

TOWN OF ORANGETOWN PLANNING BOARD
Meeting of Wednesday, April 9, 2025

MEMBERS PRESENT:

Michael Mandel, Vice Chairman
Andrew Andrews
Lisa DeFeciani
Denise Lenihan
Matthew Miller
Bruce Bond (alternate member)

MEMBER ABSENT: Michael McCrory and Thomas Warren, Chairman

ALSO, PRESENT: Rick Oliver, Building Inspector, Office of Building, Zoning, Planning Administration and Enforcement, Rick Pakola, Deputy Town Attorney; Katlyn Bettmann, and Ann Marie Ambrose, Stenographer.

Michael Mandel, Vice-Chairman called the meeting to order at 7:30 p.m. Hearings as listed on this meeting's agenda which are made a part of these minutes were held as noted below:

Continued from October 23, 2024 Meeting

Mativ Holding Inc. Site Plan & Parking Plan **PB #24-47**

Prepreliminary/Preliminary/ Final
Site Plan and SEQRA Review
25 Corporate Drive, Orangeburg
Section 73.19 Block ,1 Lot 6
LIO Zoning District

**Preliminary Site
Plan Approval Subject
to Conditions
Neg. Dec.**

The Board approved the applicant's request to be placed on the April 23, 2025 Planning Board Meeting

New items:

Bagdatli Plans

Prepreliminary/Preliminary/Final Site Plan
and SEQRA Review
Critical Environmental Area
220 Tweed Boulevard, Upper Grandview
Section 75.05, Block 1, Lot 19, R-80 Zoning District

**Postponed
by Applicant**

PB #25-22

Hawks View Estate – Lot #3

Prepreliminary/Preliminary/Final Plan,
and SEQRA Review
Critical Environmental Area
298 So. Boulevard, Upper Grandview
Section 71.05, Block 1, Lot 22.2
R-22 zoning district

**Preliminary and
Final Site Plan
Approval Subject
to Conditions
Neg. Dec**

PB# 25-23

170 South Highland Avenue

Elevated Pedestrian Walkway Plan
Prepreliminary/Prepreliminary/Final
Plan and SEQRA Review
170 South Highland Avenue, South Nyack
Section 65.52, Block 1, Lot 18, R-18 zoning district

**Postponed
by Applicant**

PB #25-24

**TOWN OF ORANGETOWN
2025 APR 30 A 10: 07
TOWN CLERK'S OFFICE**

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Other Business:

1. Referral from the Town of Clarkstown regarding Blinn Open Space Subdivision Plan, 59.12-1-12.1, Valley Cottage. The Board reviewed the request from Clarkstown and a motion was made to have Clarkstown Planning Board Lead Agency in the SEQRA process by Bruce Bond, and seconded by Andrew Andrews and the following Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

2. Referral from the Village of Piermont regarding Overlook at Piermont Proposed Garage Plan, 75.77-1-32, Piermont. The Board reviewed the request from the Village of Piermont and a motion was made to have Piermont Planning Board Lead Agency in the SEQRA process, by Bruce Bond, and seconded by Andrew Andrews and the following Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Andrew Andrews and second by Denise Lenihan and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

The meeting was adjourned at 8:10 p.m. The next Planning Board meeting is scheduled for April 23, 2025.

Dated: April 9, 2025
Town of Orangetown Planning Board



TOWN OF ORANGETOWN
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TOWN CLERK'S OFFICE

**PB #24-47: Mativ Holdings Inc. Site Plan
Town of Orangetown Planning Board Decision
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #5293-24

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**TO: Rick Mallard, 25 Corporate Drive, Orangeburg, NY
FROM: Orangetown Planning Board**

RE: PB#24-47 Mativ Holding Inc, a Continued Item: The application of Richard Mallard, Applicant for Mativ Holding Inc., owner, for Prepreliminary/ Preliminary/Final Site Plan Review at a site to be known as **“Mativ Holding Inc. Site Plan / Parking 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 25 Corporate Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.19, Block 1, Lot 6; LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **October 2024 and April 9, 2025** at which time the Board made the following determinations:

October 23, 2024

Richard Mallard and Matthew Checca appeared and testified.

