

**Meeting of April 26, 2017  
Town of Orangetown Planning Board**

**MEMBERS PRESENT:** Kevin Garvey, Chairman; Bruce Bond, Vice Chairman; Michael Mandel; Thomas Warren; Stephen Sweeney and Robert Dell

**MEMBERS ABSENT:** William Young

**ALSO PRESENT:** John Giardiello, Director, Department of Building, Zoning, Planning Administration and Enforcement; Robert Magrino, Deputy Town Attorney; Ann Marie Ambrose, Stenographer and Cheryl Coopersmith, Chief Clerk.

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

**Quinn Site Plan – Temporary Play Area**  
Prepreliminary/ Preliminary/ Final  
Site Plan and SEQRA Review  
Sparkill Hamlet Overlay Zone  
1-3 Union Street, Sparkill  
77.08/5/48.2; CS-Mixed Use zoning district

**PB #17-19**

**Final Site Plan  
Approval Subject  
to Conditions/ Neg. Dec.**

**Pearlcrest Estates Subdivision Plan**  
Prepreliminary/ Preliminary  
Subdivision Plan and SEQRA Review  
149 and 165 South Main Street, Pearl River  
72.08/1/7 and 68.20/5/70; RG zoning district

**PB #17-17**

**Postponed**

The decisions of the April 12, 2017 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Michael Mandel and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, absent; Robert Dell, aye; Stephen Sweeney, aye and Thomas Warren, aye.

The Decisions of the above hearings, as attached hereto, although made by the Board before the conclusion of the meeting are not deemed accepted and adopted by the Board until adopted by a formal motion for adoption of such minutes by the Board. Following such approval and adoption by the Board, the Decisions are mailed to the applicant. The verbatim transactions are not transcribed, but are available.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Michael Mandel and seconded by Bruce Bond and agreed to by all in attendance. The meeting was adjourned at 8:00 p.m. The next Planning Board meeting is scheduled for May 10, 2017.

**DATED: April 26, 2017  
Cheryl Coopersmith  
Chief Clerk Boards and Commissions  
Town of Orangetown Planning Board**



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**PB# 17-19: Quinn Site Plan  
Quinn Site Plan Temporary Play Area - Final Site Plan  
Approval Subject to Conditions**

**Permit #45917**

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

**RE: Quinn Site Plan – Temporary Play Area:** The application of Quinn Development, LLC, for a Prepreliminary/ Preliminary/ Final Site Plan Review at a site to be known as “**Quinn Site Plan – Temporary Play Area**”, 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 1-3 Union Street, Sparkill, in the Sparkill Hamlet Overlay Zone, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.08, Block 5, Lot 48.2 in the CS – Mixed Use zoning district.

Heard by the Planning Board of the Town of Orangetown at meeting held **Wednesday, April 26, 2017**, the Board made the following determinations:

Liana Satgsyan, Sarah Hollerman and Donald Brenner appeared and testified. The Board received the following communications:

1. Project Review Committee Report dated April 19, 2017.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated April 26, 2017.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated April 20, 2017.
4. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated April 17, 2017.
5. Letters from the Rockland County Highway Department signed by Joseph Arena, Senior Engineering Technician, dated March 22, 2017.
6. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated March 21, 2017.
7. A letter from the Rockland County Sewer District No.1, signed by Joseph LaFindra, Engineer I, dated April 18, 2017.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman dated April 5, 2017.
9. Building Permit Referral dated November 3, 2016, signed by Rick Oliver, Building Inspector.
10. Short Environmental Assessment Form signed by Sean Quinn, dated March 15, 2017.
11. Project Narrative prepared by Donald Brenner.

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12. Quinn Building One Plan prepared by George Hodosh Associates dated August 12, 2016.
13. Submitted at the meeting, Quinn Building One Plan prepared by George Hodosh Associates dated August 12, 2016, revised April 26, 2017.
14. Prior Board Decisions: PB #11-42, Final Site Plan Approval Subject to Conditions, dated September 14, 2011; ACABOR #11-22, Approved Subject to Conditions, dated July 21, 2011; ZBA #11-13, Front Yard and Rear Yard Variances for Lots #1, #2, and #3, Approved, dated February 16, 2011 and PB#10-61, Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec., dated December 8, 2010.

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

There being no one from the Public, a motion was made to close the Public Hearing portion of the meeting by Stephen Sweeney and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, absent; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye.

The proposed action is classified as an "unlisted action" as defined by Section 617.2 (ak) of the New York State Environmental Quality Review Regulations (SEQRR). No agency, other than the Orangetown Planning Board will have any significant involvement in the review process, pursuant to Section 617.6 of SEQRA. On motion by Bruce Bond and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, absent; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye, the Board declared itself Lead Agency.

