

**Project Review Committee Report**

January 7, 2015

**TO: Town of Orangetown Planning Board**  
**RE: Meeting of January 14, 2015**

**50 Ramland Road Wireless Communication  
Facility Site Plan Review and Special Permit**

**PB #14 - 48**

Prepreliminary/ Preliminary Site Plan Review, Special Permit  
and SEQRA Review, 73.20/1/30; LIO zoning district

1. The PRC has no additional comments beyond the comments submitted by other agencies for this project.

**Sapienza Site Plan**

**PB #15 - 01**

Amendment to Preliminary Approval PB#08-59  
and Final Site Plan Review; 65.20/1/7; R-40 zoning district

1. The PRC has no additional comments beyond the comments submitted by other agencies for this project.

**Orangetown Shopping Center Site Plan**

**PB #15 - 02**

Final Site Plan Review; 74.10/1/67; CS zoning district

1. The PRC has no additional comments beyond the comments submitted by other agencies for this project.



**Hillside Commercial Park Site Plan**

**PB #14 - 27**

Final Site Plan Review; 68.11/3/39 & 40; LI zoning district

1. The PRC has no additional comments beyond the comments submitted by other agencies for this project.

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Attendees: J. Giardiello, B. Peters, R Magrino, G. Devincenzo, and M. Bettmann  
Non Members: Michael Mandel, Planning Board Member and D. Sampath



Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

777 Chestnut Ridge Road  
Suite 202  
Chestnut Ridge, NY 10977-6218  
T: 845.352.0411  
F: 845.352.2611  
www.maserconsulting.com

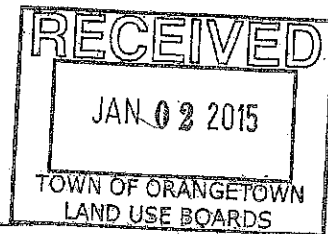
**MEMORANDUM**

**To:** PLANNING BOARD, TOWN OF ORANGETOWN  
ATTN: CHERYL COOPERSMITH CHIEF CLERK

**From:** MASER CONSULTING P.A.

**Date:** DECEMBER 30, 2014

**Re:** **HILLSIDE COMMERCIAL PARK SITE PLAN, PB#07-45**  
**MC PROJECT NO. ORP-010**



*Jesse B. Cokeley*  
Jesse B. Cokeley, P.E.

After reviewing the previously provided Plans and Stormwater Pollution Prevention Plan (SWPPP), there were several issues that needed to be addressed prior to recommending the above referenced project for approval from a drainage perspective. As a professional courtesy, Maser Consulting provided a DRAFT copy of the review memo dated December 11, 2014 to the applicant's engineer so that the plans and SWPPP could be revised ahead of the upcoming meeting. A copy of the draft memo is attached for reference. In response, the following items were submitted by the applicant's engineer and received in our office on December 26, 2014:

- Site Plans (Sheets T-1-14) for Hillside Commercial Park, Town of Orangetown, prepared by Brooker Engineering, PLLC, dated 8/29/07 and last revised 12/23/14;
- Stormwater Pollution Prevention Plan (SWPPP) prepared for Hillside Commercial Park by Brooker Engineering, PLLC, revised 12/23/14;
- Comment Response letter prepared by Brooker Engineering, dated 12/23/14 in response to DRAFT Drainage Review memo prepared by Maser Consulting, dated 12/11/14.

Most of the previous comments have been addressed within the revised documents listed above, but there remains two issues the Board should be aware of and they are listed below. Please note, our review and comment was with respect to the proposed drainage system ONLY:

1. Page 19 of the SWPPP states that the project is not considered a HotSpot, however table 4.3 in the New York State Stormwater Management Design Manual (NYSSMDM) lists Industrial uses as HotSpots. These are based on SIC codes outlined in the SPDES General Permit for Stormwater Discharges Associated with Industrial Activity. When an end user for the Warehouse / Light Manufacturing building is identified, the Town of Orangetown will need to determine if it qualifies as a HotSpot. Stormwater runoff from HotSpots requires additional treatment and cannot be infiltrated into the ground, which would greatly impact the proposed design. It would be very costly to make these changes after construction is complete.





2. As per Section VII.R. of the SPDES General Permit, nothing in the GP-0-010-001 relieves the owner or operator from a requirement to obtain any other permits required by law. The applicant must still obtain all necessary permits for wetland disturbance and work within the 100 year Floodplain.
3. The design of the proposed retaining walls shall be signed and sealed by a Licensed Professional Structural Engineering in New York State.