The Board received the following communications:

1. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., A.I.A., Director, dated October 17, 2024.
2. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 22, 2024.
3. Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated October 8, 2024.
4. Letter from Brooker Engineering, signed by Dennis Rocks, PE, dated October 22, 2024.
5. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated September 27, 2024.
6. Letter from Rockland County Health Department, signed by Elizabeth Mello, PE, dated October 3, 2024.
7. Letter from Rockland County Sewer District No.1, signed by Nicholas King, Engineer I, dated October 7, 2024.
8. Email from Orange & Rockland Utilities, from Alfred Gaddi, PE, dated September 24, 2024.
9. Email from Michael DiMola, Parks Operations Manager, Rockland County Division of Environmental Resources, dated September 17, 2024.
10. Notice form the Town of Orangetown Zoning Board of Appeals, signed by Michael Bosco, dated September 18, 2024.

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11. Notices from the New York State Department of Transportation, from David Groucher, dated September 23, 2024.
12. Project Narrative from Zachary Chaplin, PE, Stonefield.Com, dated June 24, 2024.
13. Copy of the Short Environmental Assessment Form, dated May 29, 2024, signed by Zachary Chaplin.
14. Site Plans prepared by Stonefield Engineering and Design, dated June 11, 2024.

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 Chair and second Denise Lenihan and carried as follows: Thomas Warren – Chair, aye; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

There being no one from the Public a motion was made by Denise Lenihan and second by Michael Mandel, Vice Chair and carried as follows: Thomas Warren – Chair, aye; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond, (alternate member), abstain.

The applicant requested a **CONTINUATION**.

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Rich Mallard and Jack Fallon appeared and testified.

The Board received the following communications:

1. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., A.I.A., Director, dated April 1, 2025.
2. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 8, 2024.
3. Interdepartmental memorandum from the Bureau of Fire Prevention on, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated March 25, 2025.
4. Letter from Brooker Engineering, signed by Joseph Nyitray, Jr., PE, dated March 21, 2025 and an email dated April 8, 2025.
5. Site Plans prepared by Zachary Chaplin, Stonefield Engineering and Design, dated January 31, 2025.

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6. Letter from Stonefield Engineering and Design dated February 3, 2025, signed by Zachary Chaplin, PE.

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 Denise Lenihan and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

There being no one from the Public Hearing portion of the meeting by Andrew Andrews and second Lisa DeFeciani and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

SEQRA

The proposed action is classified as an “unlisted action” as defined by Section 617.2 (al) 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 Denise Lenihan and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), 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.

**TOWN OF ORANGETOWN
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**PB #24-47:Mativ Holdings Inc. Site Plan
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After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: New York State Department of Transportation, 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:

- Will not significantly affect existing air quality or noise levels;
- Will not significantly affect existing surface water quality or quantity or drainage;
- Will not significantly affect existing ground water quality or quantity;
- Will not significantly affect existing traffic levels;
- Will not create a substantial increase in solid waste production;
- Will not create a potential for erosion, flooding, leaching or drainage problems;

- Will not have a significant adverse impact on the environmental characteristics of our critical environmental area or environmentally sensitive sites or features;
- Will not have an impairment of the character or quality of important historical, archeological or architectural resources;
- Will not have an impairment of the character or quality of important aesthetic resources;
- Will not have an impairment of existing community or neighborhood character;
- Will not remove or destroy large quantities of vegetation or fauna;
- Will not remove or destroy large quantities of wildlife species or migratory fish;
- Will not have a significant adverse impact to natural resources;
- Is consistent with the Town of Orangetown's Comprehensive/Master Plan;
- Will not have adverse economic or social impacts upon the Town;
- Will not create a hazard to human health; and
- Will not create a substantial change in the use of land, open space or recreational resources.

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. 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. The applicant is proposing an additional parking lot. Per Chapter 43, Table 3.11, column 7, number 3, "No parking is permitted in any required yard, unless permitted by any board or town agency having jurisdiction. This permission may be given at the time of site plan review...."
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 signed by the Chairman and the construction plans are reviewed and approved by the inspector.
5. Per Chapter 11, Section 2-4A, review is required by the Town of Orangetown Architecture and Community Appearance Board of Review (ACABOR). However, this requirement may be waived by the Planning Board at the request of the applicant. The Planning Board made a motion to waive the requirement of ACABOR Review.

A motion to waive ACABOR review of this application was made by Bruce Bond and second Denise Lenihan and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye;
6. The SEAF appears to be in order.

