

TOWN OF ORANGETOWN PLANNING BOARD
Meeting of Wednesday, July 23, 2025

MEMBERS PRESENT:

Thomas Warren, Chairman
Michael Mandel, Vice Chairman
Andrew Andrews
Michael McCrory
Denise Lenihan
Lisa DeFeciani
Bruce Bond (alternate member)

MEMBERS ABSENT:

Matthew Miller

ALSO, PRESENT: Rick Oliver, Acting Director, Office of Building, Zoning, Planning Administration and Enforcement; Rick Pakola, Deputy Town Attorney; Audrey Lupachino, Planning Assistant; Elaine Du, P.E. of AKRF, Traffic Consultant; and Ann Marie Ambrose, Stenographer.

Thomas Warren, 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 Items:

St. Thomas Aquinas College Fitness Court Site Plan **PB #25-34**
Continued from July 9, 2025 Planning Board Meeting
Pre-preliminary, Preliminary, & Final Site Plan Review **Final Approval**
and SEQRA Review **Subject to**
125 Route 340, Sparkill **Conditions**
74.12-1-29 & 74.16-1-1; R-40 Zoning District

Databank Orangeburg Phase Two Site Plan Review **PB #25-02**
Continued from January 8, 2025 Planning Board Meeting
Pre-preliminary, Preliminary, & Final Site Plan Review
and SEQRA Review **Continued for**
2000 Corporate Drive, Orangeburg **Planner Review**
73.15-1-19; LIO Zoning District

New Items:

214 South Boulevard Site Plan Review **PB #25-39**
– Critical Environmental Area
Pre-preliminary, Preliminary, & Final Site Plan Review
and SEQRA Review **Continued for**
214 South Boulevard, South Nyack **Revised Plans and**
66.69-1-2.3; R-12 HC Zoning District **Drainage Review**

19 College Avenue Site Plan Review **PB #25-40**
– Critical Environmental Area
Pre-preliminary, Preliminary, & Final Site Plan Review
and SEQRA Review **Continued for**
19 College Avenue, South Nyack **Revised Plans and**
66.69-1-2.11; R-12 HC Zoning District **Drainage Review**

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:28

TOWN OF ORANGETOWN

TOWN OF ORANGETOWN PLANNING BOARD
Meeting of Wednesday, July 23, 2025

27 College Avenue Site Plan Review **PB #25-41**
– Critical Environmental Area
Pre-preliminary, Preliminary, & Final Site Plan Review
and SEQRA Review
19 College Avenue, South Nyack
66.69-1-2.12; R-12 HC Zoning District
**Continued for
Revised Plans and
Drainage Review**

Donnelly Subdivision Plan Review **PB #25-42**
Pre-preliminary, Preliminary, & Final Subdivision
Plan Review and SEQRA Review
276 Sickletown Road, Orangeburg
64.20-1-9; R-40 Zoning District
**Preliminary
Approval
Subject to
Conditions
Neg. Dec.**

WPT Acquisitions LLC Final Site Plan Review **PB #25-43**
Final Site Plan Review
518 Route 303, 13 Mountainview Road,
and 21 Mountainview Road, Orangeburg
74.07-1-2, 33, and 26; LI, CC, LO Zoning Districts
**Final Approval
Subject to
Conditions**

WPT Acquisitions LLC Final Re-Subdivision Plan Review **PB #25-44**
Final Re-Subdivision Plan Review
518 Route 303, 13 Mountainview Road,
and 21 Mountainview Road, Orangeburg
74.07-1-2, 33, and 36; LI, CC, LO Zoning Districts
**Final Approval
Subject to
Conditions**

Other Business;

Montar 303 Subdivision **PB #25-47**
Request for (2) 90 Day Extensions for Filing at Rockland County Clerk
Amendment to Condition #3 of PB# 25-06 Decision (Money-in-lieu-of-land)
636 N. Greenbush Road, Blauvelt
65.15-1-1; R-40 Zoning District
65.15-1-2; LO Zoning District
**Granted Two 90
Day Extensions to
File and PB# 25-06
Amended Money
Lieu of Land**

Blinn Open Space Subdivision
Town of Clarkstown Zoning Board of Appeals Appeal #4418
General Municipal Law Referral
2 Old Stone Road, Valley Cottage
59.12-1-12.2; R-160 Zoning District
**Remand for
Local
Determination**

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:28

TOWN OF ORANGETOWN

TOWN OF ORANGETOWN PLANNING BOARD
Meeting of Wednesday, July 23, 2025

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Michael Mandel, and second by 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, aye; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

The meeting was adjourned at **12:18 a.m.** The next Planning Board meeting is scheduled for August 20, 2025.

Dated: July 23, 2025
Town of Orangetown Planning Board



Audrey Lupachino
Planning Assistant
Town of Orangetown

TOWN OF ORANGETOWN
SEP 11 P 3:28
TOWN CLERK'S OFFICE

**PB #25-34: St. Thomas Aquinas College
Fitness Court Site Plan
Final Approval Subject to Conditions
Neg. Dec.**

Permit #: BLDC-6698-25

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 1 of 14**

**TO: Ryan Nasher, 234 North Main Street, New City, New York 10956
FROM: Orangetown Planning Board**

RE: St. Thomas Aquinas College Fitness Court Site Plan: The application of Joseph Donini, VP Admin of St. Thomas Aquinas College, applicant, and St. Thomas Aquinas College, owner, for Pre-preliminary, Preliminary, and Final Site Plan at a site to be known as “**St. Thomas Aquinas College Fitness Court**” 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 125 Route 340, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.12, Block 1, Lot 29 and Section 74.16, Block 1, Lot 1; R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, July 9, 2025** and **Wednesday, July 23, 2025**, the Board made the following determinations:

July 9, 2025

Joseph Donini, Applicant, and Ryan Nasher, Engineer, appeared and testified before the Board.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Rick Oliver, Acting Director dated June 25, 2025.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated July 7, 2025.
3. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated June 20, 2025.
4. Letter from Roman Professional Engineering PLLC signed by Doug Schmidt, P.E. dated June 26, 2025
5. Letter from Weston and Sampson, signed by Joesph A. Nyitray, Jr., Senior Project Engineer dated July 3, 2025.
6. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated June 23, 2025.
7. Letter from Rockland County Drainage Agency, signed by Liron Derguti, Engineer I dated June 16, 2025.
8. Letter from Rockland County Sewer District 1, signed by Nicholas King, Engineer II dated July 7, 2025.

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:28

TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 2 of 14**

9. Email from Orange & Rockland from Alfred Gaddi, PE dated June 22, 2025.
10. Plans prepared by Atzl, Nasher & Zigler P.C. dated May 13, 2025;
 - a. Overall Existing Condition Plan
 - b. Overall Existing Condition Plan
 - c. Site Plan
 - d. Grading Plan & Details
 - e. Erosion & Sediment Control Plan
11. Narrative Summary by Aztl, Nasher and Zigler P.C., dated May 15, 2025.
12. Short Environmental Assessment Form dated May 15, 2025, signed by Ramya Ramanathan, AICP, Senior Planner.

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

PUBLIC COMMENTS:

There being no one to be heard from the Public, a motion to close the public portion of the meeting was made by Andrew Andrews and second by Michael Mandel - Vice Chairman and carried as follows: Thomas Warren – Chair, aye; Michael Mandel - Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

The applicant requested a **CONTINUATION** to the **July 23, 2025 Meeting**.

July 23, 2025

Joseph Donini, Applicant, and Ryan Nasher, Engineer, appeared and testified before the Board.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:29
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 3 of 14**

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Rick Oliver, Acting Director dated July 23, 2025.
2. Letter from Weston and Sampson, signed by Joesph A. Nyitray, Jr., Senior Project Engineer dated July 21, 2025.
3. Narrative Summary by Aztl, Nasher and Zigler P.C., dated May 15, 2025.
4. Short Environmental Assessment Form dated May 15, 2025, signed by Ramya Ramanathan, AICP, Senior Planner.

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

PUBLIC COMMENTS:

There being no one to be heard from the Public, a motion to close the public portion of the meeting was made by Michael Mandel - Vice Chairman and second by Andrew Andrews and carried as follows: Thomas Warren – Chair, aye; Michael Mandel - Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond, (alternate member), 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.

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:29

TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 4 of 14**

On motion by Michael Mandel, Vice Chairman and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, aye; Michael Mandel - Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, aye; 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.

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

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:29
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 5 of 14**

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

On motion Michael Mandel, Vice Chairman and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, aye; Michael Mandel - Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, aye; Lisa DeFeciani, 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 **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.

TOWN OF ORANGETOWN
2025 SEP 11 P 3: 29
TOWN CLERK'S OFFICE

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 6 of 14**

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 signed by the Chairman and the construction plans are reviewed and approved by the inspector.
5. Town of Orangetown Office of Building, Zoning, Planning, Administration, and Enforcement, in a letter dated July 23, 2025, had no further comments at this time.
6. Town of Orangetown Department of Environmental Management and Engineering, in a letter dated July 7, 2025, had the following comments:
 - a. Because this project is part of a larger common plan of development. A full SWPPP with drainage calculations. Prepared and provided by a NYSS Licensed professional Engineer, in compliance with the NYS Stormwater Management Design Manual – July 31, 2024 (NYSDEC – SMDM), the NYS SPDES General Permit for Stormwater Discharges from Construction Activities (SPDES GP-0-25-001), the NYS Standards and Specifications for Erosion and Sediment Control (“Blue Book”) and Town of Orangetown Town Code (Chapter 30C and 30D), shall be submitted to this Department for review and approval. The applicant’s engineer is reminded that the SWPPP/ drainage calculations (up to and including the 100-yr storm) must address water quality and water quantity. The stormwater improvements shall be design to meet the Green Infrastructure/ Water Quality/ Water Quantity standards spelled out in the NYSDEC-SMDM. All practices proposed for the stie must be clearly identified and described (i.e. how do the practices meet the required goals – Green Infrastructure/ Water Quality/ Water Quantity) in both the narrative portion of the SWPPP, and also in the design and sizing in the drainage calculations section of the SWPPP. All proposed post construction stormwater systems shall achieve a zero increase in runoff from the proposed site.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:29
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 7 of 14**

Continuation of Condition #6...