Please note that upon submission of revised documents, further stormwater review and comment may be provided. The above comments represent our professional opinion and judgment, but may not necessarily, in all cases, reflect the opinion of the Planning Board. If the comments noted above are adequately addressed, we recommend the Hillside Commercial Park Site Plan be approved for drainage subject to the conditions as noted.



Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

777 Chestnut Ridge Road  
Suite 202  
Chestnut Ridge, NY 10977-6218  
T: 845.352.0411  
F: 845.352.2611  
www.maserconsulting.com

## MEMORANDUM

**To:** PLANNING BOARD, TOWN OF ORANGETOWN  
ATTN: CHERYL COOPERSMITH CHIEF CLERK

**From:** MASER CONSULTING P.A.

**Date:** December 11, 2014

**Re:** HILLSIDE COMMERCIAL PARK SITE PLAN, PB#07-45  
MC PROJECT NO. ORP-010

The following items were submitted for the above referenced project with no cover letter:

- Site Plans (Sheets T, 1-14) for Hillside Commercial Park, Town of Orangetown, prepared by Brooker Engineering, PLLC, dated 8/29/07 and last revised 11/6/14;
- Overlay Plan for Hillside Commercial Park, Town of Orangetown, prepared by Brooker Engineering, PLLC, dated 11/6/14;
- Sewage Pump Station Design prepared for Hillside Commercial Park by Stuart Strow, P.E., dated 11/6/14;
- Ejector Pump Design prepared for Hillside Commercial Park by Stuart Strow, P.E., dated 11/6/14;
- Stormwater Pollution Prevention Plan (SWPPP) prepared for Hillside Commercial Park by Brooker Engineering, PLLC, revised 11/6/14;
- Review letters from various reviewing agencies and written comments from the public.

Following are the comments related to the aforementioned submission with respect to the proposed drainage system ONLY:

1. Page 4 of the SWPPP does not identify the SWPPP Coordinator for the facility. Similarly, the SWPPP Certification is unsigned on Page 24. A completed Notice of Intent (NOI) should be submitted for review as well.
2. Please provide Watershed maps showing tributary areas for pre and post conditions.
3. Page 6 of the SWPPP identifies the total disturbance as being approximately 7 acres. The SWPPP goes on to say the construction will be done in phases, making sure to not disturb more than 5 acres at any one time. Please provide detailed phasing and sequencing plans identifying the total disturbance within each phase. The alternative would be to request a waiver from the Town of Orangetown. If the waiver is requested, the applicant must adhere to Part II.C.3 of the SPDES General Permit GP-0-010-001.
4. Page 19 of the SWPPP states that the project is not considered a HotSpot, however table 4.3 in the New York State Stormwater Management Design Manual (NYSSMDM) lists



Industrial uses as HotSpots. These are based on SIC codes outlined in the SPDES General Permit for Stormwater Discharges Associated with Industrial Activity. An end user for the Warehouse / Light Manufacturing building should be identified to determine if it qualifies as a HotSpot. Stormwater runoff from HotSpots requires additional treatment and cannot be infiltrated into the ground, which would greatly impact the proposed design. It would be very costly to make these changes after construction so it is recommended the applicant take this into account into the proposed design. An alternative would be a condition of approval limiting the types of industrial activities permitted in the proposed warehouse / light manufacturing building to those not considered to be HotSpots.

5. The proposed stormwater management facility is referenced as a number of different practices throughout the report: a pocket pond, an infiltration basin, an infiltration trench, and a detention basin. Please revise for consistency. It should be noted that the maximum recommended drainage area for pocket ponds and infiltration trenches is 5 acres.
6. The HotSpot issue notwithstanding, if the infiltration basin or trench is proposed, soil testing should be submitted for review including a stabilized percolation rate and depth to groundwater and bedrock.
7. Page 17 of the SWPPP mentions the existing wetland will provide additional Water Quality Volume (WQv) but it is not quantified anywhere in the calculations. Please also provide the WQv design calculations for the vegetated swales that are proposed to treat the runoff from the entrance drive that cannot discharge to the basin.
8. The NYSSMDM requires 25% WQv pretreatment for infiltration facilities. Please demonstrate that this is provided.
9. ~~There are several concerns with the Water Quality / Detention Basin Calculation worksheets:~~
  - a. The orifice is listed as 3" diameter in the worksheets and 4" on the HEC-1 input.
  - b. One of the worksheets states CPv, QPv and Cfv attenuation is not required. Please clarify.
10. As per Section VII.R. of the SPDES General Permit, nothing in the GP-0-010-001 relieves the owner or operator from a requirement to obtain any other permits required by law. The applicant must still obtain all necessary permits for wetland disturbance and work within the 100 year Floodplain.
11. The following comments pertain to the site plans:
  - a. Several headwalls discharging to the detention basin appear to be at an elevation well above the grading shown in their location. Please clarify.
  - b. There is no proposed grading shown on the drive aisles on the north and south sides of the warehouse / light manufacturing building.
  - c. Please provide additional details for the retaining wall that supports the parking and drive areas that will occasionally be inundated by water in the detention basin. As per the Town of Orangetown Department of Environmental Management and Engineering memo dated June 5, 2014 "the applicant's engineer shall thoroughly explain, in the required SWPPP, the affect that the wall will have on water quality and ability of the wall to keep water in the basin.



