT SEAM - 02/02/2024
REV: PER COMMENTS - 09/19/2023

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FAX: (845) 782-8901
SPARACO.STEVE@SELSONY.COM WDL151@GMAIL.COM

FILE # YB-6549
DATE MAY 02, 2023
SCALE 1" = 10'

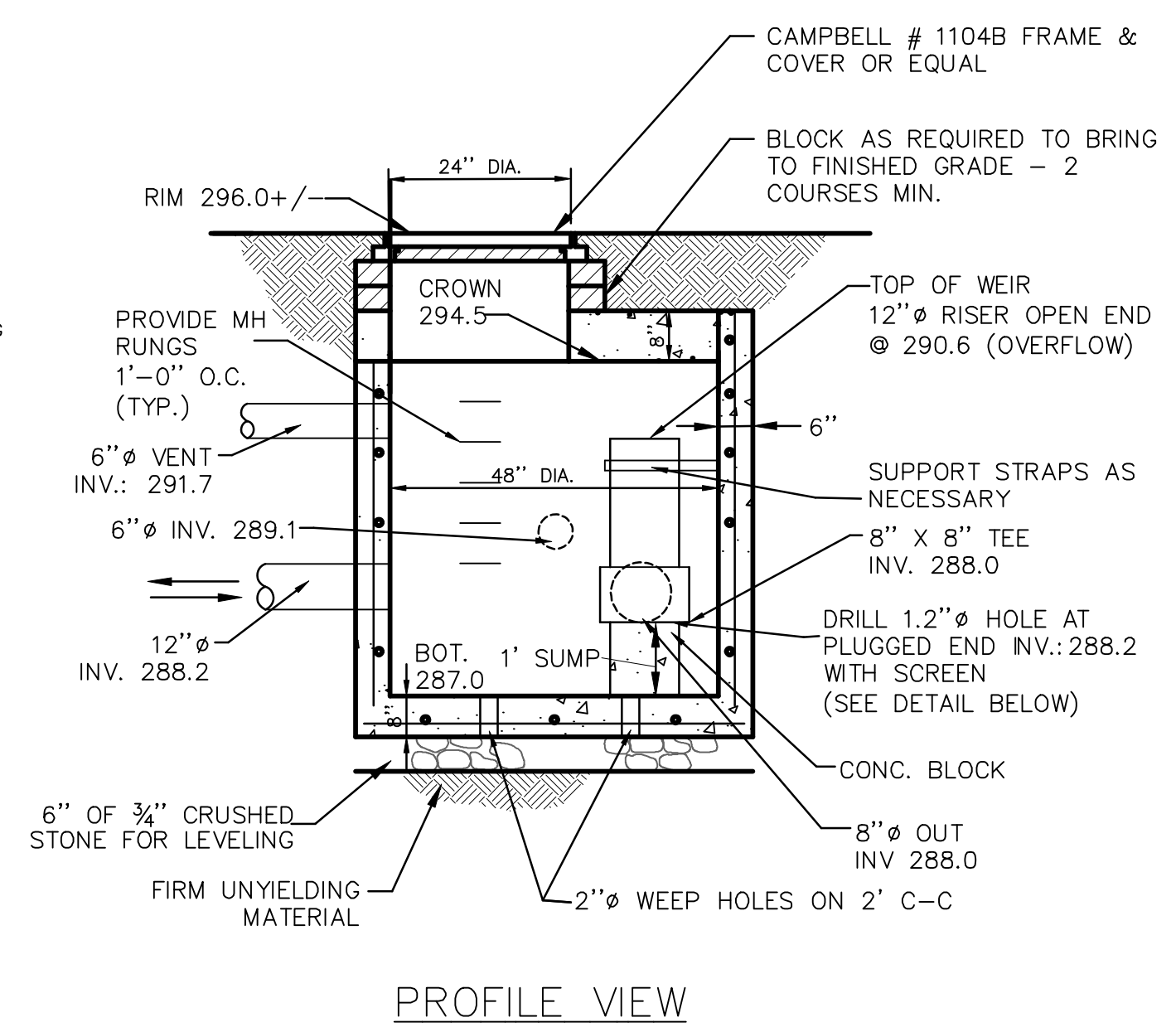


SWALE DETAIL

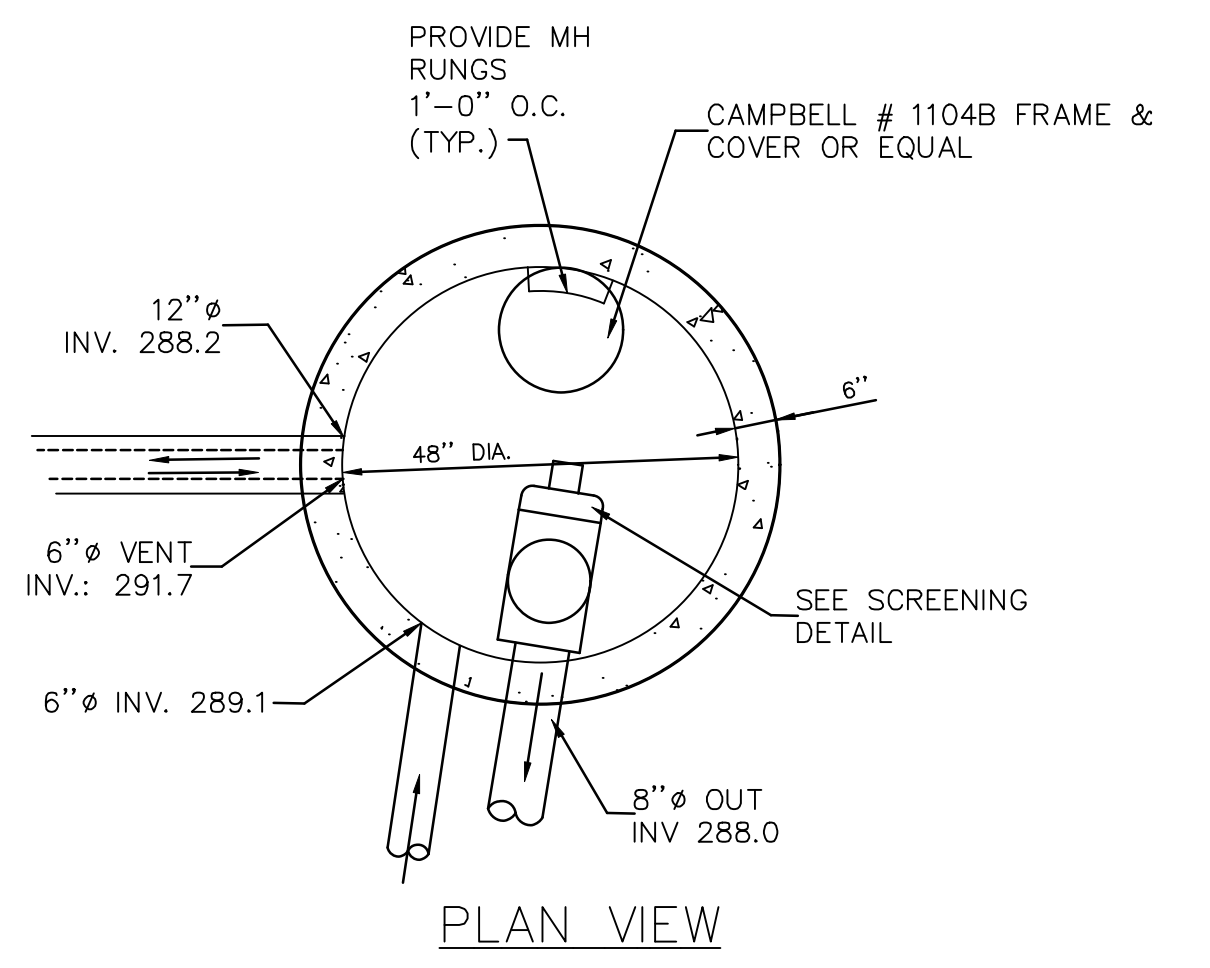


X DIMENSION	INCOMING/OUTGOING PIPE SIZES
48 INCH DIAMETER	EQUAL OR LESS THAN 36 INCH DIAMETER PIPES
60 INCH DIAMETER	42 TO 48 INCH DIAMETER PIPES

- NOTES:
1. MANHOLE TO CONFORM TO A.S.T.M. C478 (LATEST REVISION).
 2. PRECAST CONCRETE MANHOLES WITH RESILIENT SEALS AT JOINTS.
 3. MANUFACTURER SHALL CERTIFY ALL COMPONENTS MANHOLE FOR HS20 LOADING.
 4. RISER SECTION JOINTS SHALL BE FIELD-MORTARED.