- b. Soil analysis, soil permeability, perc tests and determination of groundwater elevations shall be performed at the proposed stormwater system locations. 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/ evaluations shall be added and incorporated into the drainage calculations. 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.
- c. The total area of disturbance (a.o.d.) shall be listed on drawings 3 – 5 and listed in the SWPPP. The word “ approximate” shall be removed from all references to the a.o.d.
- d. The “Limit of Disturbance” shall be graphically shown on drawings 4 & 5. Also, the total area of disturbance shall be listed on these drawings as well.
- e. The drawings and Stormwater Management design report indicate that a rain garden is being proposed as part of the site plan. However, it is not clear what type of Rain Garden is being proposed, Infiltration or Filtration. The Drawings and SWPPP shall clearly state and show what type of Rain Garden is being proposed.
- f. The NYSDEC – SMDM facility name/ number for the proposed Rain Garden, the applicant’s engineer is reminded that as per the NYSDEC-SMDM – “The bottom of infiltration facility shall be separated by at least two (2) feet vertically from the seasonally high-water table or bedroom layer, as documented by on-site soil testing.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:29
TOWN OF ORANGETOWN

Town of Orangetown Planning Board Decision
July 23, 2025
Page 8 of 14

Continuation of Condition #6...

- g. If the proposed stormwater management system proposes to utilize an Infiltration Rain Garden, the applicant/ applicant's engineer is advised/ reminded that the testing regimen specified in Appendix D of the NYSDEC – SMDM must be followed and documented, including but not limited to the following:
- Feasibility Testing:
 1. One (1) field Perc test per practice.
 - Design Testing:
 2. **Two (2) test pits/boring and (2) permeability tests** for an Area of Practice **2500 SF** or less,
 3. **Two (2) test pits/boring and (3) permeability tests** for an Area of Practice **2500 SF to < 5000 SF**,
 4. **Three (3) test pits/boring and (4) permeability tests** for an Area of Practice **5000 SF to < 7500 SF**,
 5. **Three (3) test pits/boring and (5) permeability tests** for an Area of Practice **7500 SF to < 10000 SF**,
 6. For **>10000 SF** Area of Practice, all **1 test pit/ boring** for each additional **5000 SF** of practice and add **1 permeability test** for each additional **2,500 SF** of practice.
 - h. The following standard features shall be added to the Rain Garden design and shown on the drawings; emergency spillway, maximum ponding depth during WQv & Extreme Flood events, filter media depth, stone drainage layer, etc.
 - i. The “blow up” of the Rain Garden: design elements mention in comment [h] above, storage volume for given design storms and elevations, practices specific buffers, practice specific plantings, emergency overflow spillways with elevations, etc.
 - j. Profiles for all proposed drainage piping shall be added to the plans.
 - k. As-Builts shall be submitted to the Department for review and approval for the proposed stormwater management systems.
 - l. A post construction stormwater management agreement (in accordance with NYSDEC Phase II regulations) for the proposed stormwater systems shall be submitted to this Department and the Town Attorney's office for review and approval. Said agreement shall include a maintenance and management schedule, individual inspection checklists for all existing and proposed stormwater facilities, contact person with cell phone number, yearly report to be submitted to this Department, etc.
 - m. The proposed grading around the court shall be checked.
 - n. The material between the proposed court and the Rain Garden shall be identified and added to the drawing legend.
 - o. Details for the structure of the proposed court shall be added to the plans.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:29
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 9 of 14**

Continuation of Condition #6...

- p. The soil erosion and sediment control symbols shall conform to NYSDEC standards. The SESC plan depicts the proposed stabilized construction entrance (s.c.e.) being located on an existing paved driveway. The applicant's engineer shall re-evaluate the location of the s.c.e.
- q. The datum for the contours shall be given. Also, a note shall be added to the Site Plan indicating the source benchmark for the referenced datum (including the BM elevation).

7. Town of Orangetown Fire Prevention Bureau, in a letter dated June 20, 2025, had no comments at this time.

8. Roman Professional Engineering PLLC, in a letter dated June 26, 2025, had the following comments:

- a. The software utilized for a rainwater solution appears sound. It appears that the program work was done correctly.

9. Weston and Sampson, in a letter dated July 21, 2025, had the following review recommendation and comments:

Drainage Review Recommendation:

It is our opinion that increases in stormwater runoff can be successfully mitigated for this project. We therefore recommend that St. Thomas Aquinas College Fitness Center Site Plan be approved for drainage subject to the above Project Comments.

Project Description:

Construction of an outdoor fitness center.

Project Comments Site Plan:

- a. The Stormwater Management Design Report shows the SMP (Rain Garden) sizing calculation, which demonstrates sufficient storage to provide a net zero increase in peak runoffs. Please add a summary table with the SMP routing to show the decrease in peak runoffs.

10. Rockland County Department of Planning, in a letter dated June 23, 2025, had the following comments:

- a. The applicant must comply with the comments made by the County of Rockland Sewer District No. 1 in their letter dated June 16, 2025.
- b. The subject property is less than 500 ft northeast of the Sparkill Creek, a county regulated stream. A review must be completed by the Rockland County Drainage Agency and any required permits obtained.

TOWN OF ORANGETOWN
2025 SEP 11 P 3:30
TOWN CLERK'S OFFICE

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 10 of 14**

Continuation of Condition #10...

- c. A review must be done by Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.
- d. 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 (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
- e. There shall be no net increase in the peak rate of discharge from the site at all design points.
- f. This department commends the applicant for the installation of a rain garden as well as the use of the Buttonbush (*Cephalanthus occidentalis*), which is a native plant species, in the proposed rain garden. We encourage the use of native plants in future developments since they are better adapted to the local climate and soils, making them easier to care for, and result in the need for less fertilizer, pesticides, and use of water. They also have deeper root systems that help prevent erosion and increased runoff into local waterbodies. A pdf titled "Native plants for gardening and landscaping fact sheets" that lists native species and the environments in which they can grow can be found on the New York State Department of Environmental Conservation's website"
<https://www.dec.ny.gov/get-involved/living-green/sustainable-landscaping>.
- g. Pursuant to New York State General Municipal Law (GML) Sections 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County's Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
- h. In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County agencies are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner's report approving the proposed action or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:30
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 11 of 14**

- 11.** Rockland County Drainage Agency, in a letter dated June 16, 2025, had the following comments:
- a. The above referenced site is within the jurisdiction of the RCDA, pursuant to the Rockland County Stream Control Act, and therefore, a Stream Control Act permit from the RCDA is required for the current proposal. Please have the applicant submit an application to the RCDA directly. The RCDA will provide project specific comments upon receipt and review of the permit application submission. Copies of permit application package and Chapter 846: Rockland County Stream Control Act are being mailed to the property owner with a copy of this letter and are also available at the County website, within Highway Department, Drainage Division. The RCDA encourages the applicant to schedule a pre-application meeting before the submission of the permit application.
 - b. By copy of this letter the RCDA is notifying municipal land use boards and departments that the site is within the jurisdiction of the RCDA, pursuant to the Rockland County Stream Control Act, Chapter 846, as noted above. All future development proposals for this site will require a review and a written determination from the RCDA as to whether a permit is required. The RCDA recommends that the municipal departments ensure the site has no outstanding violations and the applicant has secured the required permit from the RCDA, prior to granting development permits.
- 12.** Rockland County Sewer District No. 1, in a letter dated July 7, 2025, had the following comments:
- a. Rockland County Sewer District No. 1 does not object to the Planning Board serving as lead agency for this review.
 - b. 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.
- 13.** Orange and Rockland, in an email dated June 22, 2025, had the following comment:
- a. The proposed addition may be in conflict with the existing service depending on exactly where the service crosses the property in reference to the addition. Please contact O&R's new business department for all disconnects/reconnects and load increases. Please note all gas facilities must be located prior to work and all code 753 rules must be followed.
- 14.** 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.
- 15.** All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:30
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 12 of 14**

16. 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.

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

- Rockland County Sewer District No.1

18. 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.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:30
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 13 of 14**

Continuation of Condition #18...

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.

19. 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.

20. 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.

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

22. 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).

TOWN OF ORANGETOWN
2025 SEP 11 P 3:30
TOWN CLERK'S OFFICE

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 14 of 14**

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

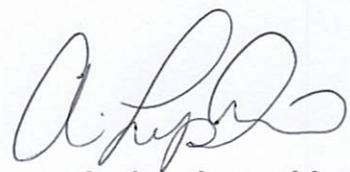
24. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEMA with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction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

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

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

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

**Dated: July 23, 2025
Town of Orangetown Planning Board**



**Audrey Lupachino
Planning Assistant
Town of Orangetown**

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:30
TOWN OF ORANGETOWN

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

**PB #25-34: St. Thomas Aquinas College
Fitness Court Site Plan
Final Approval Subject to Conditions**

Permit #: BLDC-6698-25

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

NAME OF ACTION: St. Thomas Aquinas College Fitness Court Site Plan

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

DESCRIPTION OF ACTION: Final Site Plan Approval Subject to Conditions/ Neg. Dec.

