

Meeting of May 24, 2017
Town of Orangetown Planning Board

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

MEMBER ABSENT: None

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:

Eichelberger Plans Prepreliminary/ Preliminary Site Plan Review 5 Shadyside Avenue, Upper Grandview Critical Environmental Area 66.17/1/5; R-22 zoning district	Postponed at Request of Applicant	PB #17-23
Kolb Subaru Site Plan and Conditional Use Permit Final Site Plan and Conditional Use Permit Review 582 Route 303, Blauvelt Route 303 Overlay Zone 70.14/4/12; CC zoning district	Conditional Use Permit Granted and Final Site Plan Approval Subject to Conditions	PB #17-24
Chromalloy Subdivision Plan Final Subdivision Plan Review 330 Blaisdell Road, Orangeburg 73.20/1/1; LIO zoning district	Final Subdivision Approval Subject to Conditions	PB #17-25
Project Sycamore Data Center Site Plan Prepreliminary/ Preliminary Site Plan and SEQRA Review Convent Road, Pearl River 73.08/1/1, 3 & 4; RPC - OP zoning district	Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec.	PB #17-26
Skae Site Plan Prepreliminary/ Preliminary/ Final Site Plan, Special Permit and SEQRA Review 337 – 330 Blaisdell Road, Orangeburg 76.08/1/3 & 4; LIO zoning district	Continued to the July 12th Meeting at the Request of the Applicant	PB #17-09

TOWN OF ORANGETOWN
2017 JUN 15 PM 3 32
TOWN CLERK'S OFFICE

**Meeting of May 24, 2017
Town of Orangetown Planning Board**

The decisions of the May 10, 2017 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Bruce Bond and seconded by Michael Mandel and carried as follows: Kevin Garvey, Chairman, abstain; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye, William Young, aye; Robert Dell, abstain; Stephen Sweeney, aye and Thomas Warren, aye.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Thomas Warren and seconded by Michael Mandel and agreed to by all in attendance. The meeting was adjourned at 9:00 p.m. The next Planning Board meeting is scheduled for June 14, 2017.

DATED: May 24, 2017

**Cheryl Coopersmith,
Chief Clerk Boards and Commissions**

Cheryl Coopersmith

TOWN CLERKS OFFICE

2017 JUN 15 PM 3 32

TOWN OF ORANGETOWN

TOWN CLERKS OFFICE

**PB #17-24: Kolb Subaru Site Plan
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 1 of 12**

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

RE: Kolb Subaru Site Plan and Conditional Use Permit: The application of Bill Kolb Jr. Subaru, owner, at a site located in the Route 303 Overlay Zone for Final Site Plan review and a Conditional Use Permit, at a site to be known as **"Kolb Subaru Site Plan and Conditional Use Permit"**, 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 582 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.14, Block 4, Lot 12 in the CC zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 24, 2017**, the Board made the following determinations:

Sarah Torrens and Zack Kamm appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated May 17, 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 May 24, 2017.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated May 18, 2017.
4. A letter from Maser Consulting, signed by Jesse Cokeley, P.E., dated May 17, 2017.
5. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated May 23, 2017.
6. A letter from the Rockland County Department of Highways, signed by Joseph Arena, Senior Engineering Technician dated May 8, 2017.
7. A letter from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated May 1, 2017.
8. A letter from the Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer I, dated April 25, 2017.
9. Site Plan for Kolb Subaru prepared by Jay Greenwell, PLS, dated November 9, 2016, revised February 8, 2017.
10. Plans prepared by Jay Greenwell, PLS and Centerpoint Engineering, dated November 9, 2016, revised April 6, 2017:
 - Drainage and Grading Plan
 - Stormwater and Soil Erosion Control Plan
 - Construction Details
11. Landscape Plan prepared by Ronald Haelen, RLA, dated February 16, 2017.
12. Lighting Plan Version A prepared by RAB Lighting, Sheet 1 and 2, dated January 18, 2017, with an attachment of Lighting Technical Specifications.
13. A letter to Kevin Garvey, Chairman Planning Board from Centerpoint Engineering dated April 6, 2017.

TOWN CLERK OFFICE
2017 JUN 15 PM 3 22
TOWN OF ORANGETOWN

**PB #17-24: Kolb Subaru Site Plan
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 2 of 12**

14. A copy of the Orangetown Town Code: Chapter 43. Zoning, Article VIII. Conditional Use Standards, § 8.1. General Conditions and Standards.

15. Copies of the following Board Decisions: ACABOR #17-09, dated April 20, 2017; ZBA#17-19, Variances Approved, dated March 1, 2017 and PB #16-74: Kolb Subaru Site Plan, Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec. dated January 25, 2017.