- d. The finished grade is not shown near STA 3+00 on the "Profile – Storm Drainage CB L1 to HW L5" on Sheet 9.
- e. The Precast Filterra Unit Detail is no longer required.
- f. The Detention Basin Outlet Structure Detail needs to be revised to match the SWPPP.

Please note that upon submission of a revised SWPPP, further stormwater review and comment will be provided. The above comments represent our professional opinion and judgment, but may not necessarily, in all cases, reflect the opinion of the Planning Board. We hope that these comments are helpful to the Board in its review of this project. Should you have any questions, please don't hesitate to contact us.

\\NYCCAD\Projects\ORP\ORP-010\Memos\141211\_jtc\_DrainageReview.docx

HILLSIDE COMMERCIAL PARK (O-2140G)

- 5 It should be clarified by the Town if the parking requirement of one space per two employees or 300 square feet of gross floor area needs to be provided for the larger of the two requirements. There is a great deal of discrepancy between having two parking spaces for the number of employees, and the number of parking spaces being dependent on the gross square footage of the floor area, which would require over 500 parking spaces. This must be better defined in the zoning ordinance.
- 6 The configuration of Road "B" at the northern end of the parcel is still very oddly shaped. The connection with Road "C" is an improvement in the circulation of the two parcels, but it is still unclear why the end of the roadway ends with a "hammerhead." A better designed road connection should be provided.
- 7 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. A letter from the public water supplier, stamped and signed by a NYS licensed professional engineer, shall be issued to the municipality, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.
- 8 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.

  
\_\_\_\_\_  
Douglas J. Schuetz  
Acting Commissioner of Planning

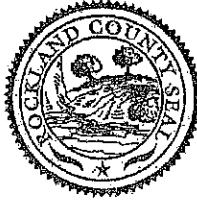
cc: Supervisor Andrew Stewart, Orangetown  
New York State Department of Transportation  
New York State Department of Environmental Conservation  
Rockland County Drainage Agency  
Rockland County Department of Health  
Rockland County Office of Fire and Emergency Services  
United States Army Corps of Engineers  
Brooker Engineering, PLLC  
Donald Brenner, Esq.

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

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

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

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



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

EDWIN J. DAY  
County Executive

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax. (845) 364-3435

DOUGLAS J. SCHUETZ  
Acting Commissioner

ARLENE R. MILLER  
Deputy Commissioner

December 15, 2014

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 68.11-3-40      68.11-3-39

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

**Map Date:** 11/6/2014

**Date Review Received:** 11/12/2014

**Item:** *HILLSIDE COMMERCIAL PARK (O-2140G)*

Site plan for the proposed construction of three buildings totaling 162,600 sq. ft. and a 2,000 sq. ft. two-story office/watchman's residence, in the LI zoning district on a total of 10.22 acres. Lot #1 will contain two self-storage buildings totaling 94,600 sq. ft. on 6.99 acres; and lot #2 will contain a 68,000 sq. ft. warehouse/light manufacturing building on 3.23 acres.

East side of NYS Route 304, north side of Hillside Avenue, west side of the railroad right-of-way

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**Reason for Referral:**

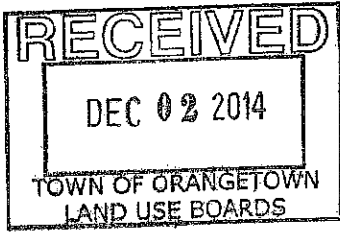
~~NYS-Route-304, Muddy Creek~~

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

***\*Recommend the following modifications***

- 1 An updated review shall be completed by the New York State Department of Transportation and all required permits obtained.
- 2 The comments and conditions in the April 30, 2014 letter from the Rockland County Drainage Agency must be met. All required permits must be obtained.
- 3 The comments and conditions in the April 16, 2014 letter from the Rockland County Department of Health must be met.
- 4 An updated review must be completed by the Rockland County Office of Fire and Emergency Services.