PROFILE VIEW

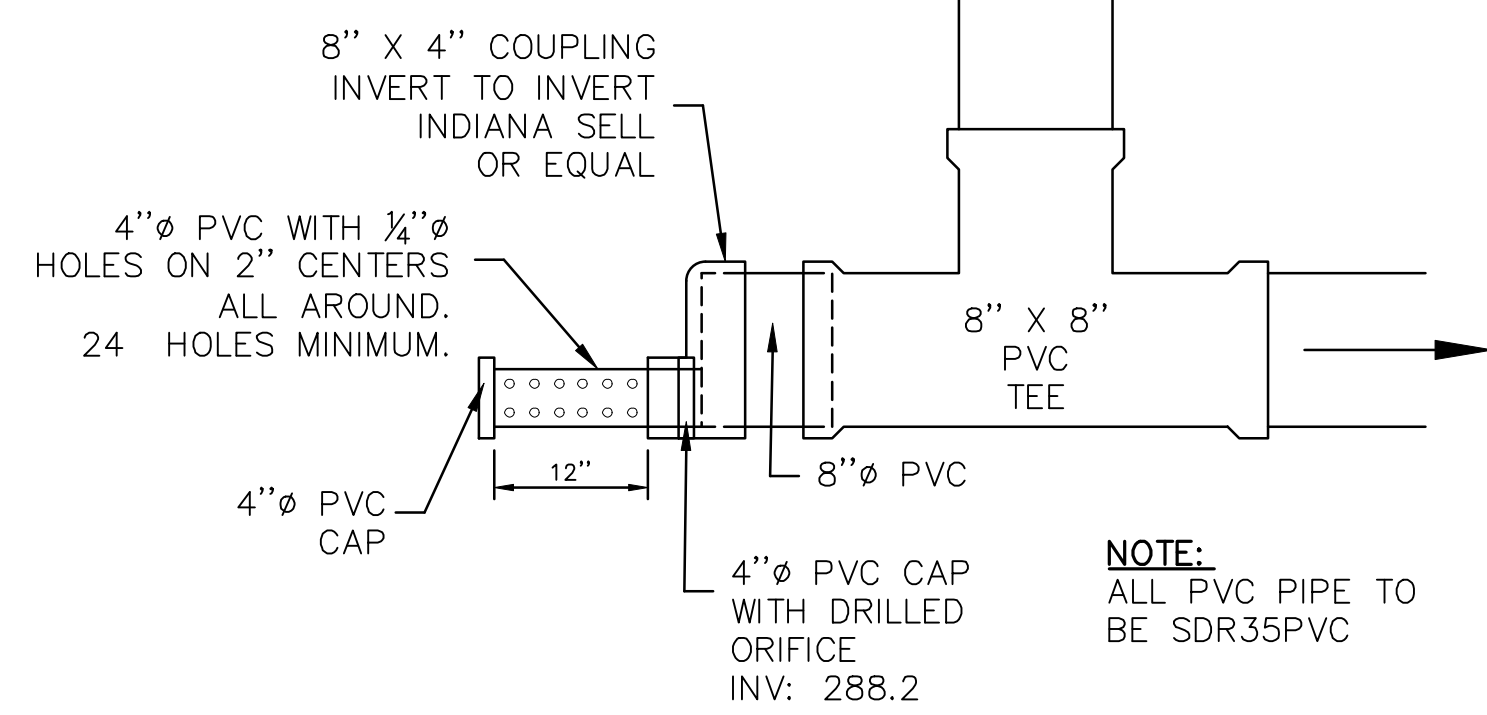


PLAN VIEW

1. MANHOLE TO CONFORM TO A.S.T.M. C478 (LATEST REVISION).
 2. PRECAST CONCRETE MANHOLES WITH RESILIENT SEALS AT JOINTS.
 3. MANUFACTURER SHALL CERTIFY ALL COMPONENTS MANHOLE FOR HS20 LOADING
 4. RISER SECTION JOINTS SHALL BE FIELD-MORTARED
 5. SHOP DRAWING TO BE APPROVED BY DESIGN ENGINEER PRIOR TO CASTING.

INLET/OUTLET MANHOLE #2

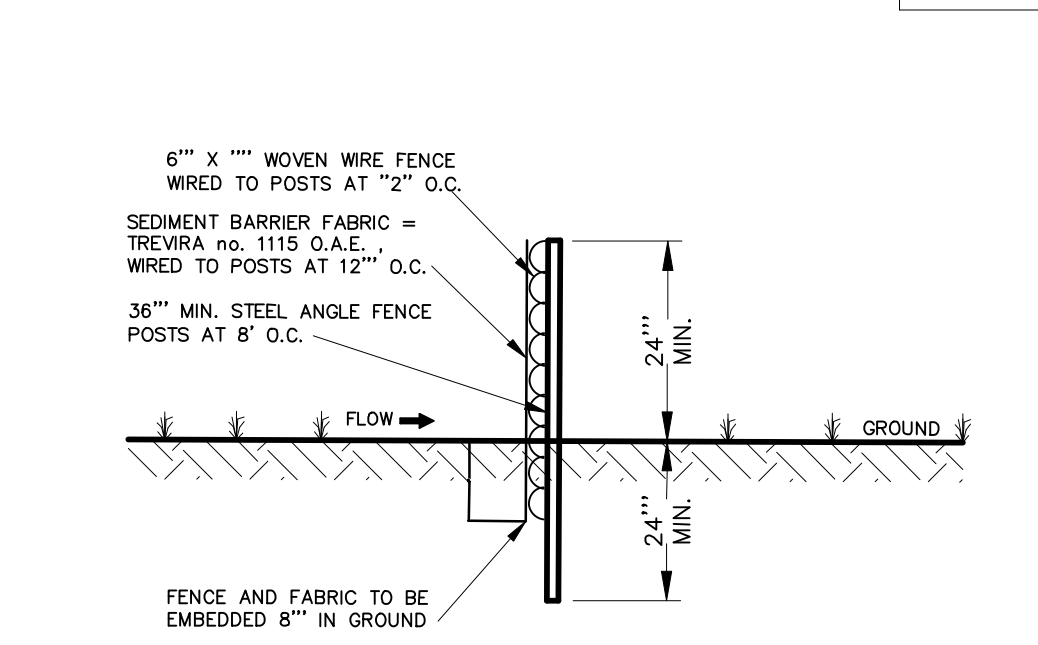
N.T.S.