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

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

CONDITIONAL USE PERMIT

In view of the foregoing and the testimony before the Board, the application was **Granted a Conditional Use Permit** pursuant to Chapter 43, Section 8.1 of the Town of Orangetown Zoning Code. The Board made the following Findings and Comments:

- The proposed use, size and character is in harmony with the development in the district in which it is proposed to be situated and will not be detrimental to the zoning classification of such properties.
- The proposed location and size of the use, nature and intensity of operations involved, and the site layout in relation to access streets will not be hazardous to pedestrian or vehicular traffic.
- The proposed location of the use will not hinder or discourage development or use of adjacent land and buildings.
- The proposed use will not require additional public services or create fiscal burdens upon the Town of Orangetown greater than those which characterize uses permitted by right.

TOWN CLERK'S OFFICE
2017 JUN 15 PM 3 32
TOWN OF ORANGETOWN

**PB #17-24: Kolb Subaru Site Plan
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 3 of 12**

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

SITE PLAN REVIEW

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 applicant shall comply with all applicable conditions of the previous Board Decisions: ACABOR #17-09, dated April 20, 2017; ZBA#17-19, Variances Approved, dated March 1, 2017 and PB #16-74: Kolb Subaru Site Plan, Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec. dated January 25, 2017.
4. The existing "Body Quest" and "Quick Deli" signs shall be removed or approved by the Architecture and Community Appearance Board of Review (ACABOR) and the proper permits granted. Please label on the Site Plan what sign(s) is "to remain".
5. ACABOR Decision #17-09 requires the applicant to reappear at ACABOR for review of signage.
6. The Short Environmental Assessment Form appears to be in order.
7. A Demolition Permit is required to remove the existing building.

TOWN CLERK'S OFFICE
2017 JUN 15 PM 3 32
TOWN OF ORANGETOWN

**PB #17-24: Kolb Subaru Site Plan
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 4 of 12**

8. The submitted drainage calculations are under review by DEME. However, a full SWPPP shall be prepared, using a 3-ring binder, for the site and submitted to DEME for review and approval. The applicant's engineer is reminded that the drainage calculations/ SWPPP must address water quality, water quantity, green infrastructure requirements as well as all Redevelopment requirements and be designed in accordance with the January 2015, including any and all updates, version of the New York State Stormwater Management Design Manual.
9. In conjunction with above item (#8), soil erosion and sediment control plans and details shall be submitted to DEME for review and approval. These shall be designed in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (Blue Book), November, 2016 version. Also, NYSDEC standard symbols shall be used for the SESC plan.
10. A post construction stormwater maintenance agreement (in accordance with NYSDEC Phase II regulations) for the proposed stormwater systems shall be submitted to DEME and the Town of Orangetown Town Attorney's office for review and approval. Said agreement shall include a maintenance and management schedule, inspection check list, contact person with telephone number, yearly report to be submitted to DEME, etc.
11. The drainage from the entire site must be captured, treated and stored (as currently designed; the southwest portion of the lot and the northwest portion of the lot drain offsite without running to/ through the proposed treatment/ capture system.) This is unacceptable.
12. The soil erosion and sediment control plans and details are under review by DEME. However, erosion control measures appear to be missing in spots along the southern property lines, this shall be corrected.
13. The SWPPP/ drainage calculations shall account for the existing swale along the southwest portion of the lot and demonstrate how the flow from said swale is to be handled.
14. Drainage facilities (catch basins and piping) shall be added at the driveway along the 25 foot easement, along the west side of the site.
15. Catch basins shall be added to the entrance along Erie Street, inside the property over the proposed 12 inch RCP drainage line.

TOWN CLERKS OFFICE
2017 JUN 15 PM 3 32
TOWN OF ORANGETOWN

**PB #17-24: Kolb Subaru Site Plan
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 5 of 12**

16. The ownership of the existing sanitary sewer main, running through the property shall be given on the plans.
17. The applicant shall contact the Orangetown Highway Department to verify if the road widening of Erie Street is required/ necessary.
18. Profiles for the drainage lines shall be added to the drawings.
19. The entirety of the existing sanitary building connection (on the north side of the existing building) shall be shown on the plan including all inverts.
20. Typical details shall be added to the plan; i.e. curbing, pavement, catch basins, etc.
21. The revised drainage calculations submitted are under review, however, they contain less information than the previously submitted calculation (for example, post construction stormwater analysis and hydrographs for the 2, 10, 25 and 100 yr. storm missing.)
22. The location of the infiltration tests, mentioned in the drainage report, shall be shown on the stormwater drawings. The results of the infiltration tests that have been performed shall be added to the drainage calculations/SWPPP.
23. The applicant's engineer shall perform soil and groundwater tests in the location of the proposed underground stormwater quality/ quantity facilities, to ensure the adequacy of the proposed design. The results of these tests shall be added to the drainage calculations/ SWPPP.
24. Invert elevations for the proposed new sanitary building connection shall be added to the plans. Also, a cleanout (with invert elevation labeled) shall be provided, along the connection, just inside the property line.
25. A note shall be added on the plans that the Town of Orangetown Sewer Inspector shall be notified in advance to coordinate the inspection of the removal/ cutting and capping of the existing sanitary building connections, the installation of the new sanitary building connection and any and all construction in the existing sanitary sewer easement.
26. The required storm sewer profiles shall include all the crossings over the existing sanitary sewer main. The profiles shall also call out the specific distance between the top of the existing sanitary sewer main and the invert of the proposed storm sewer piping. DEMA is concerned that the pipes will be too close to each other where they cross.