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7. The total area of disturbance (a.o.d.) listed on drawings (0.76 acres) differs from the a.o.d. listed in the Stormwater Management Report (0.73 acres.) This shall be corrected.
8. The proposed gravel diaphragm shall be labeled/ specified as "pea" gravel on drawing C-4 and the detail on drawing C-13.
9. The proposed pea gravel diaphragm shall be called out (with label and leader arrow) on drawings C7 & C12.
10. The cross-section of the proposed filtration bioretention basin shall include the volume of storage for the given design storms (1,10, 100yr.) and their corresponding elevations, underdrain elevation, outlet structure with elevations, call out maintenance access, emergency overflow (if applicable), etc.
11. The detail for the outlet structure shall label both the underdrain and HDPE exhaust piping, with their top and invert elevations. Also, the view shall show the angle/ orientation of the pipes that are to be connected to it.
12. The post construction stormwater maintenance agreement, provided in Appendix G of the Stormwater Management Report, is under review. However, no checklists are included. Separate, individual checklists for all existing and proposed stormwater facilities (catch basins, piping, drainage manholes, outlet structure, filtration bioretention basin, etc.) shall be provided with a unique structure ID name/ number. Sample checklists can be found in *NYS Stormwater Management Design Manual: Appendix G -January 2015*. DEME can be contacted for additional sample checklists.
13. The existing Town owned sanitary force main, running within the entire length of the 30-foot-wide access and utility easement, shall be shown on drawings C-2 & C-5.
14. The Town of Orangetown Bureau of Fire Prevention reviewed the submitted information and offered the following comments:
 - Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. Show dimensions for turnaround.
 - Show height of building on plan.
 - Ariel Fire Apparatus access is required for buildings over 30'. Access road minimum width is 26' and shall be no closer than 15' or further than 30' to the building and shall be positioned parallel to one entire side of the building. IFC D105.
 - Show Fire Lane striping and signage
 - Fire Access Roads must have a minimum width of 20', north entrance appears to scale smaller. Show dimension on plan.

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15. Drainage Review – Brooker Engineering:

The application was reviewed by Brooker Engineering, the Planning Board Drainage Consultant. It is Brooker's opinion that increases in stormwater runoff can be successfully mitigated for this project, and therefore recommend that Mativ Holding Inc. Site Plan be approved for drainage subject to the following Project Comments.

Project Description:

The subject site is an existing medical research lab with accompanying parking lots to the north and west. The site area is 4.14 acres and the total area of disturbance is 42,437 SF. The application proposes the expansion of the northern parking area with 39 new parking spaces. Also included is the expansion of the existing stormwater management system, lighting, landscaping and general site improvements. The proposed development also consists of the replacement of full-depth asphalt at the west parking area, and the addition of heavy-duty pavement at the loading dock. Porous pavement is proposed at one row of the new north parking spaces. The site slopes gently downhill from Corporate Drive toward the rear of the site where an existing brook traverses the site from east to west.

Project Comments:

- Substitute Detail #9 – filtration Bioretention Basing (F-5) on drawing C-13 with Figure 6.20 Filtration Bioretention (F-5) from the New York Stormwater Design Manual. This detail shows the perforated underdrain. Also, revise the groundwater elevation to match the site in the detail.

16. The Rockland County Department of Health requested that application be made to the Health Department for review of the stormwater management system for compliance with the County Mosquito Code.

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

18. The Rockland County Parks Commission has no comment on this review as it is not near any County Parks.

19. Based on the drawings provided, Orange and Rockland Utilities notes that there may be a conflict with the existing gas service depending on final grading. All code 753 rules must be followed.

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

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

22. 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. 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 §21 and §6A.

23. TREE PROTECTION: The following note shall be placed on the Subdivision 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.
 - 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.

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Neg. Dec.**

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24. All landscaping shown on the subdivision 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.

25. 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.

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

27. 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).

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

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

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

The foregoing Resolution was made and moved by Bruce Bond seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), 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: April 9, 2025
Town of Orangetown Planning Board



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

**Mativ Holdings Inc. Site Plan
Town of Orangetown Planning Board Decision
Preliminary Site Plan Approval Subject to Conditions
Neg. Dec.**

Permit #5293-24

April 9, 2025

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: Mativ Holdings Inc. Site

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 25 Corporate Drive, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.19, Block 1, Lot 6; LIO zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown 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
26 Orangeburg Road, Orangeburg, NY 10962
Telephone Number: 845-359-5100

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

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**PB #25-23: Hawks View Estates Lot #3
Preliminary/Final Site Plan Approval Subject to
Conditions
Critical Environmental Area**

Permit #0763-25.