NOTE: ALL PVC PIPE TO BE SDR35PVC

- NOTES:
1. ENTRANCE SHALL BE MAINTAINED AS CONDITIONS DEMAND TO PREVENT TRACKING OF SEDIMENT ONTO PUBLIC ROADS.
 2. ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE, IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
 3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
 4. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

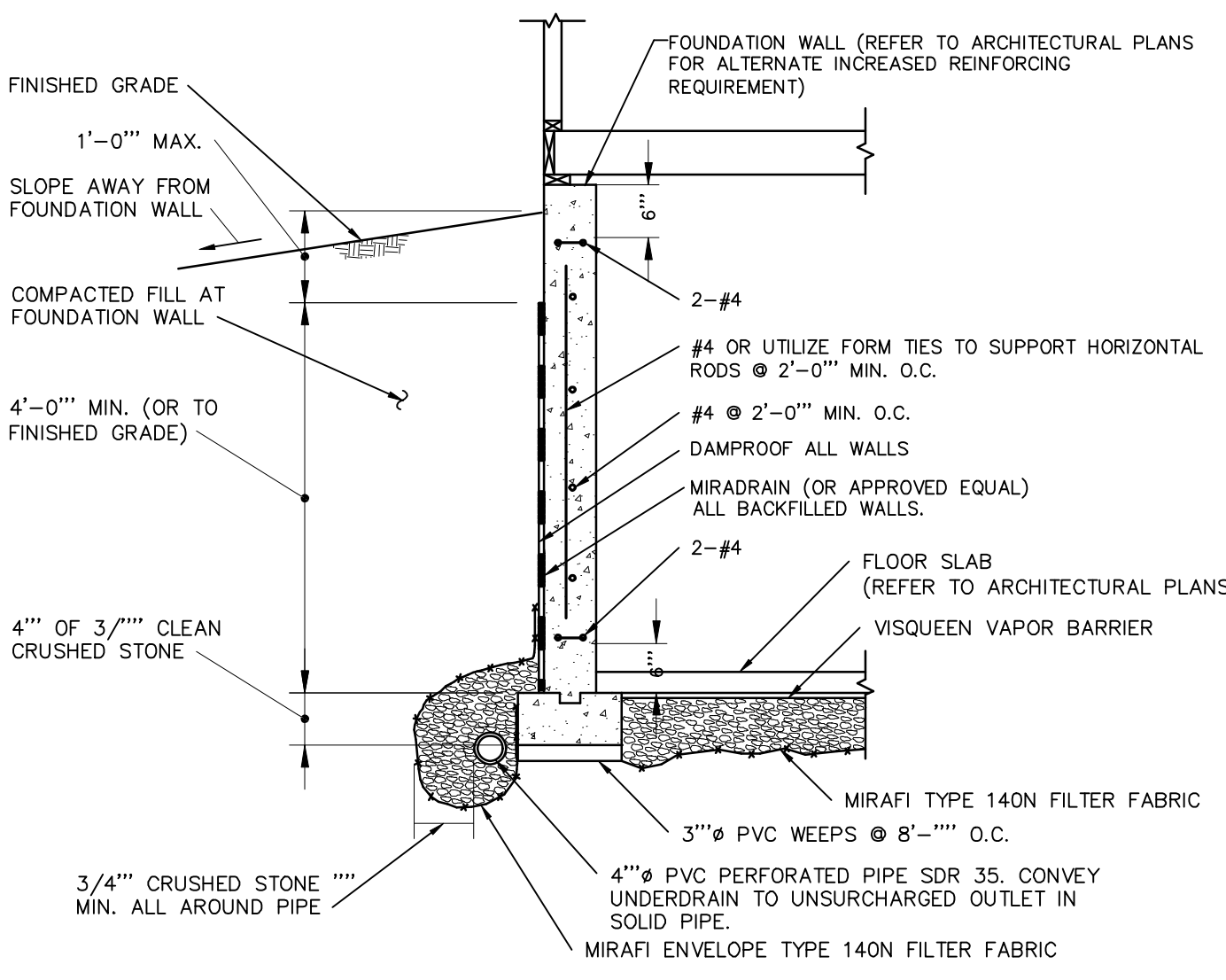
STABILIZED CONSTRUCTION ENTRANCE RESIDENTIAL



- NOTES:
1. THIS FENCE IS AN ALTERNATE TO HAY BALE SEDIMENT BARRIER
 2. MAINTAIN FENCE TO INSURE SEDIMENT ENTRAPMENT QUALITIES DURING CONSTRUCTION.
 3. REMOVE EXCESS SILT PERIODICALLY AND WHEN BULGES DEVELOPE.
 4. FENCE SYMBOL ON PLAN = [Symbol]