LOCATION: The site is located at 125 Route 340, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.12, Block 1, Lot 29 and Section 74.16, Block 1, Lot 1; R-40 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 development. 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:

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



TOWN CLERK'S OFFICE
2025 SEP 11 P 3:30
TOWN OF ORANGETOWN

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 1 of 13**

TO: Donald Brenner, PE.E, LL.B, 4 Independence Avenue, Tappan, New York 10983
FROM: Orangetown Planning Board

RE: Donnelly Subdivision Plan Review: The application of Eamon Donnelly, applicant and owner, for Pre-preliminary, Preliminary, & Final Subdivision Plan Review at a site to be known as “**Donnelly Subdivision**” in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, **Chapter 21** of the Code of the Town of Orangetown 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 276 Sickletown Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 64.20, Block 1, Lot 9; R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at meeting held **Wednesday, July 23, 2025** the Board made the following determinations:

Donald Brenner, Attorney; Jay Greenwell, Surveyor; and Eamon Donnelly, Applicant and Owner; appeared and testified before the Board.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Rick Oliver, Acting Director dated July 23, 2025.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated July 11, 2025.
3. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated July 8, 2025.
4. Letter from Plan Review Consultant Roman Professional Engineering PLLC, signed by Douglas Schmidt, P.E. dated July 8, 2025
5. Letter from Drainage Consultant Weston and Sampson, signed by Devon Palmieri, dated July 10, 2025.
6. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated June 26, 2025.
7. Letter from Rockland County Center for Environmental Health, signed by Elizabeth Mello, Senior Public Health Engineer dated July 16, 2025.
8. Letter from Rockland County Sewer District 1, signed by Nicholas King, Engineer II dated July 22, 2025.
9. Email from Orange & Rockland from Alfred Gaddi, PE dated July 10, 2025.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:31
TOWN OF ORANGETOWN

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 2 of 13**

10. Plans prepared by Jay Greenwell, PLS, LLC signed by Jay Greenwell, PLS., dated April 22, 2025.
 - a. Sheet 1 – Subdivision Plat
 - b. Sheet 2 – Grading/ Drainage/ Utilities
 - c. Sheet 3 – Tree Plan
 - d. Sheet 4 – Details
11. Project Narrative.
12. Short Environmental Assessment Form dated May 14, 2025, signed by Eamon Donnelly.

The Board reviewed the submitted plan and information.

BOARD MEMBERS' COMMENTS:

Andrew Andrews comments that the driveway location has a lot of trees vegetation and questions if it will all be removed.

Michael Mandel – Vice Chair requests revisions shall be made to the Short Environmental Assessment Form :

- a. Change #2 from “No” to “Yes” and add “Planning Board and Zoning Board of Appeals”.
- b. Change #9 from “No” to “Yes”.

He questions if the applicant will add sprinklers to the home or provide a fire hydrant. He comments that the applicant should add the site distances and depict the driveways on the street across from the site.

Michael McCrory requests screening on the Landscape Plan between the two new lots.

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

TOWN OF ORANGETOWN
2025 SEP 11 P 3:31
TOWN CLERK'S OFFICE

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 3 of 13**

PUBLIC COMMENTS:

There being no one to be heard from the Public, a motion to close the public portion of the meeting was made by Michael Mandel - Vice Chairman and second by Andrew Andrews and carried as follows: Thomas Warren – Chair, aye; Michael Mandel - Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond, (alternate member), 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 – Chair, aye; Michael Mandel - Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, aye; 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.

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant’s professional representatives, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement, Department of Environmental Management and Engineering, Bureau of Fire Prevention, and having heard from the following involved and interested agencies Rockland County Department of Planning, Rockland County Center of Environmental Health, Rockland County Sewer District No. 1,

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:31
TOWN OF ORANGETOWN

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 4 of 13**

and having reviewed a proposed Subdivision Plan, a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

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

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

TOWN OF ORANGETOWN
2025 SEP 11 P 3:31
TOWN CLERK'S OFFICE

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 5 of 13**

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Preliminary Subdivision 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. 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 signed by the Chairman and the construction plans are reviewed and approved by the inspector.

5. The proposed subdivision will need to be reviewed and obtain zoning variance approval from the Town of Orangetown Zoning Board of Appeals.

5. The following changes shall be made to the Short Environmental Assessment Form :

- c. Change #2 from "No" to "Yes" and add "Planning Board and Zoning Board of Appeals".
- d. Change #9 from "No" to "Yes".

6. Town of Orangetown Office of Building, Zoning, Planning, Administration, and Enforcement, in a letter dated June 30, 2025, had the following comments:

- a. Application is for subdivision only. New home construction approval not included in this application.

TOWN OF ORANGETOWN
2025 SEP 11 P 3:31
TOWN CLERK'S OFFICE

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 6 of 13**

Continuation of Condition #6...

- b. Variances required for Min. Street Frontage on Lot 2 & Side Yard on Lot 1.
- c. ACABOR approval required for new single family dwelling on Lot 2.
- d. Drainage needs to be shown for Lot 1. If any changes due to subdivision are necessary, then calculations and drainage plan to be shown on sheet 2 and sheet 4 of plan set. Lot 2 drainage will be part of new home construction plan in future.

7. Town of Orangetown Department of Environmental Management and Engineering, in a letter dated July 11, 2025, had the following comments:

- a. The Hydraulic analysis and stormwater design calculations are under review. However, this Department is aware that a field Perc Test has been administered at the site. The Perc Test results shall be incorporated in the stormwater design and the testing data added to the Hydraulic analysis and stormwater design calculations.
- b. There appears to be no overflow for the proposed drywell system. This shall be corrected.
- c. Given the length of the proposed driveway and to reduce the velocity of stormwater sheet flow, trench trains shall be proposed for the new driveway instead of catch basins.
- d. A profile for the proposed new driveway shall be added to the plans.
- e. The plans call for private sanitary pumping systems for both lots. Therefore, the applicant's engineer shall submit a complete design for both systems that includes: design calculations, backup power (generator), 24-hour storage, an alarm system, a transition from force main to gravity within the property(s), at the Sickletown Road R.O.W. using a box or manhole, etc.
- f. Profiles for both private sanitary house connections (force mains gravity lines) shall be added to the drawings.
- g. The following note shall be added to sheets 1 & 2 – "The Town of Orangetown Sewer Inspector shall be notified at least 48 hours in advance of ANY work being done on or near the any of the existing sanitary sewer main and or the proposed sanitary house connection."
- h. All existing driveways along Sickletown Road, opposite the proposed subdivision, shall be shown on the plan.
- i. The site distances at the proposed driveway shall be provided on the plans.
- j. The metes & bounds for the proposed road widening dedication shall be provided on the plans.
- k. Monuments shall be shown along the new R.O.W. widening and labeled to be installed.
- l. Iron pins shall be drawn and labeled at each property corner.

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:31

TOWN OF ORANGETOWN

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 7 of 13**

8. Town of Orangetown Fire Prevention Bureau, in a letter dated July 8, 2025, had the following comments:
- a. Show the distance from the closest hydrant to furthest portion of the building measuring along the Fire Apparatus Access Route. Greater than 600' may require a fire hydrant. IFC 507.5.1
 - b. Show driveway dimensions; minimum width is 12', minimum height is 13'6". 2020 FC NYS 511.2.1
 - c. Show the length of the driveway. Driveways in excess of 500' require a turnaround and a turnout. 2020 FC NYS 511.2.2, 511.2.3
 - d. Show that the driveway is capable of supporting the imposed load of a Fire Apparatus weighing up to 75,000 pounds in all weather conditions. 2020 FC NYS 511.2.4

9. Weston and Sampson, in a letter dated July 10, 2025, had the following review recommendation and comments:

Drainage Review Recommendation:

It is our opinion that increases in stormwater runoff can be successfully mitigated for this project. We therefore recommend that Donnelly Subdivision be approved for drainage subject to the above Project Comments.

Project Description:

This is our first drainage review for this Application. The project includes subdivision 2.70-acre parcel into one new residential lot and construction of a new dwelling and driveway access on subdivided lot. The existing dwelling is to remain; however, the existing septic field is to be abandoned and the dwelling is to be connected to public sewer on Sickletown Road.

Project Comments Site Plan:

- a. Sheet 2:
 - i. GETC line shown conflicts with upstream field inlet.
 - ii. Provide slope of proposed pipes.
 - iii. Review grading (152 contour & 151.5 spot grade) at front of Lot 2 dwelling. Existing topography slopes to east toward front of the dwelling, please ensure that drainage is conveyed away from the dwelling.
 - iv. 144 contour shown tying in to existing 146 contour at rear of dwelling.
 - v. Proposed rim, invert connections, and elevations for the drywell facility to be provided.
 - vi. Clarify proposed overflow mechanism for the dwelling facility. Any potential overflow shall not impact neighboring property abutting rear property line.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:31
TOWN OF ORANGETOWN

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 8 of 13**

Continuation of Condition #9...

- vii. 12" PVC outlet pipe (invert 143') from field inlet at end of driveway is shown passing beneath proposed stone wall (bottom of wall elevation 146'). The detail provided for the stone wall indicated that the base of the wall shall extend a minimum of 24" below finished grade (elevation 144'). This results in the stone wall being installed on top of the 12" PVC pipe and should be revised.
 - viii. Northern roof lead conveyance and footing drain shown passing through septic field to be abandoned. Please advise how the roof leader will be installed in relationship to the abandoned septic field. We recommended rerouting these pipes as to not disturb the septic field to be abandoned.
 - ix. NYSSMDM indicates that infiltration practices shall have 50' horizontal separation from septic fields; however, it is noted that the septic field is to be abandoned and will no longer be functional.
- b. Sheet 4:**
- i. Provide proposed elevations and inverts for drywell facility.
 - ii. As it appears that the drywells are sized for runoff from the increase of 11,150 square feet of impervious area, our office recommends providing one gate and the remainder solid access covers since overland flow was not considered.
- c.** Narrative references a 1.847-acre subdivision, this is to be corrected.
- d.** An assumed 1" in 30-minute percolation rate was utilized for analysis. Soil testing to be performed and results to be included in drainage report.
- e.** Web Soil Survey results to include Hydrologic Soil Group rating.
- f. Drywell Design Calculations:**
- i. Correct soil designations to be included.
 - ii. 1"/30 minute percolation rate to be confirmed with soil testing.
 - iii. Step 3 of calculations utilize sidewall area in calculation for Sr; however, Step 6 of calculations indicate that only the bottom surface of drywell is used to determine Vp. Calculations shall be consistent and rates to be calculated using bottom surface of facility only.
 - iv. Please confirm calculation for volume per drywell.
 - v. Please confirm calculation for 24-hour percolation volume per drywell. It appears that the available inside volume was utilized in lieu of the bottom surface area as indicated in the calculation.