**Town of Orangetown Planning Board Decision
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**TO: Jay Greenwell, 34 Wayne Ave., Suffern, NY
FROM: Orangetown Planning Board**

RE: Hawks View Estates Lot #3: The application of Jay Greenwell, Applicant for Hawks View Estates, owner, for Prepreliminary/ Preliminary/Final Site Plan Review at a site to be known as “**Hawks View Estates Lot #3**”, 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 298 South Boulevard, Upper Grandview, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 71.05, Block 1, Lot 22.2; R-22 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **April 9, 2025 meeting**, at which time the Board made the following determinations;

The Board received the following communications:

1. Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., A.I.A., Director, dated April 1, 2025.
2. Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 8, 2024.
3. Interdepartmental memorandum from the Bureau of Fire Prevention on, Town of Orangetown, signed by David Majewski, Chief Fire Inspector, dated March 25, 2025.
4. Letter from Brooker Engineering, signed by Joseph Nyitray, Jr., PE, dated March 21, 2025.
5. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner, dated March 28, 2025 and notice from Jake Palant, dated March 11, 2025.
6. Letter from Rockland County Sewer District, signed by Nicholas King, Engineer II, dated March 24, 2025.
7. Letter from Rockland County Department of Health, signed by Elizabeth Mello, PE, dated March 10, 2025.
8. Short Environmental Assessment Form signed by Jay Greenwell, last revised April 8, 2025.
9. Plans prepared by Jay Greenwell, PLS, dated January 28, 2025.

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- 10. Copies of a letter from the New York State Department of Environmental Conservation to Jay Greenwell, PLS, dated July 22 and 27, 2016 signed by Katherine Coffin, Division of Environmental Permits.
- 11. Letter from Paul Gdanski, PE, dated February 6, 2025.
- 12. Copy of the Percolation Test Results, prepared by Fairway Testing, dated October 28, 2020.

The hearing was then opened to the Public.

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

There being no one from the Public Hearing portion of the meeting by Andrew Andrews and second Denise Lenihan and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

SEQRA

The proposed action is classified as an “unlisted action” as defined by Section 617.2 (al) 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 Bruce Bond and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), 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.

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After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: New York State Department of Transportation, Rockland County Planning Department, 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:

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

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On motion by Bruce Bond and seconded by Denise Lenihan and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent, aye; Bruce Bond, (alternate member), 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/Final Site Plan Approval Subject to the Following Conditions:**

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting."
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The driveway dimensions and parking area dimensions shall be shown on the site plan.
4. Review and approval is required by the Town of Orangetown Architecture and Community Appearance Board of Review.
5. The Short Environmental Assessment Form appears to be in order.
6. 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.

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7. Because additional drainage infrastructure is proposed, due to the increase in proposed impervious surfaces, new/ additional soil analysis, perc tests and determination of groundwater elevation shall be performed at the additionally proposed stormwater system location. These tests/ investigations shall be performed in the spring 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 already provided and the calculations updated accordingly. This Department shall be notified at least 48 hours in advance of these field tests/ investigations. Copies of all correspondence related to these issues shall be submitted to this Department.

The Board made a motion to modify condition #7; The highlighted sentence shall be revised to state the following: The applicant may receive Final Site Plan approval; however, the Site Plan shall not be stamped/signed by the Planning Board Chair without the sign off from DEME. If the perc test fails, the applicant shall return to the Planning Board for additional approvals.

A motion was made by Bruce Bond and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent, aye; Bruce Bond, (alternate member), aye, the Board made a Negative Declaration pursuant to SEQRA.

8. An overflow with level spreader shall be designed, detailed and shown for the proposed/ additional drywell gallery that is shown along the eastern side of the proposed driveway.

9. A profile for the proposed drainage piping, between the driveway catch basin and new drywell gallery, shall be added to the plans.

10. The location of all the previous stormwater testing soil boring/ test pit locations shall be clearly located/ shown on the plan.

11. Because there is an existing post-construction stormwater maintenance agreement (PC-SWMA) already filed in/ with the County Clerk office for this lot **AND** because new/ additional stormwater infrastructure is proposed for this lot - which is not included in the original agreement, a new PC-SWMA must be filed that includes all the currently proposed drainage infrastructure. As a reminder separate, individual checklists for all existing and proposed stormwater facilities (catch basins, piping, drainage manholes, outlet structure, filtration bioretention basin, etc.) shall be provided with a unique structure ID name/ number.