**County of Rockland**

ROCKLAND COUNTY DEPARTMENT OF HEALTH  
The Dr. Robert L. Yeager Health Center  
50 Sanatorium Road - Building D  
Pomona, New York 10970

**ENVIRONMENTAL HEALTH PROGRAM**

Telephone: (845) 364-2608  
Fax: (845) 364-2025  
[www.rocklandgov.com/health](http://www.rocklandgov.com/health)

PATRICIA S. RUPPERT, DO, FAAFP  
Commissioner of Health

RON HANSEN, MBA  
Deputy Commissioner of Health



Public Health  
Promote. Protect. Prevent.

JUDITH M. HUNDERFUND, P.E.  
Director, Environmental Public Health

EDWIN J. DAY  
County Executive

November 24, 2014

Ms. Cheryl Coopersmith, Clerk  
Town of Orangetown Planning Board  
20 Greenbush Road  
Orangetown, NY 10962

Re: Hillside Commercial Park, Tax Lots 68.11-3-39 & 40

Dear Ms. Coopersmith:

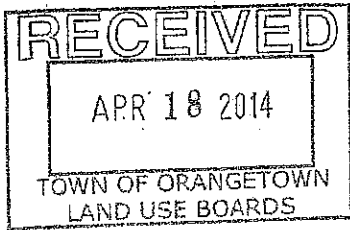
We have received the above referenced subdivision plans as prepared by Brooker Engineering, PLLC, revised through November 6, 2014. All comments from our letter dated April 16, 2014 are still applicable.

If you have any questions regarding this matter, please contact the undersigned.

Very truly yours,

Scott McKane, P.E.  
Senior Public Health Engineer  
(845) 364-2642

cc: Brooker Engineering, PLLC  
Arlene Miller, Rockland County Department of Planning



## County of Rockland

ROCKLAND COUNTY DEPARTMENT OF HEALTH  
The Dr. Robert L. Yeager Health Center  
50 Sanatorium Road – Building D  
Pomona, New York 10970

### ENVIRONMENTAL HEALTH PROGRAM

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PATRICIA S. RUPPERT, DO, FAAFP  
Commissioner of Health



RON HANSEN, MBA  
Deputy Commissioner of Health

Public Health  
Prevent. Promote. Protect.

JUDITH M. HUNDERFUND, P.E.  
Director, Environmental Public Health

EDWIN J. DAY  
County Executive

April 16, 2014

Ms. Cheryl Coopersmith, Clerk  
Town of Orangetown Planning Board  
20 Greenbush Road  
Orangetown, NY 10962

Re: Hillside Commercial Park, Tax Lots 68.11-3-39 & 40

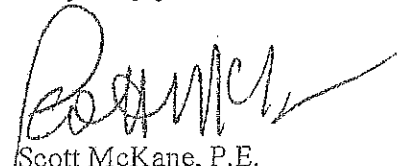
Dear Ms. Coopersmith:

We have received the above referenced subdivision plans as prepared by Brooker Engineering, PLLC, revised through April 8, 2014. Our comments are as follows:

1. A Transportation Corporation must be formed in accordance to Article 10, "Sewage-Works Corporations" of the New York State Transportation Corporation Law. This office will conduct a detailed review when ~~the formal application is made to the Health Department~~
2. Application is to be made to the RCDOH for a water main extension. This application is to be made through United Water New York.
3. Application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code.

If you have any questions regarding this matter, please contact the undersigned.

Very truly yours,

  
Scott McKane, P.E.  
Senior Public Health Engineer  
(845) 364-2642

cc: Brooker-Engineering, PLLC  
Arlene Miller, Rockland County Department of Planning  
Brian Hunderfund, RCDOH

# Hillside Site Plan



**From:** Shajan Thottakara <ThottakS@co.rockland.ny.us>  
**Sent:** Friday, November 21, 2014 3:31 PM  
**To:** Cheryl Coopersmith; John Giardiello  
**Cc:** Vincent Altieri  
**Subject:** Hillside Commercial Park Site Plan ( RCDA Permit Application No. 07-38)

To the Town of Orangetown Planning Board;

The Rockland County Drainage Agency ("RCDA") has received the above-referenced proposal included with Planning Board referral for Planning Board Meeting dated January 14, 2015 as prepared by Brooker Engineering, PLLC.

The RCDA has received a Stream Control Act Permit Application from the property owner and the project has had multiple reviews by the RCDA under Application No. 07-38.