SEDIMENT BARRIER FENCE

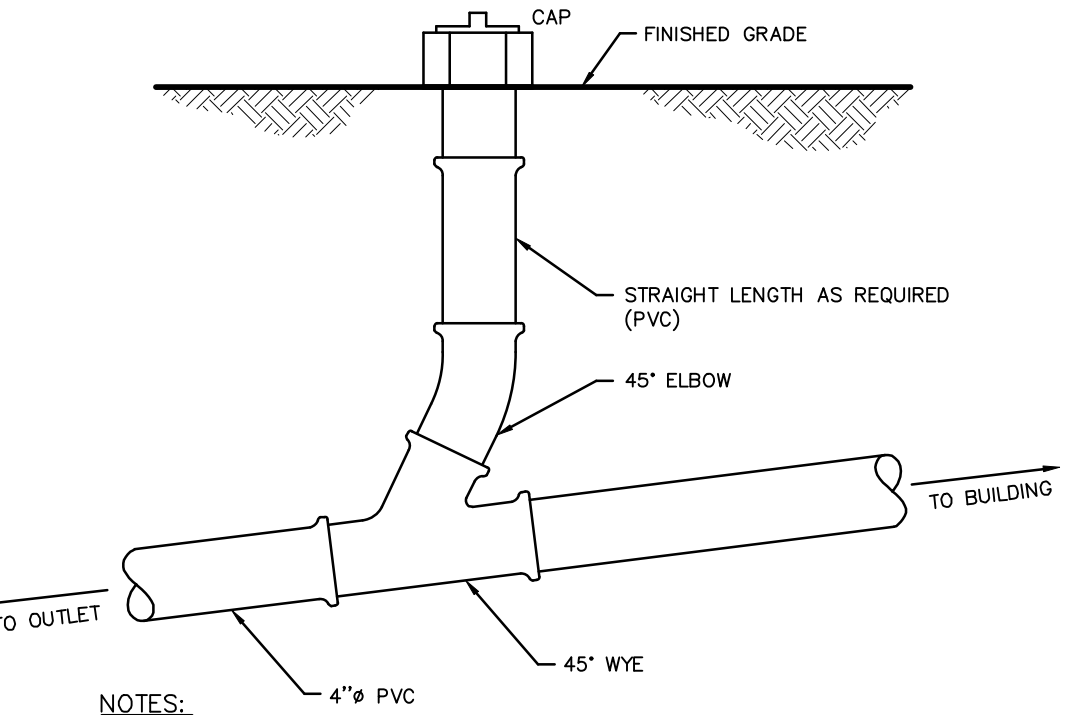
N.T.S.



- NOTES:
1. CONVEY ALL ROOF LEADERS AWAY FROM DWELLING IN SEPARATE AND INDEPENDENT 4\"/>
 2. NO CONNECTIONS TO UNDERDRAIN SYSTEM FROM OTHER SOURCES ARE PERMITTED.
 3. BACKFILLING OF WALL IS NOT PERMITTED UNTIL FRAMING IS COMPLETED OR WALL IS SUPPORTED INSIDE.
 4. STEEL REINFORCEMENT SHOWN IS MINIMUM REQUIREMENT. SEE ARCHITECTURAL PLANS FOR ALTERNATE INCREASED REINFORCING REQUIREMENT.