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

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After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely George Hodash Associates and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The 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, and having reviewed proposed Site Plan by prepared by George Hodosh Associates, a summary of the reasons supporting this determination is, and the Planning Board finds, that the proposed action:

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

On motion by Bruce Bond and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, absent; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye, the Board made a Negative Declaration pursuant to SEQRA.

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**DECISION:** In view of the foregoing and the testimony before the Board, the application was **Granted 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. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The Zoning Bulk Table shall be provided on the Amended Site Plan.
4. The plan shall show the yard setbacks from the property lines to the proposed play area.
5. Variances may need to be sought from the Town of Orangetown Zoning Board of Appeals depending on the yard setbacks provided.
6. Final Approval subject to Conditions is subject to the applicant obtaining the needed variance(s), if applicable. If the Town of Orangetown Zoning Board of Appeals does not grant the variance(s), then the applicant must return to the Planning Board for review and approval.
7. An onsite inspection was performed on April 17, 2017. The existing parking area for Lot #3 has only 2 parking spaces, one accessible and the other non-accessible. The plans submitted and the approved site plan show three parking spaces. Please correct the plan submitted to show the actual parking area layout of Lot #3.
8. The applicant shall disclose the "temporary" time frame for this play area. The Planning Board may want to set a time limit on the temporary use and other restrictions.

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9. The Short Environmental Assessment Form appears to be in order.
10. The actual length of time that the parking spaces shall be a "temporary" play area shall be clearly defined on the Site Plan.
11. The project narrative states that the temporary play area shall be removed after the third building is built. However, due to the play area's proximity to the building #3 lot and for obvious safety reasons, the play area shall be removed prior to the actual construction of the third building. A note shall be added to the plans stating same.
12. The revised Site Plan, last dated April 26, 2017 must be reviewed by the Town of Orangetown Bureau of Fire Prevention/Fire Department for access to the site.
13. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
  1. A review shall be completed by the New York State Department of Transportation, and any required permits obtained.
  2. A review must be completed by the County of Rockland Department of Highways, all comments or concerns addressed, and all required permits obtained.
  3. The Site Plan is lacking several features that must be provided. These include the parking requirement versus what is proposed, a vicinity map, and map notes that list all appropriate information, including the district information. These features must be included on the Site Plan.
  4. The Site Plan did not include a Bulk Table or any bulk requirements. Two onsite parking spaces are being proposed to be concerted for use for the playground area. Without parking calculations, it is impossible to determine if adequate parking is still being provided for the site. A parking table with calculations must be provided; indicating what is existing, proposed and required. Since the parking is tied to all three parcels, the calculation must include the parking requirements for all three parcels. It must also be noted if a parking variance would be required.
  5. The information provided indicates that this is a temporary play area. It must be noted as to the proposed time frame for the temporary play area.

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**Continuation of Condition #13....**

6. The Village of Piermont is one of the reasons the proposed was referred for review. The municipal boundary is approximately 330 feet northeast of the site. As required under section 239nn of the State General Municipal Law, the Village of Piermont must be given the opportunity to review the proposed and provide any concern relating to the project to the Town of Orangetown.
7. If any variances are needed to implement the proposed site plan, the Rockland County Department of Planning requests the opportunity to review the proposed variances, as required by New York State General Municipal Law, Section 239-m(3)(v).
14. The Rockland County Highway Department reviewed the site plans and information submitted and found that the requested action would not be adverse to the county roads in the area.
15. The Rockland County Health Department reviewed the information provided and found that no Rockland County Department of Health approvals are needed for this application.
16. The Rockland County Sewer District #1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District and request no future correspondence for this site.
17. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
- Rockland County Highway Department
  - Rockland County Department of Health
  - Rockland County Sewer District No. 1
  - Town of Orangetown Zoning Board of Appeals
18. All reviews and approvals from various governmental agencies and Board Decisions must be obtained prior to stamping of the Site Plan.
19. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.

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

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

The foregoing Resolution was made and moved by Michael Mandel and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel aye; William Young, absent; Stephen Sweeney, aye; Robert Dell, aye and Thomas Warren, aye.

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

**Dated: April 26, 2017**



**Cheryl Coopersmith, Chief Clerk Boards and Commissions  
Town of Orangetown Planning Board (attachment)**

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**NEGATIVE DECLARATION**

**Notice of Determination of Non-Significance**

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

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

**NAME OF ACTION: Quinn Site Plan Temporary Play Area - Final Site Plan  
Approval Subject to Conditions**

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

**DESCRIPTION OF ACTION: Site Plan Review**

**LOCATION:** The site is located at 1-3 Union Street, Sparkill, in the Sparkill Hamlet Overlay Zone, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.08, Block 5, Lot 48.2 in the CS – Mixed Use zoning district.

**REASONS SUPPORTING THIS DETERMINATION:**

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

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

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

For Further Information contact:

John Giardiello, P.E., Director, 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

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