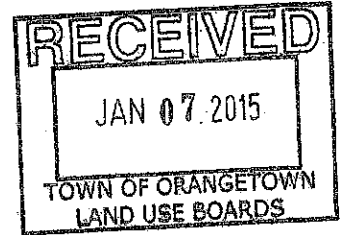
Please note that the RCDA has not received a response from the applicant or its consultant for the permit application review comments indicated in the latest RCDA letter dated May 8, 2013, which was forwarded to the Planning Board earlier.

Please be advised that, upon receipt and review of a response for the latest RCDA comments from the applicant or its consultant, the RCDA will provide a copy of our review letter with new comments, if any, to the Town Planning Board and Building Department.

Thank you.

---

Shajan S. Thottakara P.E., CFM  
Rockland County Drainage Agency  
23 New Hempstead Road  
New City, New York 10956  
(845) 638-5081



State of New York  
Department of Transportation  
275 Ridge Road  
New City, NY 10956  
(845) 634-4661  
www.dot.ny.gov

WILLIAM J. GORTON, P.E.  
REGIONAL DIRECTOR  
January 5, 2015

JOAN MCDONALD  
COMMISSIONER

Ms. Cheryl Coopersmith, Chief Clerk Boards and Commissions  
Town of Orangetown  
20 Greenbush Road  
Orangeburg, NY 10962

Re: Hillside Commercial Park  
Route 304, SH 9006  
Pearl River, Rockland County

Dear Ms. Coopersmith:

We have reviewed the most recent package submitted for the subject project in preparation for the January 14, 2015 Town of Orangetown Planning Board meeting, including plans dated November 6, 2014.

We offer the following comments:

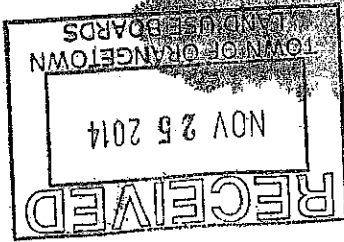
1. The proposed widening of Hillside Avenue between State Route 304 and the access drive to the site does not appear to have been detailed on the most recent plan revision. Our Department will need to review these details and a State Highway Work permit will be required for any work within the State Right-of-way at the intersection to include any traffic control measures for the work zone.
2. The installation of the water main and sewer force main within the State Right-of-Way will also require State Highway Work permits in addition to the Use & Occupancy permit.

If you have any questions you may contact Permit Engineer Joseph Taylor at 845-634-1892 or me at 845-634-4661.

Very truly yours,

Jennifer P. Clark, PE  
Resident Engineer

cc: Stuart Strow, P.E., Brooker Engineering, P.L.L.C. 76 Lafayette Ave., Suffern, NY 10901  
Route 304 L.L.C., 75 Michael Roberts Court, Pearl River, NY 10965



Town of Orangetown  
**Bureau of Fire Prevention**  
20 Greenbush Road  
Orangeburg, N.Y. 10962  
Ph (845)365-0204\*fax (845)365-0241

November 25, 2014

Site Plan Comments "Hillside Commercial Park Subdivision"

As written in our comments dated 5/13/13, 4/28/2014 we are again requesting the following:

Provide a site plan showing all fire service features and all buildings on one page: show turning radius for a 254 inch wheelbase fire apparatus navigating entire site on all roadways including hammerhead turnaround Indicate the Following: 1. fire hydrant locations. 2. Fire lanes-signs and striping. 3. Road widths. 4. Gates. 5. Proposed Fire Department connections for fire sprinkler systems(hydrant placement can be affected by these locations).

There is a concern as to there only being one means of access to the entire site, some type of emergency vehicle only access gate may be required to allow secondary access.

As the New York Fire Code dictates: F503.1.2 Additional access. The code enforcement official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

The site has been prone to severe flooding, the primary entrance has been inaccessible in past flooding events, a fire or any other type emergency during a flood could prove disastrous, and accessing the site across an active rail line as a second means of emergency access is not an option.