TOWN CLERKS OFFICE
2017 JUN 15 PM 3 32
TOWN OF ORANGETOWN

**PB #17-24: Kolb Subaru Site Plan
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 6 of 12**

27. The existing stormwater piping, this is connected to the existing basin that is labeled "to be removed" on the drainage and grading plan, shall also be labeled to be removed. Also, the applicant's engineer shall verify if the existing pipe that appears to be headed to the existing basin along Erie Street (TCCB 124.5) is indeed tied into that basin. If this is the case, the opening for that piping will need to be blocked and parged in the basin.

28. The existing catch basin that is to remain, at the north east corner of the property, is missing CB protection on the erosion control plan.

29. Full scale copies of the drainage maps provided in the drainage calculations shall be added to the plan set.

30. Legends shall be added to the drainage and grading plan AND the SESC plan.

31. A sanitary building connection detail to the existing main shall be added to the drawings.

32. A note on the drainage and grading plan makes reference to an "Existing Conditions" drawing, which is not included in the plan set. This shall be corrected.

33. For ease of review, the applicant's engineer shall consider numbering the drawings.

34. Drainage Review Recommendation: The proposed stormwater management plan meets the intent of the regulations and therefore the Drainage Consultant, Maser Consulting, recommended the Kolb Subaru Site Plan be approved for drainage subject to the following comments.

1. In future submissions, the applicant shall include an itemized written response letter to better track how the applicant has addressed the previous comments.
2. The proposed roof leader manifold encompasses nearly the entire building but only the final connection to the inlet is labeled with size, length and slope. Please provide this information for the entire roof leader manifold as well as pipe sizing calculations demonstrating that the pipe will have capacity.

TOWN CLERK'S OFFICE
2017 JUN 15 PM 3 33
TOWN OF ORANGETOWN

**PB #17-24: Kolb Subaru Site Plan
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 7 of 12**

Continuation of Condition #34...

3. The Erosion Control section of the SWPPP identifies the use of Temporary Sediment Basins on the project but they are not shown on the plans. Please clarify.
4. Infiltration testing results have been added to the plans but existing groundwater elevations needs to be identified as well.
5. Does the applicant have permission to traverse the sanitary easement with the proposed stormwater pipes? Additionally, please provide crossing information for the proposed stormwater pipes and existing sanitary sewer main within the easement.
6. Information is provided in the SWPPP for the capacity of the pretreatment device to adequately convey the water quality storm event. However, since the device will be in an on-line configuration, please provide information regarding the capacity of the device to handle the larger storm events, up to and including the 100-year storm event. Otherwise, larger structure will need to be proposed or it needs to be located off-line.
7. The Bottom of Stone elevation (121.75) provided in the SWPPP and Grading Plan does not match the elevation listed on the Detail Sheet (122.0). Please clarify.
8. Please provide a maintenance checklist for the water quality pretreatment device in the Appendix of the SWPPP.
9. Only the Hydro CAD output for the post-construction conditions during the 1-year storm event was included in the SWPPP. Please submit the output for the other storm events studied.

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

- New York State Route 303, a State highway is the reason for this review. Therefore, an updated review shall be completed by the New York State Department of Transportation to ensure that it has no issues with the proposed parking in the front yard, or outdoor storage of vehicles.
- As indicated in the May 1, 2017 letter from the Rockland County Department of Health, an application must be made to them for review and of the stormwater management system to ensure compliance with the County Mosquito Code.

TOWN OF ORANGETOWN
2017 JUN 15 PM 3 33
TOWN CLERK'S OFFICE

Continuation of Condition #35...

- A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- A landscaping plan that meets all Town of Orangetown requirements shall be provided.
- Low evergreen landscaping or a berm must be provided in front of the parking spaces facing the roadway to shield headlights from shining into oncoming vehicles traveling on the road.
- Map notes #18 and #25 refer to landscaping shown on the Site Plan. The plans submitted with the application do not contain landscaping plans. These notes must be updated to accurately depict the submission.
- The parking calculations indicate that 87 parking spaces are required, yet 100 spaces are provided. It must be clarified why the additional 13 parking spaces are needed. A reduction in the number of parking spaces will decrease the amount of impervious coverage, and allow for the provision of the required 20-foot vegetated buffer area along NYS Route 303. (The applicant submitted a revised plan dated December 20, 2016 noting 87 parking spaces.)
- Prior to any grading or construction on the site, a soil and erosion control plan shall be developed that meets the New York State Guidelines for Urban Erosion and Sediment Control.
- There shall be no net increase in the peak rate of discharge from the site at all design points.
- The new tax map identification number, 70.14/4/12. Must be provided on the plans. Currently only the older tax map numbers are referenced on the Site Plan. The tax map number must be updated.

36. The Rockland County Department of Highways reviewed the plans and found that due to the location of the parcel, a Rockland County Highway Department Work Permit will not be required for the proposed development.