10. Roman Professional Engineering PLLC, in a letter dated July 8, 2025, had no comments.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:32
TOWN OF ORANGETOWN

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 9 of 13**

11. Rockland County Department of Planning, in a letter dated June 26, 2025, had the following comments:

- i. Lot 2 is a flag lot with 70% less than the minimum street frontage required for a single-family dwelling. 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. Allowing a lot with less than the required street frontage will increase the number of access points along the adjoining County Highway, creating more unpredictability along the roadway and making it less safe for drivers and pedestrians. This can potentially impact traffic flow if neighboring property owners feel inclined to seek similar relief. The Planning Board must consider the cumulative and regional impacts of creating new lots with less than the required street frontage available.
- ii. A review must be completed by the County of Rockland Highway Department, all comments or concerns addressed, and all required permits obtained.
- iii. 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.
- iv. As required by the Rockland County Stream Control Act, the subdivision must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
- v. Once a subdivision has been approved, a filed map cannot be used to convey property, nor can the tax maps be updated with the lot changes, until the deeds are filed with the County Clerk, conveying the portions of the lots that are required to achieve the lot configuration indicated on the subdivision map. The applicant and the Town must make sure that the deeds are properly filed with the Rockland County Clerk to ensure that the tax maps are properly updated.
- vi. 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 (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
- vii. There shall be no net increase in the peak rate of discharge from the site at all design points.
- viii. For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:32
TOWN OF ORANGETOWN

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 10 of 13**

Continuation of Condition #11

- ix. Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health for review.
- x. We request the opportunity to review the variances needed to implement the proposed subdivision, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).
- xi. Pursuant to New York State General Municipal Law (GML) Sections 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County's Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
- xii. In addition, pursuant to Executive Order 10-2017 signed by County Executive Day on May 22, 2017, County agencies are prohibited from issuing a County permit, license, or approval until the report is filed with the County's Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner's report approving the proposed action or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

12. Rockland County Center for Environmental Health, in a letter dated July 16, 2025, had the following comment:

- a. Application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.

13. Rockland County Sewer District No. 1, in a letter dated July 22, 2025, had the following comments:

- a. Rockland County Sewer District No. 1 does not object to the Planning Board serving as lead agency for this review.
- b. 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.

TOWN CLERK'S OFFICE

2025 SEP 11 P 3: 32

TOWN OF ORANGETOWN

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 11 of 13**

14. Orange and Rockland, in an email dated July 10, 2025, had the following comment:

- a. Based on the drawings provided, there should not be any gas conflicts with the proposed work. Please contact O&R's new business department for any new service connections, load increases, or new meter installations. Please note all gas facilities must be located prior to work and all code 753 rules must be followed.

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

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

17. 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 §21. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Approval pursuant to Town Code §21 and §6A.

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

- Rockland County Sewer District No.1

19. 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

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:32

TOWN OF ORANGETOWN

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 12 of 13**

Continuation of Condition #19...

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

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

20. 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.

21. 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.

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

23. 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

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:32
TOWN OF ORANGETOWN

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 13 of 13**

Continuation of Condition # 23...

(applicants' engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicants engineer's) disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Federal Wetlands - U.S. Army Corps of Engineers).

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

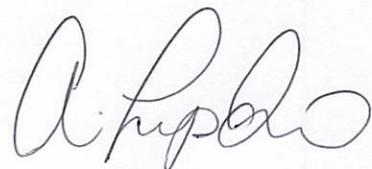
25. Prior (at least 14 days) to the placing of any road sub-base, the applicant shall provide the Town of Orangetown Superintendent of Highways and DEME with a plan and profile of the graded road to be paved in order that these departments may review the drawings conformance to the approved construction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

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

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

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

**Dated: July 23, 2025
Town of Orangetown Planning Board**



**Audrey Lupachino
Planning Assistant
Town of Orangetown**

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:32
TOWN OF ORANGETOWN

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

**PB #25-42: Donnelly Subdivision Plan Review
Preliminary Subdivision Approval Subject to Conditions**

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

NAME OF ACTION: Donnelly Subdivision

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

DESCRIPTION OF ACTION: Preliminary Subdivision Approval Subject to Conditions/ Neg. Dec.

LOCATION: The site is located at 276 Sickletown Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 64.20, Block 1, Lot 9; R-40 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 development. 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:

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



TOWN OF ORANGETOWN
2025 SEP 11 P 3:32
TOWN CLERK'S OFFICE

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 1 of 21**

**TO: Jesse Cokeley, P.E., Colliers Engineering, 50 Chestnut Ridge
Road, Suite 101, Montvale, New Jersey 07645
FROM: Orangetown Planning Board**

RE: WPT Acquisitions LLC Final Site Plan Review: The application of Anthony Nelson, applicant, for the owner, 13 Mountain View LLC, for Final Site Plan Review at a site to be known as **“WPT Acquisitions LLC”** in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, **Chapter 21A** of the Code of the Town of Orangetown. The site is located at 518 Route 303, 13 Mountainview Road, and 21 Mountainview Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.07, Block 1, Lot 2, 33, and 36; LI, CC, and LO zoning districts.

Heard by the Planning Board of the Town of Orangetown at meeting held **Wednesday, July 23, 2025** the Board made the following determinations:

Ira Emanuel, Attorney; Jesse Cokeley, Engineer; Corey Chase, Engineer; and Aanen Olsen, Applicant; appeared and testified before the Board.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Rick Oliver, Acting Director dated July 23, 2025.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated July 11, 2025.
3. An interdepartmental memorandum from the Fire Prevention Bureau, Town of Orangetown, signed by David Majewski, dated July 8, 2025.
4. Letter from Drainage Consultant Weston and Sampson, signed by Frank Toto, dated July 22, 2025.
5. Letter from Plan Review Consultant Roman Professional Engineering PLLC, signed by Douglas Schmidt, P.E. dated July 8, 2025
6. Letter from Traffic Consultant AKRF, Inc. dated July 18, 2025
7. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated July 15, 2025.
8. Letter from Rockland County Sewer District 1, signed by Nicholas King, Engineer II dated May 14, 2025.
9. Email from Orange & Rockland from Alfred Gaddi, PE dated July 10, 2025.
10. Email from New York State Department of Transportation from Jason Brenner, P.E. dated July 18, 2025

TOWN OF ORANGETOWN
2025 SEP 11 P 3:32
TOWN CLERK'S OFFICE

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 2 of 21**

11. Civil Site Plans prepared by Colliers Engineering, LLC signed by Jesse Cokeley, P.E., dated November 22, 2021 last revised May 15, 2025:
 - a. SHT No. 1: Cover Sheet
 - b. SHT No. 2: Project Notes
 - c. SHT No. 3: Demolition & Existing Conditions Plan
 - d. SHT No. 4: Aerial Plan
 - e. SHT No. 5: Layout Plan
 - f. SHT No. 6: Wayfinding Signage and Striping Plan
 - g. SHT: No. 7: Grading & Drainage Plan
 - h. SHT No. 8: Stormwater Management Practice Blow-Ups
 - i. SHT No. 9: Utilities Plan
 - j. SHT No. 10: Sanitary Blow-Up
 - k. SHT No. 11: Landscape Plan
 - l. SHT No. 12: Site Cross Section
 - m. SHT No. 13: Phase I Soil Erosion & Sediment Control Plan
 - n. SHT No. 14: Phase II Soil Erosion & Sediment Control Plan
 - o. SHT No. 15: Phase III Soil Erosion & Sediment Control Plan
 - p. SHT No. 16: Phase IV Soil Erosion & Sediment Control Plan
 - q. SHT No. 17: Lighting Plan
 - r. SHT No. 18: Construction Details
 - s. SHT No. 19: Construction Details
 - t. SHT No. 20: Construction Details
 - u. SHT No. 21: Construction Details
 - v. SHT No. 22: Construction Details
 - w. SHT No. 23: Construction Details
 - x. SHT No. 24: Construction Details
12. Roadway Improvement Plans prepared by Dynamic Traffic, LLC signed by Kevin Savage, P.E., dated May 15, 2025:
 - a. SHT No. 1: Key Sheet
 - b. SHT No. 2: Legend and General Notes
 - c. SHT No. 3: Typical Sections
 - d. SHT No. 4: Construction Plan
 - e. SHT No. 5: Grading Plan
 - f. SHT No. 6: Signage and Striping Plan
 - g. SHT: No. 7: Traffic Control Notes and Details
 - h. SHT No. 8: Traffic Control Plan – Phase I
 - i. SHT No. 9: Traffic Control Plan – Phase II
 - j. SHT No. 10: Construction Details
 - k. SHT No. 11: Construction Details
13. NYSDOT Traffic Control Plans prepared by Dynamic Traffic, LLC signed by Kevin Savage, P.E., dated February 7, 2025, last revised May 9, 2025:
 - a. SHT No. T1: Traffic Control Notes and Details
 - b. SHT No. T2: Traffic Control Plan

TOWN OF ORANGETOWN
2025 SEP 11 P 3:32
TOWN CLERK'S OFFICE

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 3 of 21**

- 14. Proposed Signage Modifications Plan (R-86) prepared by Dynamic Traffic, LLC signed by Kevin Savage, P.E., dated January 24, 2025, last revised May 6, 2025:
 - a. SHT No. 1: Traffic Signal Modification Plan (R-86)
- 15. Response Letter by Colliers Engineering, signed by Jesse Cokeley, dated May 20, 2025.
- 16. Engineer's Report for Proposed Sewer System by Colliers Engineering, signed by Jesse Cokeley, dated May 21, 2025.
- 17. GML Response Letter from Emanuel Law P.C., signed by Ira M. Emanuel, dated July 16, 2025
- 18. Planning Board Decision PB# 22-17 dated July 24, 2024.
- 19. Planning Board Decision PB# 22-18 dated July 24, 2024.