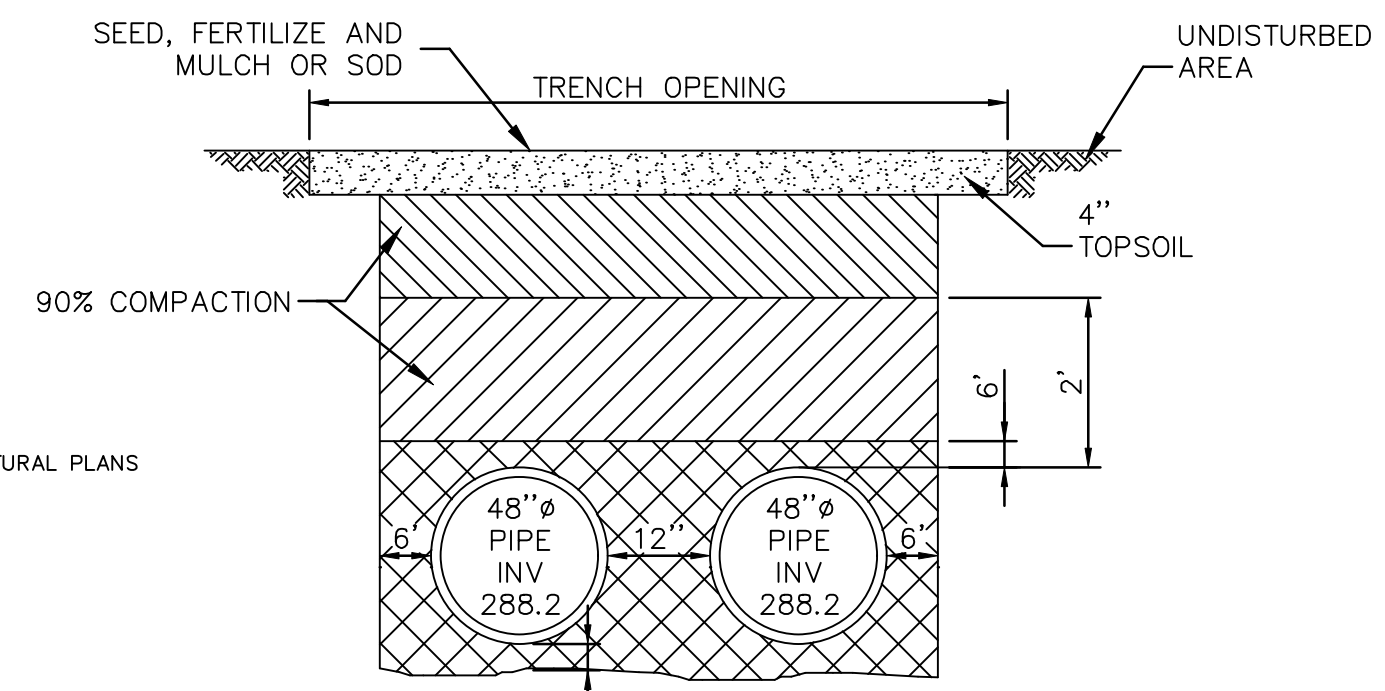
FOUNDATION UNDERDRAIN DETAIL

N.T.S.



DRAINAGE CLEANOUT DETAIL: NON TRAFFIC

- [Symbol] = BACKFILL, \leq 25% FINES
- [Symbol] = SELECT FILL, \leq 15% FINES
- [Symbol] = 3/4\"/>



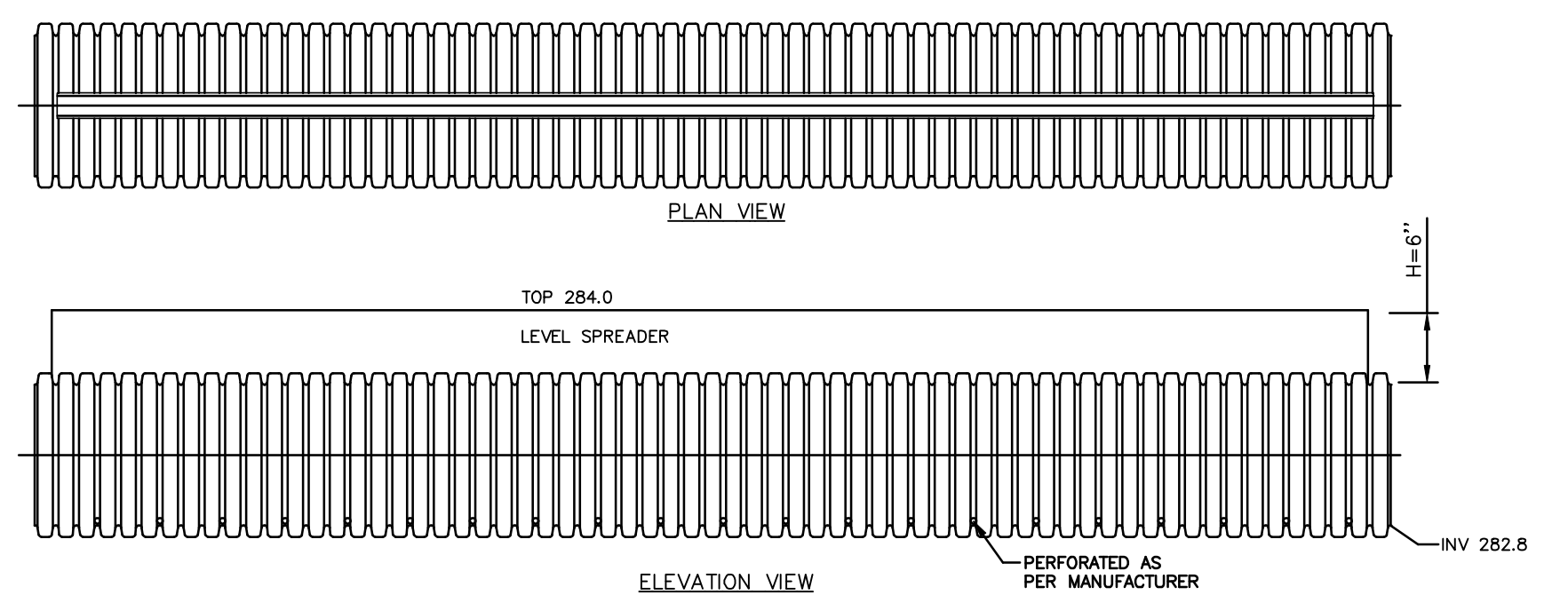
CONCRETE SIDEWALK DETAIL

N.T.S.