37. The Rockland County Department of Health (RCDOH) reviewed the plan and found that this plan is considerably different than the plan previously submitted which did not show any drainage improvements. Application is to be made to the RCDOH for review of the stormwater management system for compliance with the County Mosquito Code.

38. 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.

TOWN CLERK'S OFFICE

2017 JUN 15 PM 3 33

TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 9 of 12**

39. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, it has been determined that the proposed activity is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act, Chapter 846, is not required based upon its review of the information provided.

40. New York State Department of Transportation (NYSDOT) had the following comments which are incorporated herein as conditions of approval:

1. The proposed permit work is within the vicinity of the signalized intersection at State Route 303 and Erie Street. Any proposed impact to the traffic signal facilities shall require appropriate notes and contract scope for the protection of the facilities. If capital work is required at any of the signals, NYSDOT will incorporate current signal communication technology into the improvements.
2. All proposed work within the NYSDOT right of way requires a Highway Work Permit (HWP). The applicant is encouraged to review the permit process and all required HWP forms on the NYSDOT website (<http://dot.ny.gov/index>) and submit the PERM 33-COM as part of the submission.
3. It is challenging discerning the extent of the proposed work versus existing features on the project plan. Please have the applicant provide plans showing existing conditions and plans denoting proposed work.
4. NYSDOT recommend that the eastern driveway on Erie Street be closed in order to increase separation from the adjacent commercial entrance to the east and to provide greater separation from the signalized intersection.

41. 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.

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

43. 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.

TOWN CLERK'S OFFICE
2017 JUN 15 PM 3 33
TOWN OF ORANGETOWN

TOWN CLERK'S OFFICE

44. 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 preserve 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.

45. 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.

46. 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.

**PB #17-24: Kolb Subaru Site Plan
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 11 of 12**

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

48. If the applicant, during the course of construction, 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 shall submit their recommendations as to the special treatment 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 recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant'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. Wetlands - U.S. Army Corps of Engineers).

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

50. 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

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

52. The use of this property is permitted at this location as an ancillary use to property located at 252 Route 303, Orangeburg, New York, pursuant to Chapter 43 Article 13, §13.10(B)(6)(a). In the event this property is no longer used as ancillary to the use located at 252 Route 303, Orangeburg, New York, then the use at this site shall no longer be permitted pursuant to the above referenced code provision. **THIS CONDITION SHALL BE ADDED AS A NOTE TO THE SITE PLAN.**

TOWN CLERK'S OFFICE
2017 JUN 15 PM 3 35
TOWN OF ORANGETOWN

**PB #17-24: Kolb Subaru Site Plan
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 12 of 12**

Override

The Board made a motion to **override Conditions #4 and #5 of the May 23, 2017** letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, for the following reasons:

"4. As required in Section 13.10 B. (13), a traffic impact study and access management plan must be provided."

The Board held that this condition was over road in the Preliminary Site Plan Review, PB #16-74, dated January 25, 2017, in addition, the Board restated that the Erie Street and Route 303 intersection has been reengineered and the existing two lanes and amount of traffic on Route 303 is nowhere near 10%; therefore it does not meet the criteria for a Traffic Study based upon Section 13.10B (13).

A motion to override the condition was made and moved by William Young and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye.

"5. Section 13.10 B. (6) specifically prohibits automotive car dealerships, automotive repair and body shops, and outside commercial storage of five or more automobiles. The proposed use seems to be in violation of this Section of the Town of Orangetown Zoning Ordinance. Is a use variance therefore required to permit this prohibited use? This must be clarified."

The Board held that the Town of Orangetown Town Board had amended Section 13.10 B (6) on September 27, 2016 to permit such a use under certain conditions, which have been satisfied here (See Condition #52 of this decision).

A motion to override the condition was made and moved by Michael Mandel and seconded by Stephen Sweeney and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye.

The foregoing Resolution was made and moved by William Young and seconded by Bruce Bond and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, 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: May 24, 2017
Cheryl Coopersmith
Planning Board**

Cheryl Coopersmith

TOWN CLERKS OFFICE

2017 JUN 15 PM 3 35

TOWN OF ORANGETOWN

**PB #17-25: Chromalloy Subdivision; Final Subdivision Plan Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 1 of 5**

TO: Ronald Panicucci, Lan Associates, 445 Godwin Avenue, Suite #9,
Midland Park, New Jersey 07432
FROM: Orangetown Planning Board

RE: Chromalloy Subdivision Plan: The application of Chromalloy New York, owner for Final Subdivision Plan Review at a site to be known as “**Chromalloy Subdivision Plan**”, 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 330 Blaisdell Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.20, Block 1, Lot 1; in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 24, 2017**, the Board made the following determinations:

Ronald Panicucci appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated May 17, 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 May 24, 2017.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., May 18, 2017.
4. A letter from Rockland County Department of Planning, from Douglas Schuetz, Action Commissioner of Planning, dated May 23, 2017.
5. A letter from Rockland County Highway Department, signed by Joseph Arena, Senior Engineering Technician, dated April 25, 2017.
6. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated March 1, 2017.
7. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated May 1, 2017.
8. Subdivision Plan prepared by Lan Associates, dated January 23, 2017, last revised on April 20, 2017.
9. Copies of the following Board Decisions: PB #17-12, Preliminary Subdivision Approval Subject to Conditions, dated March 8, 2017 and ZBA #17-28, Maximum Land Coverage Variance Approved, dated April 19, 2017.