The Board reviewed the submitted plan and information.

BOARD MEMBERS' COMMENTS:

Andrew Andrews comments that the proposed landscape plan is good. He questions the Fire and Trailer Trucks diagrams for entry and exist. He questions if there will be one address or multiple addresses, and how it will affect the navigation or the truck drivers.

Michael Mandel - Vice Chair questions if there is a barrier for trucks before the drainage retention pond at their parking area. He also questions the sequence of construction notes on plans (comment from DEME's letter). He asked if NYS DOT comments have been received and addressed. He comments that the backup generator location shall be noted on the plans.

Michael McCrory comments that this is the worst intersection, with F ratings from NYSDOT, in Route 303 Overlay and asks the Traffic Consultant, Elaine Du from AKRF, to go through their comments from their letter dated July 18, 2025 and affirmed that the plans still need revisions to address the Traffic Consultant's concerns. He emphasizes the importance of DEME comments #3, #9, and #13. He comments about the truck turning lanes into and out of Route 303 driveway is a real safety concern without traffic signals.

Bruce Bond comments that the existing traffic light is a problem to begin with.

Andrew Andrews additionally questions if there will be an address sign on Route 303 that will help the drivers identify the location.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:33
TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 4 of 21**

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

PUBLIC COMMENTS:

Vanessa Lapins, 659 Western Highway, Blauvelt, raised concerns about the intersection traffic and truck turning patterns, as well as the potential address issue.

John Savage, 130 Crescent Road, Piermont, raised concerns about the truckers' navigation. He is also concerns about the large presence of existing warehouses in Orangetown and why the Town needs another warehouse.

There being no one else to be heard from the Public, a motion to close the public portion of the meeting was made by Michael Mandel - Vice Chairman and second by Andrew Andrews and carried as follows: Thomas Warren – Chair, aye; Michael Mandel - Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

Reaffirmation of SEQRA

The proposed action is classified as a "Type I 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 and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, aye; Michael Mandel - Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, nay; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye; the Board made reaffirmation on a Negative Declaration pursuant to SEQRA from Planning Board Decisions PB #22-17 and PB#22-18, dated July 24, 2024, Preliminary Resubdivision and Site Plan Approvals.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:33
TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 5 of 21**

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **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. 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 signed by the Chairman and the construction plans are reviewed and approved by the inspector.
5. Location of backup generator, once confirmed by Orange & Rockland, shall be noted on plans.
6. The traffic consultant, Elaine Du, P.E. of AKRF, made the following verbal comments:
 - a. Include utilities on traffic signal modification plan.
 - b. Americans with Disabilities Act (ADA) and Public Right-of-Way Accessibility Guidelines (PROWAG) standards should be met. This includes adding a curb ramp at the northwest corner, upgrading pedestrian signals, replacing pedestrian signal push buttons, and adding pedestrian signal visors.
 - c. Provide National Electrical Manufacturers Association (NEMA) standard phasing if possible.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:33
TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 6 of 21**

Continuation of Condition #6...

- d. Update northbound left turn traffic signal head from 4-section with a bicolor yellow/green head to 5-section doghouse with the permitted/protected phase.
- e. Update cable from 2C14AWG to 6-gauge cable for service connection to meet NYSDOT standard specifications.
- f. Proposed addition of the left turn only sign on the mast arm requires a structural analysis. In addition, the Applicant should add traffic signal backplates on all signal heads for improved visibility and safety, which should be included as part of the mast arm structural analysis.
- g. Traffic signal heads should be shifted to align with lanes, in particular the eastbound and westbound lanes.
- h. Shift signal head 6 (eastbound leg) to be at least 40 feet away from the stop bar for visibility to meet Manual Uniform Traffic Control Devices (MUTCD) standards.
- i. In her professional opinion, it is acceptable for the Fire Trucks to cross over the double yellow lines with their emergency lights on while having the other drivers stopped, or for them to exit out on Mountainview Road.

7. Town of Orangetown Office of Building, Zoning, Planning, Administration, and Enforcement, in a letter dated July 23, 2025, had the following comments:

- a. The following note shall be placed on the subdivision 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."
- b. 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.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:33
TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 7 of 21**

8. Town of Orangetown Department of Environmental Management and Engineering, in a letter dated July 11, 2025, had the following comments:
- a. The applicant still needs to comply with PB Decision #22-18 conditions:
 - i. Bullet point #5 – Multiple cross-sections for each and every proposed stormwater bio-retention/ extended detention systems/ basins shall be provided on the drawings. Cross-sections shall include; storage volume for given design storms and elevations, 25-foot pond buffers, 12-foot-wide stabilized maintenance paths (that reach the forebay/ main pool/ outlet structure/ emergency spillway, flared end inlets, etc.), aquatic bench, safety bench, pond drain valve, permanent sediment depth markers with detail, stormwater practice signage with detail, plantings (if utilized for water quality control), emergency overflow spillways with elevations, etc.
 - ii. Bullet point #6 – The berm “behind” the proposed emergency overflow from the micropool extended detention basin shall be reinforced to prevent scour in case the emergency overflow is utilized. This reinforcing shall be shown and called out on the drawings and details for same added to the drawings.
 - iii. Bullet point #7 - -The proposed bioretention basins are not designed as per the New York State Stormwater Management Design Manual (NYNS-SMDM.) For example, required plantings, grass filter strip below a level spreader or grass channel – gravel diaphragm – mulch layer, off-line filtering practice, 6-inch perforated pipe underdrain systems, 8-inch depth gravel bed for underdrain, minimum of 2 foot separation between filter bottom and groundwater, minimum of 25 feet of grass filter strip between basin and paved areas.
 - iv. Bullet point #11 – The landscaping plans currently only show basic seed mixture as the ground cover for the proposed stormwater basins. However, the NYS-SMDM calls for a diverse range of wetland plantings for micropool extended. retention basins. The landscaping plans shall be revised to meet the design standards in the NYS-SMDM.
 - v. Bullet point #14 – The dimensions of the proposed maintenance access path turn-around, for the micropool extended detention basin, shall be added to the drawings (including the blow-up drawing.)

TOWN OF ORANGETOWN
2025 SEP 11 P 3:33
TOWN CLERK'S OFFICE

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 8 of 21**

Continuation of Condition #8...

- vi. Bullet point #16 – The current layout of the micropool extended detention basin is not in compliance with the NYS-SMDM. For example, there must be a rip-rap pilot channel connection the sediment. forebay to the micropool. The basin shall be redesigned to meet all of the requirements spelled out in the NYS-SMDM.
 - vii. Bullet point #17 – Profiles for proposed drainage piping (any all existing piping to remain – if applicable) shall be provided on the drawings.
 - viii. Bullet point #20 - The SESC plans (still) show only one proposed temporary sediment basin. Given the size of the proposed disturbance, additional sediment basin(s) shall be designed for the site and shown on the drawings. The sizing of the basin(s) shall be calculated utilizing the Temporary Sediment basin Design Data sheet (provided in the NYS DEC “Blue Book” page 5.24. this information shall be added to the SWPPP, in its own Appendix.
 - ix. Bullet point #23 - ... A profile of this (sanitary sewer) re-alignment shall be added to the drawings.
 - x. Bullet point #31 – A note shall be added to the Site Plan indicating the source benchmark for the referenced datum (including the BM elevation.)
- b. The revised SWPPP and drainage calculations are under review. A formal review shall be sent to the applicant’s engineer under separate cover.
- c. The applicant’s engineer’s letter of 5/20/25, response #7 (to DEME letter of 5/7/24) states that Bioretention basin 1C only takes roof runoff, that roof runoff is “clean” and therefore needs no pretreatment. This Department cannot find any documentation/ statement or definition within the NYSDEC-SMDM that asserts that roof runoff is clean and exempt from pretreatment. Therefore, Bioretention basin 1C must be designed in accordance with and incorporating all of the design elements spelled out in the. NYSDEC-SMDM.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:33
TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 9 of 21**

Continuation of Condition #8...