- NOTES:
1. BROOM FINISH EACH SQUARE AT 90° TO PRECEDING SQUARE.
 2. PLACE JOINTS EQUAL TO WALK WIDTH OR AS SHOWN ON PLAN.
 3. INSTALL 1/2\"/>

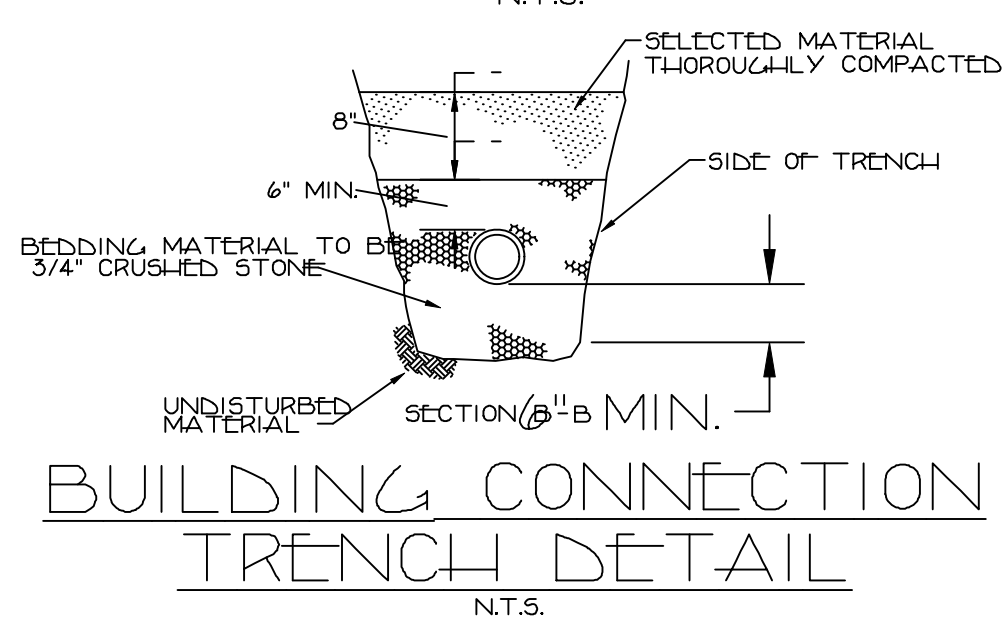
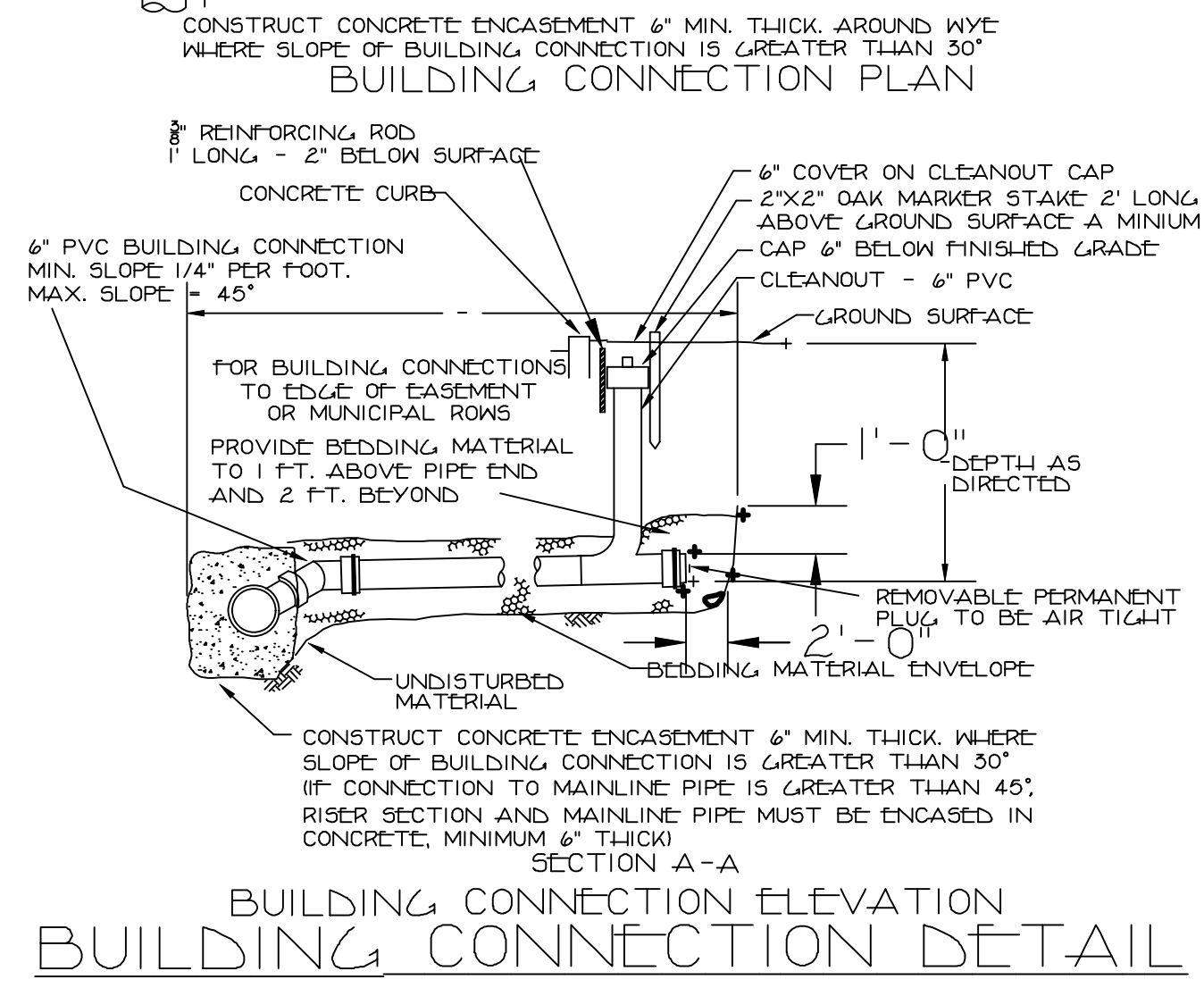
DETENTION SYSTEM SECTION DETAIL