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

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

TOWN CLERKS OFFICE

2017 JUN 15 PM 3 35

TOWN OF ORANGETOWN

**PB #17-25: Chromalloy Subdivision; Final Subdivision Plan Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 2 of 5**

A motion was made to waive Subdivision Plan Review by the Town of Orangetown Architecture and Community Appearance Board of Review, by Thomas Warren, and second by Michael Mandel and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye.

DECISION: In view of the foregoing and the testimony before the Board, the application was **Granted Final Approval Subject to the Following Conditions:**

1. 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."
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 applicant shall comply with all pertinent and applicable conditions of previous Board Decisions: PB #17-12, Preliminary Subdivision Approval Subject to Conditions, dated March 8, 2017 and ZBA #17-28, Maximum Land Coverage Variance Approved, dated April 19, 2017.
4. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
 - As required by the Rockland County Stream Control Act, the subdivision plan 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.
 - The Bulk Table must be updated to reflect that the required variance has been granted by the Town of Orangetown Zoning Board of Appeals; ZBA #17-28, Maximum Land Coverage Variance Approved, dated April 19, 2017.

TOWN OF ORANGETOWN
2017 JUN 15 PM 3 35
TOWN CLERK'S OFFICE

**PB #17-25: Chromalloy Subdivision; Final Subdivision Plan Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 3 of 5**

5. The Rockland County Highway Department reviewed the plans and found that the subdivision as shown should have minimum impact on the County Roads.

6. There are no Rockland County Department of Health (RCDOH) approvals needed for this application.

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

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

9. 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 Plan Approval pursuant to Town Code §21 and §6A.

10. 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:

TOWN OF ORANGETOWN
TOWN CLERK'S OFFICE
JUN 15 2017
JUN 15 2017
JUN 15 2017

**PB #17-25: Chromalloy Subdivision; Final Subdivision Plan Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 4 of 5**

Continuation of condition #10...

- 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.

11. 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.
12. 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.
13. The contractor's trailer, if any is proposed, shall be located as approved by the Planning Board.
14. If the applicant, during the course of construction, 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 shall submit their recommendations as to the special treatment 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 recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant'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. Wetlands - U.S. Army Corps of Engineers).

TOWN OF ORANGETOWN
JUL 15 PM 3 35
TOWN CLERKS OFFICE

**PB #17-25: Chromalloy Subdivision; Final Subdivision Plan Approval
Subject to Conditions**

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 5 of 5**

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

16. 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

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

The foregoing Resolution was made and moved by Thomas Warren and seconded by Bruce Bond and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; William Young, aye; Robert Dell, aye; Stephen Sweeney, aye; Thomas Warren, aye and Michael Mandel, 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: May 24, 2017
Cheryl Coopersmith
Planning Board**

Cheryl Coopersmith

TOWN CLERKS OFFICE
2017 JUN 15 PM 3 35
TOWN OF ORANGETOWN

PB#17-26: Project Sycamore Data Center Site Plan Permit # 46407
Preliminary Site Plan Approval Subject to Conditions

Town of Orangetown Planning Board Decision
May 24, 2017
Page 1 of 20

TO: Brian Quinn, Montalbano Condon and Frank, 67 North Main Street,
 3rd Floor, New City, New York 10956
FROM: Orangetown Planning Board

RE: **Project Sycamore Data Center Site Plan:** The application of JPMorgan Chase, applicant, for the Town of Orangetown, owner, for Prepreliminary/ Preliminary Site Plan Review at a site to be known as “**Project Sycamore Data Center Site Plan**” in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown and to determine the environmental significance of the application pursuant to the requirements of the New York State Environmental Quality Review Act. The site is located at on Convent Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.08, Block 1, Lots 1, 3 & 4 in the RPC-OP zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, May 24, 2017**, the Board made the following determinations:

Robert Foley, Jacob Rachiter, Brian Quinn and Edward Hesselbacher appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated May 17, 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 May 24, 2017.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated May 19, 2017.
4. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated May 24, 2017.
5. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief, dated May 15, 2017, and with an attachment of an email dated May 15 and May 12, 2017, from Chief Peter Byrne.
6. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated May 23, 2017.
7. Letters from the Rockland County Highway Department, signed by Joseph Arena, Senior Engineering Technician, dated May 8, 2017.
8. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated April 28 & May 1, 2017.