- 1) All roadways, turnarounds etc... must provide a proper turning radius to accommodate a 55 foot long piece of fire apparatus with a wheelbase of 254 inches.
- 2) All roadways must be a minimum of 20 feet in width with vertical clearance of 13 Feet 6 inches. Where a fire hydrant is located on a roadway the road width must be 26 feet.
- 3) Bridges, culverts, elevated surfaces shall comply with the following:  
Where a bridge or an elevated

surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO Standard Specification for Highway Bridges. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the Fire Inspector. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the Fire Inspector. Answered Brooker letter 11/6/14

- 4) Fire hydrants shall be provided with a maximum spacing of 500 feet between each. As shown on site plan map drawing #1.
- 5) Provide proper architectural drawings of proposed structures. Answered Brooker letter 11/6/14
- 6) Install and maintain fire sprinkler systems as per NFPA 13. Answered Brooker letter 11/6/14
- 7) Install and maintain fire alarm systems as per NFPA 72. In addition fire alarm systems are to be addressable and transmit in contact id format to 44- Control. Answered Brooker letter 11/6/14
- 8) Fire alarm systems are required to have exterior mounted amber strobe light for Activation of detection devices and manual pull stations. In addition a red strobe light shall be installed on the exterior to indicate sprinkler water flow. (Location for strobe lights shall be determined by fire inspector) Answered Brooker letter 11/6/14
- 9) Key boxes for fire department access shall be installed on each building in a location to be determined by Fire Inspector. (Order form shall be provided by Fire Inspector) Answered Brooker letter 11/6/14
- 10) 5 inch storz fire department connections for the fire sprinkler systems shall be provided in a location to be determined by the Fire Inspector. In addition a sign indicating "FDC" in six inch red reflective letters shall be installed at a minimum of four feet above the connection.
- 11) Portable fire extinguishers shall be installed and maintained as per NFPA 10. Answered Brooker letter 11/6/14
- 12) Upon review of structural drawings a determination shall be made as to the requirements of a standpipe system. Answered Brooker letter 11/6/14
- 13) It appears that a four inch water main may be inadequate to support fire flows. Provide certified documentation of such. Answered Brooker letter 11/6/14

- 14) Apply for and maintain a Certificate of Compliance Fire Safety.  
Answered Broker letter 11/6/14
- 15) All roadways other than designated parking spaces will be designated as NO parking no standing fire lanes. Any fire lane less than 26 ft wide must have fire lane signs and striping on both sides. Any fire lane over 26 ft wide must be striped and signed on one side.
- 16) Provide a site plan showing all fire service features and all buildings on one page: show turning radius for a 254 inch wheelbase fire apparatus navigating entire site on all roadways including hammerhead turnaround Indicate the Following: 1. fire hydrant locations. 2. Fire lanes-signs and striping. 3. Road widths. 4. Gates.
- 17) There is a concern as to there only being one means of access to the entire site, some type of emergency vehicle only access gate may be required to allow secondary access.



Michael B. Bettmann  
Chief Fire Inspector  
Town of Orangetown

Hillside Commercial  
Park Site Plan

1-14-15 P.B. M.J. FEERICK LYNCH MACCARTNEY P.L.L.C.  
ATTORNEYS AT LAW

SOUTH NYACK OFFICE  
96 SOUTH BROADWAY  
SOUTH NYACK, NEW YORK 10960  
TEL. 845-353-2000 FAX. 845-353-2789

DENNIS E.A. LYNCH  
DONALD J. FEERICK, JR.  
J. DAVID MACCARTNEY, JR.

OF COUNSEL  
DONALD J. ROSS  
MARVIN R. GESS  
DAVID J. RESNICK  
ALBERT J. KAISER  
WILLIAM D. REILLY  
KEVIN F. HOBBS

CONNECTICUT OFFICE  
1111 SUMMER STREET, 5TH FLOOR  
STAMFORD, CONNECTICUT 06905  
TEL. 203-724-9999  
(Not for service of papers)

[www.flmpllc.com](http://www.flmpllc.com)

MARY E. MARZOLLA\*  
JENNIFER M. FEERICK  
BRIAN D. NUGENT\*  
STEPHEN M. HONAN\*+  
ALAK SHAH\*  
MICHAEL K. STANTON+

\*LICENSED ALSO IN NEW JERSEY  
+LICENSED ALSO IN CONNECTICUT

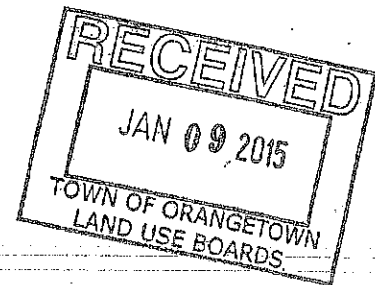
January 9, 2015.