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12. The Town of Orangetown Bureau of Fire Prevention offered the following conditions:

- Show the distance from the closet hydrant to furthest portion of the building measuring along the Fire Apparatus Access Route. Greater than 600' may require an additional fire hydrant/ additional water source/automatic sprinkler system 2020NYS IFC 507.2, 507.5.1.

13. Brooker Engineering, the Planning Board Drainage Consultant, and offered the following comments:

Drainage Review Recommendation:

The application was reviewed by Brooker Engineering, the Planning Board Drainage Consultant. It is Brooker's opinion that increases in stormwater runoff can be successfully mitigated for this project, and therefore recommend that Hawks View Estates Lot #3 Site Plan be approved for drainage subject to the following Project Comments.

Project Description:

The subject site proposes to construct a single- family dwelling and swimming pool on the lot, in full compliance with the R-22 zone criteria. Drainage has been augmented from the original design, due to the fact that the impervious area is more than what was approved at the time of subdivision approval. Modified drainage calculations have been provided and perc test results obtained. Plans follow the intent of the original grading plan with the location of the house, driveway, and septic area.

14. The Rockland County Department of Planning provided the following comments:

- The applicant must comply with the conditions of the Rockland County Highway's letter of March 10, 2025 and all required permits obtained.
- Question #20 on the SEAF references a memo from the Palisades Interstate Park Commission (PIP). This is unclear as it appears a 2016 letter from the NYSDEC is attached. Nevertheless, the PIP shall be given the opportunity to review this proposal and any of their concerns addressed.

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Continuation of Condition #14...

- A review must be done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- A review shall be completed by the Rockland County Division of Environmental Resources and any concerns addressed.
- Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (Nov. 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.
- For installation of a sanitary sewer system, engineered plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction.
- Pursuant to NYS General Municipal Law, Section 239-m and 239-n, if any conditions of the GML review are overridden, then the local land use board must file a report with the County's commissioner of Planning of the final action.
- Pursuant to Executive order 01-2017, county agencies are prohibited from issuing a County permit, licensed or approval until the report is filed with the County's Commissioner of Planning.

15. The Rockland County Sewer District #1 had no objection to the plan as shown, this project does not affect any sanitary sewers within the District.

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

The Health Department approved the individual sewage disposal system plan for Lot #3. The Design Basis for this approval is as follows: 440gpd based on 4 bedrooms @110 gpd each. This approval is subject to the following conditions:

1. THAT the proposed facilities be installed in conformity with said plans.
2. THAT the Health Department be contacted to inspect the bottom of the field excavation and the completed project prior to placement of the select fill and prior to the system elements being covered over.
3. THAT individual sewage treatment systems be no longer constructed or used for household, domestic use when public facilities become available. Connection to the public sewage system is required within one year of the system becoming available.
4. THAT plan approval is limited to 5 years. Time extensions for approval may be granted by the Health Department based upon development facts and regulations in effect at that time. A new plan submission may be required to obtain a time extension.
5. THAT all locant and state agency rules and regulations be complied with.

17. The following agencies consented to have the Town of Orangetown be Lead Agency in the SEQRA review:

- Rockland County Department of Planning
- Rockland County Sewer District #1

18. 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.

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

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20. 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.
 - 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.

21. 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.

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22. 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.

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

24. 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).

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

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

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

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Override:

A motion was made to override condition #3 of the letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Action Commission of Planning dated March 28, 2025.

#3. As indicated above, the letter from the NYSDEC is almost 9 years old. While some site conditions may have remained the same, certain DEC regulations have changed. It is recommended that an updated letter be obtained from NYSDEC

The Board held that the request was not necessary since the information was provided at the Subdivision Plan review and addressed.

A motion was made by Andrew Andrews and second by Denise Lenihan and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, aye; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

The foregoing Resolution was made and moved by Andrew Andrews and second by Denise Lenihan and carried as follows: Thomas Warren – Chair, absent; Michael Mandel, Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, absent; Lisa DeFeciani, aye; Bruce Bond, (alternate member), 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.

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**NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

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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: Hawks View Estates Lot #3 Site Plan

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

**DESCRIPTION OF ACTION: Preliminary/Final Site Plan Approval Subject to
Conditions**

LOCATION: The site is locate 298 South Boulevard, Upper Grandview, Town of Orangetown, Rockland County, New York, Section 71.05, Block 1, Lot 22.2, R-22 zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

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,

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