TOWN CLERKS OFFICE

2017 JUN 15 PM 3 35

TOWN OF ORANGETOWN

2017 JUN 15 PM 3 35

TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 2 of 20**

9. A letter from the Rockland County Drainage Agency, signed by Vincent Altieri, Executive Director, dated May 15, 2017.
10. A letter from the Rockland County Sewer District No. 1 signed by Joseph LaFiandra, Engineer II, dated April 25, 2017.
11. An email from Jennifer Huber, Director of the New York State Office of Mental Health, Bureau of Environmental Design and Improvement, and Real Property Services, dated May 15, 2017.
12. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated May 17, 2017.
13. A Traffic Impact Letter prepared by Dewberry Engineers, dated April 20, 2017.
14. A Full Environmental Assessment Form, signed by Robert Foley, P.E., dated April 20, 2017. Submitted at the meeting, an updated EAF.
15. A Stormwater Management Report, prepared by Dewberry Engineering, Dated April 20, 2017.
16. Site Plans prepared by Dewberry Engineers, dated April 20, 2017:
 - C001: Cover Sheet
 - C002: Existing Site Plan
 - C003: Demolition and Removals Plan
 - C100: Overall Site Plan
 - C101: Site Layout & Dimensional Control Plan – A
 - C102: Site Layout & Dimensional Control Plan – B
 - C103: Site Layout & Dimensional Control Plan – C
 - C104: Site Layout & Dimensional Control Plan – D
 - C105: Site Layout & Dimensional Control Plan – E
 - C106: Site Layout & Dimensional Control Plan – F
 - C107: Site Layout & Dimensional Control Plan – G
 - C108: Site Layout & Dimensional Control Plan – H
 - C200: Overall Grading Plan
 - C201: Grading Plan – A
 - C202: Grading Plan – B
 - C203: Grading Plan – C
 - C204: Grading Plan – D
 - C205: Grading Plan – E
 - C206: Grading Plan – F
 - C207: Grading Plan – G
 - C208: Grading Plan – H
 - C300: Overall Utility Plan
 - C301: Utility Plan – A
 - C302: Utility Plan – B
 - C303: Utility Plan – C
 - C304: Utility Plan – D
 - C305: Utility Plan – E
 - C306: Utility Plan – F
 - C307: Utility Plan – G
 - C308: Utility Plan – H
 - C701: Construction Details – Sheet 1
 - C702: Construction Details – Sheet 2
 - C703: Construction Details – Sheet 3
 - C704: Construction Details – Sheet 4
 - C705: Construction Details – Sheet 5
 - C706: Construction Details – Sheet 6

TOWN CLERKS OFFICE
2017 JUN 15 PM 3 35
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 3 of 20**

17. Lighting Photometrics Plan prepared by CH2M, dated April 27, 2017.
C500: Overall Site Lighting Photometrics Plan.
18. Building Permit Referral dated May 10, 2017 signed by Rick Oliver, Building Inspector.
19. Submitted for review at the Planning Board Meeting, revised plans noting a change in the location of the proposed Substation.

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

Public Comment:

Bob Murray, 376 Convent Road; raised concerns regarding the air quality during the demolition phase of the project, in particular the asbestos removal. He also noted that the timing is off at the traffic light at the Convent entrance. Mr. Murray questioned the Board regarding which roadway entrance the applicant plans on using for its facility, noting that there is already a significant amount of noise in the neighborhood.

Jack Mctart, area resident, raised concerns regarding the removal of asbestos from the site.

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

SEQRA FOR SITE PLAN

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 Site Plan Review process, pursuant to Section 617.6 of SEQRA. On motion by Bruce Bond and seconded by Michael Mandel and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye the Board declared itself **Lead Agency in Review of the Site Plan.**

TOWN OF ORANGETOWN
2017 JUN 15 PM 3 35
TOWN CLERKS OFFICE

TOWN OF ORANGETOWN
2017 JUN 15 PM 3 35
TOWN CLERKS OFFICE

Town of Orangetown Planning Board Decision
May 24, 2017
Page 4 of 20

REAFFIRMATION

Pursuant to New York Code, Rules & Regulations (NYCRR) Section 617.7, the Town of Orangetown Planning Board, as lead agency of the SITE PLAN, 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, Dewberry Engineering, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Department of Health, Rockland County Highway Department, Rockland County Sewer District #1, Rockland County Drainage Agency, New York State Office of Mental Health and having reviewed the drawings presented by the applicant’s professional consultants; Dewberry Engineering, 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;

TOWN CLERKS OFFICE
2017 JUN 15 PM 3 35
TOWN OF ORANGETOWN
TOWN CLERKS OFFICE
2017 JUN 15 PM 3 35
TOWN CLERKS OFFICE
2017 JUN 15 PM 3 35

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 5 of 20**

- 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 Stephen Sweeney and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye; the Board Reaffirmed the Negative Declaration pursuant to SEQRA.

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

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 show the actual "proposed" values for the project.
4. The "Maximum Land Coverage" required and proposed values shall be added to the Zoning Bulk Table.
5. The building setback envelope shall be shown on the Overall Site Plan.