Via E-Mail - [ccoopersmith@orangetown.com](mailto:ccoopersmith@orangetown.com)

Town of Orangetown  
Planning Board  
20 Greenbush Road  
Orangeburg, New York 10962

Attention: Cheryl Coopersmith, Chief Planning Board Clerk

Re: Hillside Commercial Park Site Plan



Dear Planning Board Clerk Coopersmith:

Please accept this correspondence as part of the Record with regard to the Land Use Application above-captioned to be considered by the Planning Board on Wednesday, January 14, 2015. I request that this correspondence and the enclosures be presented to the Planning Board prior to it making any Decision as part of the Record in this matter. There are several critical reasons why the Planning Board cannot act until further information is received about critical issues.

First, our review of this matter indicates that the wetland delineation for the Property in question have not been reviewed since 2008. After over one-half of a decade (when substantial hydraulic changes have taken place in the area), a current wetland delineation is required.

Second, our Office is also informed that the Army Corp of Engineers' Permit with regard to the Property and Project in question has also expired. Any conditional or other approval of the proposed Plan by the Planning Board without a current and valid Army Corp of Engineers' Permit (and accurate wetland survey) is arbitrary and capricious, in violation of applicable procedure and an abuse of discretion.

Third, information has been provided to our Client that a complete review of the most recent Plan has not been undertaken by local authorities involved with firematic as well as other health and safety issues. Therefore, the Planning Board is placed upon notice of these important and unaddressed concerns that impact upon the health and safety of anyone occupying any structure that is approved by the



FEERICK LYNCH MacCARTNEY, ESQS.

January 9, 2015

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Board as well as the substantial number of residential neighbors whose property and person would be additionally adversely impacted by any such approval without adequate health, safety and welfare review.

Finally, enclosed herewith please find a Petition signed by interested and involved individuals opposed to approval of this Project. Local residents and others have reviewed the Plan and strenuously object to any approvals being granted at this time as the Record does not support any such approval by the Planning Board. Thank you for your time and consideration of the foregoing.

Very truly yours,

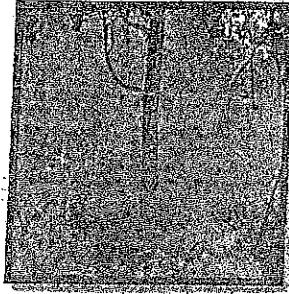
  
Dennis E. A. Lynch

DEAL/sd  
Enclosures

cc: Residents United to Save Hillside (RUSH)

# Petition

Kevin Garvey, Chairman  
 Robert Dell  
 Bruce Bond  
 Thomas Warren  
 William Young



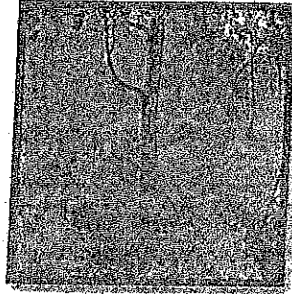
Andrew Stewart, Supervisor  
 Denis Troy, Councilman  
 Thomas Diviny, Councilman  
 Tom Morr, Councilman  
 Paul Valentine, Councilman

We the undersigned intend to hold the above named officials of the Town of Orangetown Planning Board and the above named officials of the Town of Orangetown Town Board responsible for any injury, loss of life (etc) and property destruction caused by lack of emergency access to the site and the Board's disregard of for the concerns expressed by the Town of Orangetown Bureau of Fire Prevention on the proposed development known as Hillside Commercial Park. We ask the Planning Board to require this change PRIOR to granting final approval on the developer's plans. We ask the Town Board to reinforce the COMMUNITY's request of the Planning Board.

NAME	Address	signature
Jim J Bach	29 Rollins A	PEARL RIVER
Mandy Hartigan	34 Rollins Ave	Pearl River
Michelle Hartigan	34 Rollins Ave	Pearl River
Brianne Lickenny	51 Marycrest Rd	West Nyack
Lynne Ann	682 Siskin Vista Dr	Corona 109
Jacquelyn Frosset	1003 Rose Rd	West Nyack
Sean Farrah	134 W Cromwell Rd	Pearl River
Gabrielle Parullo	5 HUNTAVE	PEARL RIVER
Kyle Hartigan	34 Rollins Ave	Pearl River
ANDREW WAKOWSKI	3 MERCURY DR	PEARL RIVER
Carol J. Hill	15 Rollins Ave	Pearl River
Mimi [unclear]	227 Greenbush Rd.	Orangeburg NY
Alan Paris	21 REARIE Ln.	Blauvelt