- d. The applicant's engineer's letter of 5/20/25, response #7 (to DEME letter of 5/7/24) states that stormwater runoff entering Bioretention basin 1D is piped and therefore pretreatment is provided by a hydrodynamic separator. However, this Department cannot find any statement, definition or design example within the NYSDEC-SMDM that asserts that if runoff is piped to a bioretention basin, pretreatment can be handled via a "grey"/ manufactured device. Therefore, Bioretention. basin. 1D must be designed in accordance with and incorporating all of the design elements spelled out in the NYSDEC-SMDM.
- e. The required 25-foot pond buffer shall be labeled on drawings 5 through 9 and 11.
- f. Separate/ individual cross-sections for each bioretention basin shall be added to the plans.
- g. The plans in sanitary calculations mistakenly labeled the Town (public) sanitary main running through project site as 12-inch diameter pipe. The existing sanitary mains are 8-inch diameter pipe. The drawings shall be corrected and the proposed main shall be designed and labeled as an 8-inch PVC pipe.
- h. The demolition plan shall clearly label all existing sanitary house/ building connections as to be removed in their entirety.
- i. The demolition plans shall clearly show label the portion of the existing Town sanitary main and manhole that are to be removed.
- j. The sanitary calculations shall be revised to also analyze the design flow of the existing church as compared to the proposed flows at the site.
- k. The Sanitary Blow-Up drawings (10 of 24) still calls out the new sanitary sewer piping as "(GC to match existing pipe material)" The new sanitary pipe to be used shall be SDR 35. This shall be called out on all of the drawings and the required sanitary profiles.
- l. A call out note on the Layout Plan (5 of 24) states "Prop. Relocated sanitary easement (See utility Plan for meets and bounds)". However, two of the courses for the proposed easement are not provided (drawing 10 of 24) or not located in the right location. This shall be corrected. Also, this easement shall be labeled as proposed sanitary easement to the Town of Orangetown on all drawings that depict it.
- m. In connection with comment #13 above, the applicant's attorney shall provide a written easement document for review and approval by the Town Attorney's office and this Department for said sewer easement.
- n. The sanitary frame and cover detail shall be revised to include the words "Town of Orangetown" and the year of installation.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:33
TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 10 of 21**

8. Town of Orangetown Fire Prevention Bureau, in a letter dated July 8, 2025, had the following comments:
- a. The Bureau of Fire Prevention has no further comments.
 - b. Construction plans should include the following information:
 - i. Installation of a NFPA 13 compliant sprinkler system
 - ii. Installation of a fire alarm system to the NFPA 72 standard
 - iii. Installation of a key lock box
 - iv. Emergency Responder Radio Coverage within the building 2020 NYS IFC 510.1

9. Weston and Sampson, in a letter dated July 22, 2025, had the following review recommendation and comments:

Drainage Review Recommendation:

It is our opinion that increases in stormwater runoff can be successfully mitigated for this project. We therefore recommend that 518 NYSR 303 and 13 & 21 Mountainview Avenue Site Plan (WPT Acquisitions, LLC) be approved for drainage subject to the above Project Comments.

Project Description:

This is our sixth drainage review for this project; our last review was dated July 24, 2024. The property is located on the west side of Route 303 along the east property line and Mountainview Avenue along the southern property line. The land slopes downhill toward Route 303. The site is largely developed with warehouse space and parking areas. There is no post construction stormwater detention on the existing site.

The hydrologic analysis thoroughly breaks down the site into seven hydrologic points of interest along the perimeter of the parcel. The largest of these design points is Design Point 1, which discharges to a 24-inch pipe that flows east toward Route 303. Within the proposed watershed for subarea 1, four new management basins are proposed.

TOWN OF ORANGETOWN
2025 SEP 11 P 3:33
TOWN CLERK'S OFFICE

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 11 of 21**

Continuation of Condition #9...

Project Comments Site Plan:

- a. Site Plan:
 - i. Sheet No. 7: The Grading & Drainage Plan shall be coordinated with the Roadway Improvement Plans along Mountainview Avenue.
- b. Roadway Improvement Plans:
 - i. Sheet No. 4 – Extend existing topography or spot grades to the intersection of NYS Route 303 and Mountainview Avenue.
 - ii. Provide a Drainage Plan for the Roadway Improvement Plans set. Existing drainage structures and pipes shall be indicated on the plan. Show existing/ proposed rim and invert elevations of all drainage structures. Indicate whether existing manholes are drainage, sewer, etc.
 - iii. Confirm whether the existing inlet proposed to be converted to a manhole will have a solid or open grate cover.
 - iv. An additional drainage inlet along the southern side of Mountainview Avenue shall be reviewed.

10. Roman Professional Engineering PLLC, in a letter dated July 8, 2025, had no comments.

11. AKRF, in a letter dated July 18, 2025, had the following comments:

- a. 07/08/2025: The provided truck turning exhibits show only the Route 303 and site driveway intersection. The Applicant should provide an updated truck turning diagram for the Mountainview Avenue and Route 303 driveway showing modifications along Route 303 such as shifting the stop bars to avoid conflict with turning trucks.
07/18/2025: Comment addressed. The Vehicle Circulation Plan showing the Mountainview Avenue and Route 303 intersection show the relocation of the north leg stop bar to avoid conflict with a truck making a left turn from Mountainview Avenue.
- b. 07/08/2025: Because of the modifications within NYSDOT right-of-way, including the proposed Route 303 driveway and modifications at the Mountainview Avenue and Route 303 intersection, the Applicant must submit a PERM 33-COM to NYSDOT. Confirm whether a Stage 1 or Stage 2 submission has been submitted to NYSDOT.
07/18/2025: No further comment. As discussed during the July 9, 2025 PRC meeting, the Applicant has submitted both a Stage 1 and Stage 2 submission. The Stage 2 submission is currently under review by NYSDOT.

TOWN OF ORANGETOWN
2025 SEP 11 P 3:34
TOWN CLERK'S OFFICE

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 12 of 21**

Continuation of Condition #11...

- c. 07/08/2025: If available, provide survey showing right-of-way at the Mountainview Avenue and Route 303 intersection.
07/18/2025: Comment not addressed. Provide survey of the Mountainview Avenue and Route 303 intersection on a separate sheet.
- d. 07/08/2025: Because of the modifications at the Mountainview Avenue and Route 303 intersection and the requirements of the NYSDOT permit application, the Applicant should show any upgrades necessary to meet ADA standards. This could include adding a curb ramp at the northwest corner of the Mountainview Avenue and Route 303 intersection and replacement of the pedestrian signal push buttons.
07/18/2025: Comment not addressed. The traffic signal and roadway improvement plans should be revised to add a curb ramp at the northwest corner of the Mountainview Avenue and Route 303 intersection for the existing crossings. Additionally, the plans show the removal of the crosswalk crossing Mountainview Avenue (west leg). This crosswalk should be repainted at this location. Consideration should also be given to replace the pedestrian signals and push buttons to meet ADA standards.
- e. 07/08/2025: The Applicant should ensure that all MUTCD standards are met, including signal head sight distance and alignment of the signal heads for the proposed new lane.
07/18/2025: AKRF is in receipt of the traffic signal modification plan. This plan is currently under review. AKRF will provide verbal comments on the plan at the July 23, 2025 Planning Board meeting.
- f. 07/08/2025: With the modifications at the intersection, the Applicant should install traffic signal backplates for all signal heads. As part of a NYSDOT PERM 33 Stage 2 submission, this may require structural analysis conducted by a structural engineer.
07/18/2025: Comment not addressed.

11. Rockland County Department of Planning, in a letter dated July 15, 2025, had the following comments:

- a. Extensive research was done over a two-year period to create the Route 303 Overlay Zoning District to ensure that zoning requirements would provide strategies to improve the roadway's operation, aesthetics, and safety aspects. Safety aspects are of paramount importance, as this was one of the underlying reasons for the study. We recognize that this portion of the corridor is zoned and primarily developed for industrial and commercial uses; however, there are single family residences along the east side of Route 303, including one directly across from a proposed driveway to the site. The Town must ascertain if the proposed development will result in meeting the intent and scope of the Route 303 Sustainable Development Study. Furthermore, the Town shall be satisfied

TOWN OF ORANGETOWN
2025 SEP 11 P 3:34
TOWN CLERK'S OFFICE

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 13 of 21**

Continuation of Condition #11...

that all applicable provisions of the Route 303 Overlay Zone, outlined in Article XIII, Section 13.10B, of the Orangetown Zoning Code, have been addressed in the proposed site plan.

- b. The New York State Department of Transportation shall be given the opportunity to review the revised site plan dated May 15, 2025.
- c. A review must be completed by the County of Rockland Drainage Agency, and any required permits obtained.
- d. The Sparkill Creek is one of the reasons this proposal was referred to this department for review. The subject site is in the Sparkill Creek watershed and is less than 300 feet west of the Sparkill Creek. Approving this site plan will result in an overall increase in impervious cover in the watershed. Impervious cover results in additional stormwater pollutants such as excess fertilizers, pesticides, oil, sediment, and road salt running off into local waterways. The Sparkill Creek is listed in the Final 2020/2022 NYNS Section 303(d) List of Impaired Waters as a waterbody with impairments that do not support best uses and requires development of a Total Maximum Daily Load (TMDL). The pollutants identified are fecal coliform and oxygen demand. The suspected source of the pollution is urban/stormwater runoff. Development applications within the Sparkill Creek watershed must consider the adverse impacts of potential pollutant loadings to the Creek.
- e. An updated review of the May 15, 2025 site plan must be completed by the Rockland County Department of Health, and an application must be submitted to them for review of the stormwater management system to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- f. An updated review of the May 15, 2025 site plan must be completed by the Rockland County Sewer District No. 1 and any concerns addressed.
- g. The applicant must comply with the comments provided by the Orangetown Fire Inspector dated July 9, 2024. The Fire Inspector must be satisfied with the Emergency Vehicle Circulation Plans and confirm that an emergency vehicle has sufficient maneuverability room to and from the southern entrance. In addition, the County of Rockland Office of Fire and Emergency Services or the Orangeburg Fire Department shall be given the opportunity to review the proposal to ensure that there is sufficient maneuverability on site for emergency vehicles.
- h. The site abuts property owned by Consolidated Rail Corp to the west. The proposal shall be sent to CSX Transportation, Inc. for comments.

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:34

TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 14 of 21**

Continuation of Condition #11...