TOWN CLERKS OFFICE

2017 JUN 15 PM 3 35

TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 6 of 20**

6. The "pump station" is an accessory use. The "pump station" shall have a minimum setback of 75 feet from 3rd Avenue. Please label the setback to the pump station on the Overall Site Plan.
7. The total number of proposed generators shall be labeled on the Overall Site Plan. The generators will require Performance Standard Review by the Town of Orangetown Zoning Board of Appeals.
8. The yard setback shall be taken from the closest attached portion of the Data Center Facility building therefore; the setbacks from the East side of the building shall be shown from the generator enclosures. The type of generator enclosure shall be labeled on the Overall Site Plan.
9. Details of the substation shall be provided such as height of the equipment, height of the enclosure, type of enclosure, etc.
10. A summary of the demolition procedures and phases shall be submitted to the Planning Board.
11. Any and all accessory loading areas shall be labeled on the Overall Site Plan. These areas shall be approved by the Planning Board.
12. The height of the perimeter security fence shall be labeled on the plan.
13. In addition to the Site Plan, the Landscaping, Lighting and Building Façade plans shall be reviewed by the Town of Orangetown Architecture and Community Appearance Board of Review (ACABOR).
14. The Full Environmental Assessment Form, page 2 of 13, indicates a U.S. Army Corp of Engineers jurisdictional determination is required. A copy of the U.S. Army Corp of Engineers jurisdictional determination letter shall be submitted to the Planning Board.
15. The drainage calculations supplied are under review by DEME. However, the calculations shall include an analysis of the 2 and 25 year storms for both pre and post construction. Graphical inflow and outflow hydrographs shall be developed for both pre and post construction. The calculations shall also include storage – elevation tables and curves as well as a profile for the principle spillway/ outlet structure showing the return storm years – elevation, emergency spillway, etc.

TOWN CLERK'S OFFICE
JUN 15 3 35 PM
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 7 of 20**

16. A full SWPPP shall be prepared, using a 3 ring-binder for the site and submitted to DEME for review and approval. The applicant's engineer is reminded that the drainage calculations/ SWPPP must address water quality, water quantity, green infrastructure requirements as well as all Redevelopment requirements and be designed in accordance with the January 2015 (including any and all updates) versions of the New York State Stormwater Management Design Manual.

17. The SWPPP shall explain, in great detail, the proposed phasing of this project and how the work will progress while staying under the required area of disturbance threshold. The phasing of the project shall be clearing defined and coordinated between the SWPPP and the design/ SESC drawings.

18. A "blow up" detail for the proposed stormwater detention facility shall be added to the drawings. Details for the facility (i.e. cross-sections, berm reinforcing, aquatic bench, safety bench, plantings, emergency spillway, maintenance accessibility, storage volume vs design storm vs elevation, etc.) shall be added to the plans.

19. The applicant's engineer is reminded that any offsite work; i.e. utility installation; shall be included in the total area of disturbance.

20. Soil erosion and sediment control plans and details, in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (Blue Book), November, 2016 versions, shall be submitted to DEME for review and approval. Also, NYSDEC standard symbols shall be used for the SESC plan.

21. Sanitary calculation, prepared and sealed by a New York State Licensed Professional Engineer shall be prepared and submitted to DEME for review and approval. The applicant is reminded that the proposed increase in sanitary flow to the Town's existing sanitary facilities (transmission mains, sanitary pumping station, forced main, etc.), MAY require improvements/ upgrades to the Town's facilities in order to accommodate the additional flow. The costs of these upgrades will be borne by the applicant.

22. The design of the proposed private sanitary pumping station by a New York State Licensed Professional Engineer, shall be done in accordance with all Town and NYSDEC requirements (i.e. "10 State Standards", "NYS Design Standards for Intermediate Sized Wastewater Treatment Systems", etc.)

TOWN CLERK'S OFFICE
JUN 15 PM 3 35
TOWN OF ORANGETOWN

**PB#17-26: Project Sycamore Data Center Site Plan
Preliminary Site Plan Approval Subject to Conditions**

Permit # 46407

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 8 of 20**

23. Details, including plan and elevations views for the proposed private sanitary pumping station, shall be added to the drawings.

24. The proposed sanitary infrastructure (pumping station, forcemain) shall be labeled as private on the drawings.

25. A note shall be added to the plans indicating the proposed sanitary and storm sewer infrastructure are to be private and the sole responsibility of the property owner.

26. The proposed grading slope, depicted on the grading plans, shall be give on the plans as both a ratio and a %. Any slopes steeper than 3:1 shall have rolled erosion fabric, or other acceptable temporary structural erosion control method applied to it, and depicted on the required SESC plans. Details for same shall be added to the drawings.

27. Plans and profiles for all proposed sanitary and storm sewer mains shall be added to the drawings, including all facility crossings that they encounter.

28. The manhole detail, drawing C703, shall reflect a Campbell Foundry model #1012b frame cover with cover detail.

29. Road/ driveway profiles shall be added to the drawings.

30. All proposed easements shall be shown on the plans, including metes and bounds and intended ownership.

31. Legends shall be added to the plans.

32. The datum for the contours shall be given on the plans.

33. A note shall be added to the Site Plan indicating the source benchmark for the referenced datum, including the BM elevation.