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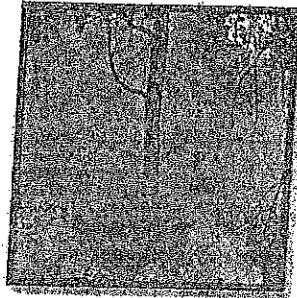
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<i>Kevin Garvey</i>	69 N. MAIN ST. PR.	845-735-9168
<i>John Ryzhalski</i>	15 Moore Ave Pearl River	845.548-7046
<i>Debra Skurys</i>	15 Moore Ave PR	845-548-7046
<i>Gerard Dimuro</i>	99 Hillside Avenue	845 735-7119
<i>Andrea G. Acker</i>	98 N. SEVEN S	845-735-4720
<i>Grace Dolan</i>	94 N. Seven St.	845-735-8738
<i>Margaret Skrap</i>	89 N. Seven St	845-735-4150
<i>Frank Shears</i>	89 N Seven St	845 735 4150
<i>Lawrence Bach</i>	25 Rollins	735 2514
<i>Army Bach</i>	25 Rollins Ave	735-2514
<i>William R. Hancock</i>	48 WEST GEORGE AVE	845 620 9630
<i>John Lowry</i>	77 W. Crooked Hill	845-826-0980.
<i>Tracey Hancock</i>	48 W George Ave	Pearl River, Ny

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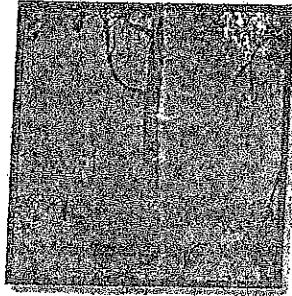
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Lisa Sheridan	48 W. Lewis Pearl River	735-8453
Larry [Signature]	118 Braunsdorf rd. PR	620-3794
[Signature]	118 Braunsdorf PR	620-3794
[Signature]	48 W Lewis Ave Pearl River NY	
Tommy Gully	77 W Crocker Hill PR, NY	876-0982
Joann Di Lorenzo	12 Maple Ave Pearl River NY	735-7570
Dolores Coracin	72 N. Hillside Ave Pearl River	845-300-2050
Mary Clark	73 Hillside Ave, PR	735-8139
Michael McQue	21 W Lewis Av PR	735 3912
Ronni Sanford	140 N. Magnolia St. P.R.	735-2019
Wilbert J. Tomford	100 W. MAGNOLIA ST. P.R.	845-735-3019
Shawn McLaughlin	80 BROOK ST.	646-533-1842
Jack Butler	79 North Pearl St	845-735-2693

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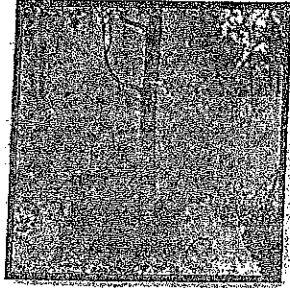
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NAME	ADDRESS	
ANGELA BYRNE	118 GROVE ST., Pearl River, NY 10965	
LEW McCARDY	137 HOLT AVE Pearl River, N.Y.	
Donald CRAIG	331 Holt Dr. Pearl River N.Y. 10965	
Lynette Stankov	141 W. Park Ave Pearl River, NY 10965	
LORI HORGAN	ADAMS CT. PEARL RIVER, NY 10965	
David Solano	144 Railroad Ave Pearl River, NY 10965	
Ky Sola	230 Railroad Ave PR NY 10965	
Patricia Murch	2103 FRED WILK. CT PR NY 10965	
Brian FRIZZ	7 PERRY CT Pearl River	
Helen Brunner	77 Brook Street Pearl River	
Joan Piering	173 John Street Pearl River	
Evelyn Neven	140 Prospect Pl Pearl River	
W. J. Clark	73 HILLSIDE AVE Pearl River	

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<i>Helen K. Murphy</i>	110 So William St Pearl River, NY 10965	845.642.8957
<i>Jim C. W.</i>	17 MOORE AVE. PEARL RIVER NY 10965	845-735-9424
<i>Stacy</i>	17 MOORE AVE PEARL RIVER NY 10965	845 735 9424
<i>Jackie M. Conroy</i>	11 MOORE AVE PEARL RIVER, NY 10965	917-855-3107
<i>Funkiana M. Conroy</i>	11 MOORE AVENUE PEARL RIVER NY 10965	917-548-8763
<i>Sary Vitter</i>	16 MOORE AVE PEARL RIVER NY 10965	845 735 1684
<i>Linnet E. Conroy</i>	41 MOORE AVE. P.R.	845-735-7937
<i>Barry Pfenget</i>	33 MOORE AVE P.R.	845-735-2837
<i>Sabrina Pfenget</i>	33 Moore Ave, P.R.	845-735-2837