- i. Being that Parcel No. 70.19-1-44, immediately to the north of the proposed project is listed in the NYSDEC Remediation Program Database (DEC Info Locator), prior to any on-site work, the Planning Board must be satisfied that there are no contamination related issues on the proposed development site.
- j. 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 (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
- k. There shall be no net increase in the peak rate of discharge from the site at all design points.
- l. Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health for review.
- m. For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction.
- n. All proposed signage shall conform the sign ordinance in Chapter 31C of Orangetown Code. Any nonconforming signage requiring variances must be submitted to this department for review, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).
- o. The previously submitted FEAF dated October 7, 2022 indicated that the proposed plan will minimize impervious surfaces, use pervious materials, or collect and re-use stormwater. (D.2.e.iv, p. 6 of 13). While a variance is not required, the proposal will increase the lot coverage of the site by approximately 102,728 square feet for a total lot coverage of 377,931 square feet. To help reduce the impact of this development, reduction of impervious surface should be considered, particularly due to its proximity and potential impacts to the Sparkill Creek. It is recommended that porous materials be used in parking areas to replace the use of conventional asphalt if proper controls can be employed to effectively control potential pollutant loadings from stormwater. In installed correctly and properly maintained, porous pavers have been shown to be effective in helping manage stormwater runoff. In addition, other green infrastructure techniques should be considered such as bioswales, native landscaped islands in the parking area, rain gardens, and rainwater capture. For long

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:34
TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 15 of 21**

- p. term effectiveness of green infrastructure, it is recommended that the Town must be satisfied that the SWPPP conforms to the NYSDEC Stormwater Management and Design Manual.
- q. This department commends the use of native trees on the proposed landscaping plan. The proposed native species include White Spruce (*Picea glauca*) and Red Maple (*Acer rubrum*). Native plants are better adapted to the local climate and soils, making them easier to care for, and result in the need for less fertilizer, pesticides, and use of water. They also have deeper root systems that help prevent erosion and increase runoff into local waterbodies. A pdf titled "Native Plants for Gardening and Landscaping Fact Sheets" that lists native species and the environments in which they can grow can be found on the New York State Department of Environmental Conservation's website <https://www.dec.ny.gov/get-involved/living-green/sustainable-landscaping>.
- r. Pursuant to New York State General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County's Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
- s. In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County agencies are prohibited from issuing a County permit, license, or approval until the report is filed with the County's Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner's report approving the proposed action or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

13. Rockland County Sewer District No. 1, in a letter dated July 22, 2025, had the following comments:

- a. The District owns and maintains a 30-inch interceptor sewer in an easement through Tax Lot 74.07-1-2 (518 Route 303) along Route 303.
 - i. No permanent structures may be built within our easements.
 - ii. If any foundation work or other types of major excavation work is to be done within close proximity to the easement boundary, we must be notified forty-eight (48) hours in advance. Shoring or other types of precautions may be needed to protect the sewer main. The property owner must also pay these expenses.

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:34

TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 16 of 21**

Continuation of Condition #13...

- iii. To prevent any damage from occurring to the existing main, the District must be notified when the land within the easement is to be modified. This includes but not limited to regarding raising or lowering of manhole frames, or working in close proximity to sewers and manholes within the easement. Our office must approve any construction to be done within our easements.
- iv. Contractors must obtain required insurance and sign a waiver to defend, indemnify, save and hold harmless both the County of Rockland and Rockland County Sewer District No. 1 from any claims arising from work performed within our easements.
- b. Please inform us of all developments in this project. If you have any questions, please contact this office at 845-365-6111.

14. Orange and Rockland, in an email dated July 10, 2025, had the following comment:

- a. O&R has gas services feeding the property that will be in conflict with the proposed warehouse. Please contact O&R's new business department for all disconnects/ reconnects, load increases, and new services. Please note all gas facilities must be located prior to work and all code 753 rules must be followed.

15. New York State Department of Transportation (NYSDOT), in an email dated July 18, 2025, had the following comments:

- a. Site Plan Set (Colliers)
 - i. Sheet 6 of 24:
 - 1. Separate the one-way sign and do not enter sign to their own post.
 - 2. Since Route 303 is a muti lane roadway the one-way signs need to be 48X18 based on MUTCD (sign face detail).
 - ii. Sheet 11 of 24: Please clearly identify the highway boundary on the site plans. Please make sure that no planting is within the ROW.
 - iii. Sheet 18 of 24:
 - 1. NYSDOT Pavement Detail please change the item numbers to 70 series pavement.
 - 2. NYSDOT Pavement Detail: PEM Concrete item number needs to be updated. 555.05010001
 - 3. Included a sign assembly details for the signs within the NYSDOT ROW. Review standard sheets 645 Signs for guidance.
- b. Roadway Improvement Plans (Dynamic)
 - i. Sheet 2 of 11: Any callout of Hot Mix Asphalt (HMA) for work in the NYSDOT ROW needs to be changed to Warm Mix Asphalt (WMA).

TOWN OF ORANGETOWN
2025 SEP 11 P 3:34
TOWN CLERK'S OFFICE

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 17 of 21**

Continuation of Condition #15...

ii. Sheet 3 of 11:

1. Please confirm that the pavement section shown will meet town/county guidance. Normal NYSDOT pavement section calls for 2" top, 2.5" binder 6-8" of base and 12" subbase.
2. Straight tack coat and Joint adhesive need to be applied in the NYSDOT pavement section.
3. What is the distance of 4' sidewalk? Normally NYSDOT requires sidewalk to be 5ft within the NYSDOT ROW if there are no restrictions. If there are restrictions please call them out on the plans and make sure there is a 5x5' passing space every 200ft.
4. Concrete curb in the NYSDOT ROW need a proper item number callout.
5. What is the purpose of the 3" pours tile under the curbing?

iii. Sheet 4 of 11:

1. Please confirm that the new overhead utility line will not impact the viability of the signal for drivers.
2. Clarify that the curb ramp on the north side will have the ramp upgraded with detectable warning section.

iv. Sheet 6 of 11:

1. For the pavement markings that are within the NYSDOT ROW item numbers will need to be called out.
2. The left turn and only pavement marking symbol should follow NYSDOT standard sheet 685.
3. You are proposing an advance intersection control sign on Mountain Road. However, I could not find the designation of R3-8F in the MUTCD or NYSDOT MUTCD supplement. Please show in the sign legend the layout of the sign.

v. Sheet 8 of 11:

1. Standard sheet 619-414 should be included for the work zone on Route 303 in the plan set.
2. Included a detour sign schedule. 619-503-1
3. What does the symbol below represent?



4. Between match line A there are two "end of work" signs for the northbound traffic. What is the reason for the need of two of the same signs?

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:34
TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 18 of 21**

Continuation of Condition #15...

- 5. Will the sidewalk be open on Mountain Road when roadway work has started?
- 6. There needs to be a warning on Route 303 for the closer of the Mountain Road entrance. A detour for northbound traffic will be needed at Orangeburg Road to get drivers back to Mountain Road.
- 7. Sheet 10 of 11: Commercial & Industrial access detail will need to be updated to current guidance and items numbers need to be called out.

c. Signal Plans

- i. The proposed left turn only sign should be moved closer to face 5 so it is more align with the left turn lane.
- ii. Table of Detectors:
 - 1. Ensure all zones are included in the table. Presence zones 41 and 48 are absent from the table. Count zones 51, 52, 60, and 63 are absent from the table.
 - 2. Count zone 53 is drawn twice.
 - 3. The EB approach should have one detection zone at the stop line per lane. Consolidate the two EB L zones and the two EB T zones and renumber.
 - 4. The right EB lane should have one zone at the stop line and one curbside for the right turn.
- i. Table of Conduits:
 - 1. Are conduits C4 and C5 being abandoned or removed? The item number currently in the table for abandonment is a PIN-specific NYC item number for historic masonry repair. If the conduit will be abandoned in place, no item number need be used.
- ii. Table of Pedestrian Indication Items:
 - 1. Replace item 680.815002 with one 680.813101 and one 680.815001. The 16" x 18" module will not fit a 12" section.
- iii. Estimate of Quantities:
 - 1. Add item 680.82250801, quantity 1.
 - 2. Remove item 680.815002.
 - 3. Add item 680.813101, quantity 1.
 - 4. Add item 680.815001, quantity 1.
 - 5. Correct quantity of item 680.813103 to 2.

15. 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.

TOWN OF ORANGETOWN
 2025 SEP 11 P 3:34
 TOWN CLERK'S OFFICE

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 19 of 21**

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

17. 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 §21. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Approval pursuant to Town Code §21 and §6A.

18. 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.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:34
TOWN OF ORANGETOWN

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 20 of 21**

19. 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.

20. 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.

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

22. 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).

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

24. 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

TOWN OF ORANGETOWN
2025 SEP 11 P 3:34
TOWN CLERK'S OFFICE

**PB #25-43: WPT Acquisitions LLC Site Plan Review
Final Site Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 21 of 21**

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

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

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

**Dated: July 23, 2025
Town of Orangetown Planning Board**



**Audrey Lupachino
Planning Assistant
Town of Orangetown**

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:35
TOWN OF ORANGETOWN

**PB #25-44: WPT Acquisitions LLC Resubdivision Review
Final Subdivision Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 1 of 8**

**TO: Jesse Cokeley, P.E., Colliers Engineering, 50 Chestnut Ridge
Road, Suite 101, Montvale, New Jersey 07645
FROM: Orangetown Planning Board**

RE: WPT Acquisitions LLC Final Resubdivision Plan Review: The application of Anthony Nelson, applicant, for the owner, 13 Mountain View LLC, for Final Site Plan Review at a site to be known as **“WPT Acquisitions LLC”** in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, **Chapter 21** of the Code of the Town of Orangetown. The site is located at 518 Route 303, 13 Mountainview Road, and 21 Mountainview Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.07, Block 1, Lot 2, 33, and 36; LI, CC, and LO zoning districts.

Heard by the Planning Board of the Town of Orangetown at meetings held **Wednesday, July 23, 2025** the Board made the following determinations:

Ira Emanuel, Attorney; Jesse Cokeley, Engineer; Corey Chase, Engineer; and Aanen Olsen, Applicant; appeared and testified before the Board.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, from Rick Oliver, Acting Director dated July 23, 2025.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E. dated July 11, 2025.
3. Letter from Plan Review Consultant Roman Professional Engineering PLLC, signed by Douglas Schmidt, P.E. dated July 8, 2025
4. Letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning dated July 15, 2025.
5. Lot Consolidation Plan prepared by Dynamic Survey, LLC signed by Rodolfo Pierri, P.E., dated January 28, 2022:
6. GML Response Letter from Emanuel Law P.C., signed by Ira M. Emanuel dated July 16, 2025.
7. Planning Board Decision PB# 22-17 dated July 24, 2024.
8. Planning Board Decision PB# 22-18 dated July 24, 2024.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:35
TOWN OF ORANGETOWN

**PB #25-44: WPT Acquisitions LLC Resubdivision Review
Final Subdivision Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 2 of 8**

The Board reviewed the submitted plan and information. 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 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, aye; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

PUBLIC COMMENTS:

John Savage, 130 Crescent Road, Piermont, questioned how the board can consider the subdivision without considering the site plan and why the two projects not considered as one project.