N.T.S.

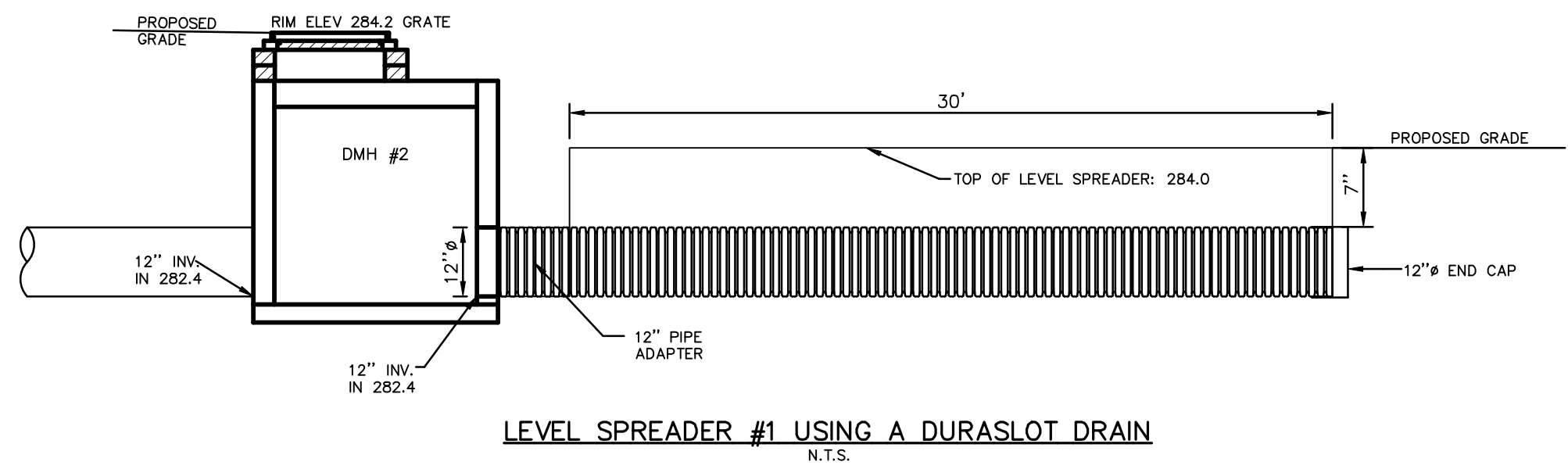


BUILDING CONNECTION ELEVATION DETAIL

N.T.S.



N.T.S.



LEVEL SPREADER #1 USING A DURASLOT DRAIN

N.T.S.



DETAILS (SHEET 5 OF 5) FOR FISHER LOCATED IN VILLAGE OF SOUTH NYACK TOWN OF ORANGETOWN ROCKLAND COUNTY, NEW YORK

- REVI: PER COMMENTS - 02/28/2024
 REVI: CARPORT & BULK TABLE - 02/12/2024
 REVI: PAVEMENT SEAM - 02/02/2024
 REVI: PER COMMENTS - 09/19/2023

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FILE #	YB-6549
DATE	MAY 02, 2023
SCALE	AS NOTED