There being no one else to be heard from the Public, a motion to close the public portion of the meeting was made by Andrew Andrews 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, absent; Denise Lenihan, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye.

Reaffirmation of SEQRA

The proposed action is classified as a "Type I 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 and seconded by Andrew Andrews and carried as follows: Thomas Warren – Chair, aye; Michael Mandel - Vice Chair, aye; Andrew Andrews, aye, Matthew Miller, absent; Denise Lenihan, aye; Michael McCrory, aye; Lisa DeFeciani, aye; Bruce Bond, (alternate member), aye; the Board made reaffirmation on a Negative Declaration pursuant to SEQRA from Planning Board Decisions PB #22-17 and PB#22-18, dated July 24, 2024, Preliminary Resubdivision and Site Plan Approvals.

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:35

TOWN OF ORANGETOWN

**PB #25-44: WPT Acquisitions LLC Resubdivision Review
Final Subdivision Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 3 of 8**

DECISION: In view of the foregoing and the testimony before the Board, the application was granted **Final Resubdivision 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. 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 signed by the Chairman and the construction plans are reviewed and approved by the inspector.
5. Town of Orangetown Office of Building, Zoning, Planning, Administration, and Enforcement, in a letter dated July 23, 2025, had no further comments at this time.
6. Town of Orangetown Department of Environmental Management and Engineering, in a letter dated July 11, 2025, had the following comments:
 - a. No updated "Lot Consolidation Plan" was supplied with this application package.
 - b. The page and liber or instrument number, **metes and bounds**, purpose, width and ownership for all existing easements/ dedications shall be given on the plan.
 - c. Iron pins shall be drawn and labeled at each property corner. If not currently installed, applicant shall label as such & install.
 - d. Monuments shall be drawn and labeled at all R.O.W./ property corners.

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:35

TOWN OF ORANGETOWN

**PB #25-44: WPT Acquisitions LLC Resubdivision Review
Final Subdivision Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 4 of 8**

7. Roman Professional Engineering PLLC, in a letter dated July 8, 2025, had no comments.

8. Rockland County Department of Planning, in a letter dated July 15, 2025, had the following comments:

- a. Extensive research was done over a two-year period to create the Route 303 Overlay Zoning District to ensure that zoning requirements would provide strategies to improve the roadway's operation, aesthetics, and safety aspects. Safety aspects are of paramount importance, as this was one of the underlying reasons for the study. We recognize that this portion of the corridor is zoned and primarily developed for industrial and commercial uses; however, there are single family residences along the east side of Route 303, including one directly across from a proposed driveway to the site. The Town must ascertain if the proposed development will result in meeting the intent and scope of the Route 303 Sustainable Development Study. Furthermore, the Town shall be satisfied that all applicable provisions of the Route 303 Overlay Zone, outlined in Article XIII, Section 13.10B, of the Orangetown Zoning Code, have been addressed in the proposed site plan.
- b. The New York State Department of Transportation shall be given the opportunity to review the revised site plan dated May 15, 2025.
- c. A review must be completed by the County of Rockland Drainage Agency, and any required permits obtained.
- d. The Sparkill Creek is one of the reasons this proposal was referred to this department for review. The subject site is in the Sparkill Creek watershed and is less than 300 feet west of the Sparkill Creek. Approving this site plan will result in an overall increase in impervious cover in the watershed. Impervious cover results in additional stormwater pollutants such as excess fertilizers, pesticides, oil, sediment, and road salt running off into local waterways. The Sparkill Creek is listed in the Final 2020/2022 NYNS Section 303(d) List of Impaired Waters as a waterbody with impairments that do not support best uses and requires development of a Total Maximum Daily Load (TMDL). The pollutants identified are fecal coliform and oxygen demand. The suspected source of the pollution is urban/stormwater runoff. Development applications within the Sparkill Creek watershed must consider the adverse impacts of potential pollutant loadings to the Creek.
- e. An updated review of the May 15, 2025 site plan must be completed by the Rockland County Department of Health, and an application must be submitted to them for review of the stormwater management system to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- f. An updated review of the May 15, 2025 site plan must be completed by the Rockland County Sewer District No. 1 and any concerns addressed.

TOWN CLERK'S OFFICE

2025 SEP 11 P 3:35

TOWN OF ORANGETOWN

**PB #25-44: WPT Acquisitions LLC Resubdivision Review
Final Subdivision Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 5 of 8**

Continuation of Condition #8...

- g.** The applicant must comply with the comments provided by the Orangetown Fire Inspector dated July 9, 2024. The Fire Inspector must be satisfied with the Emergency Vehicle Circulation Plans and confirm that an emergency vehicle has sufficient maneuverability room to and from the southern entrance. In addition, the County of Rockland Office of Fire and Emergency Services or the Orangeburg Fire Department shall be given the opportunity to review the proposal to ensure that there is sufficient maneuverability on site for emergency vehicles.
 - h.** The site abuts property owned by Consolidated Rail Corp to the west. The proposal shall be sent to CSX Transportation, Inc. for comments.
 - i.** The lot lines to be disclaimed must be clarified on the site plan drawing.
 - j.** As required by the Rockland County Stream Control Act, the lot merger must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
 - k.** Once a lot line is disclaimed, a filed map cannot be used to convey property, nor can the tax maps be updated with the lot changes, until the deeds are filed with the County Clerk, conveying the portions of the lots that are required to achieve the lot configuration indicated on the lot merger. The applicant and the Town must make sure that the deeds are properly filed with the Rockland County Clerk to ensure that the tax maps are properly updated.
 - l.** Pursuant to New York State General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County's Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
 - m.** In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County agencies are prohibited from issuing a County permit, license, or approval until the report is filed with the County's Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner's report approving the proposed action or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.
- 9.** The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivision Plans and Board Decisions prior to signing the final plans.

TOWN OF ORANGETOWN
2025 SEP 11 P 3:35
TOWN CLERK'S OFFICE

**PB #25-44: WPT Acquisitions LLC Resubdivision Review
Final Subdivision Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 6 of 8**

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

11. 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 §21. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Approval pursuant to Town Code §21 and §6A.

12. 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.

TOWN OF ORANGETOWN
2025 SEP 11 P 3:35
TOWN CLERK'S OFFICE

**PB #25-44: WPT Acquisitions LLC Resubdivision Review
Final Subdivision Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 7 of 8**

Continuation of Condition #12...

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.

13. 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.

14. 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.

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

16. 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).

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

TOWN OF ORANGETOWN
2025 SEP 11 P 3:35
TOWN CLERK'S OFFICE

**PB #25-44: WPT Acquisitions LLC Resubdivision Review
Final Subdivision Plan Approval Subject to Conditions
Neg. Dec. Reaffirmed**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 8 of 8**

19. 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

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

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

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

**Dated: July 23, 2025
Town of Orangetown Planning Board**



**Audrey Lupachino
Planning Assistant
Town of Orangetown**

TOWN CLERK'S OFFICE
2025 SEP 11 P 3: 36
TOWN OF ORANGETOWN

**PB #25-47: Montar 303 Subdivision
Granted Two 90-day Extensions to File the Subdivision Plan with the
Rockland County Clerk's Office
and Amendment to Condition #3 of PB# 25-06 Decision (Money-in-lieu-of-
land)**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 1 of 2**

**TO: Donald Brenner, 4 Independence Avenue, Tappan, New York 10983
FROM: Orangetown Planning Board**

RE: Montar 303 Subdivision Plan: The application of Rathmagurry Realty, applicant and owner, for two 90-day Extensions to File the Subdivision Plan with the Rockland County Clerk's Office and Amendment to Conditions at a site to be known as "**Montar 303 Subdivision 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 21 of the Code of the Town of Orangetown. The site is located at 636 North Greenbush Road, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 65.15, Block 1, Lots 1 and 2 in the R-40 and LO zoning districts.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, July 23, 2025**, at which time the Board made the following determinations:

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Rick Oliver, Acting Director, dated July 23, 2025.
2. A request memorandum from and signed Donald Brenner, dated July 7, 2025.
3. A request memorandum from and signed Jay Greenwell, dated July 2, 2025.

The Board reviewed the memorandums.

DECISION: In view of the foregoing, the Board **GRANTED Two 90-Day Extensions to File the Subdivision Plan with the Rockland County Clerk's Office and Amendment to PB# 25-06 Decision Condition #3 for Payment of Money in Lieu of Land to be paid at the time of Planning Board Approval for the Development Site Plans for both lots.**

1. Town of Orangetown Office of Building, Zoning, Planning, Administration, and Enforcement, in a letter dated June 24, 2025, had no comments to the requested extension.

TOWN CLERK'S OFFICE
2025 SEP 11 P 3:36
TOWN OF ORANGETOWN

**PB #25-47: Montar 303 Subdivision
Granted Two 90-day Extensions to File the Subdivision Plan with the
Rockland County Clerk's Office
and Amendment to Condition #3 of PB# 25-06 Decision (Money-in-lieu-of-
land)**

**Town of Orangetown Planning Board Decision
July 23, 2025
Page 2 of 2**

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

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

Dated: July 23, 2025



**Audrey Lupachino
Planning Assistant
Town of Orangetown Planning Board**

TOWN OF ORANGETOWN
2025 SEP 11 P 3:36
TOWN CLERK'S OFFICE