34. Iron pins shall be drawn and labeled at each property corner.

TOWN OF ORANGETOWN
2017 JUN 15 PM 3 36
TOWN OF ORANGETOWN
2017 JUN 15 PM 3 36
TOWN CLERKS OFFICE

35. The applicant has provided a significant stormwater management facility that can provide a zero net increase in peak stormwater runoff rates. The project can mitigate potential significant adverse impacts with respect to stormwater quantity and quality. The Planning Board Drainage Consultant, Brooker Engineering, therefore recommends that the Project Sycamore Data Center Site Plan be approved for drainage subject to the following Project Comments.

This is the first drainage review report for this project. The 60.96 acre site is located at Rockland Psychiatric Center and is bounded by Convent Road to the north, 3rd Avenue to the west, 1st Avenue to the east, and Oak Street on the south.

The 60.96 acre site has approximately 17.8 acres of impervious area under existing conditions. The site slopes downhill to the west. A 3.4 acre stormwater management facility is proposed at the southwest corner of the site and provides 14.5 acre feet of storage for the 100-year design storm. Twin 36-inch pipe convey the outfall from the stormwater management basin to Lake Tappan; no detail of this exact route has been provided for this submission.

The drainage calculations use a “full build out” impervious area of 80%, which is 48.77 acres of impervious area; the proposed impervious area for this submission is less than this by inspection, but has not been provided.

Project Comments

1. The drainage report uses a single drainage area for the entire 60.96 acre site in the hydrologic modeling. The drainage area shall be subdivided into subbasins that are directed to the detention basin and bypass the basin. The subarea that is directed to the detention basin shall then be routed through the basin. Any large, directly connected, impervious areas should be a single drainage subarea in the revised model.
2. The drainage subareas shall be defined by the existing and proposed topography and not necessarily by the property lines.
3. Off-site runoff from the east shall be evaluated to determine if this stormwater runoff will enter the detention basin.

TOWN OF ORANGETOWN
PLANNING BOARD
JUN 5 PM 5:36
TOWN CLERK'S OFFICE

Continuation of Condition #35...

4. The drainage point of interest shall be clearly defined to demonstrate no increases in stormwater runoff at the design point of interest. The site currently drains to the west by several storm drainage pipes and sheet flow areas. The proposed plans will collect a large area of the site and discharge to a single point.
5. The drainage analysis assumes a “full build out” impervious area of 80% (60.96 acres total, 48.77 acres impervious area assumed). This is a conservative parameter for the design for the stormwater facilities; however, it may impact the size of the orifice that regulates the outflow and result in larger openings than what is required under the current proposed conditions. The larger openings may not have the desired routing effect for what is constructed initially. An additional hydrologic scenario shall be modeled to demonstrate the routings can be achieved with the proposed impervious areas. Stormwater mitigation may be achieved for additional future work by changing the size of the orifice at that time.
6. The storm drainage pipe system discharges to the headwall 260 feet south of Convent Road and 60 feet west of 2nd Avenue (west of the proposed substation) shall be located and shown on the plan.
7. There is a long concrete trough on the east side of 1st Avenue. This shall be field surveyed and added to the plans. The contributing drainage area to this trough shall be incorporated into the hydrologic analysis. The proposed retaining wall and regrading of 1st Avenue conflicts with this trough.
8. The storm drainage pipes are sized for the 25-year recurrence interval design storm. The pipes shall be sized for the 100-year recurrence interval storm. Alternately, the design shall demonstrate that overflows from these pipes will not bypass the detention basin.

TOWN CLERKS OFFICE
2017 JUN 15 PM 3 36
TOWN OF ORANGETOWN
2017 JUN 15 PM 3 36
TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 11 of 20**

Continuation of Condition #35...

9. The existing conditions curve number used in the hydrologic model shall be lower to reflect the overgrown wooded areas, including over existing pavement, that currently exist.

10. The drainage area maps shall provide breakdowns of the existing and proposed land use cover. The existing conditions data shall be made clearer.

11. The NYSDEC BMP stormwater management basin type shall be included in the drainage report and site plan. Excavations of greater than 20 feet will be required to build the basin. The drainage report shall demonstrate that this is feasible.

12. An outlet structure detail shall be provided.

13. The narrative states the "proposed outfall location will require a conveyance run that will carry the discharge flow further to the west, to a stable stream location discharging into the Lake Tappan Reservoir". A detailed plan shall be provided for this aspect of the stormwater management system prior to any final approval.

36. Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval, it was noted at the Meeting that the applicant has satisfied all of the following conditions:

- The comments in the May 8, 2017 letter from the Rockland County Department of Highways must be met. All required Work Permits must be obtained.
- The conditions in the May 1, 2017 letter from the Rockland County Department of Health must be met.
- The Site Information on the Cover Sheet indicates that the Sewer District is the Haverstraw Joint Regional District. This district is also listed on Page 5 of 13 of the Long Environmental Assessment Form. This information must be corrected to the Orangetown Sewer District.
- More than 20 generators are proposed as backup power for the site. Are the generator screens/ walls sufficient to attenuate the noise from these generators? Does a noise study need to be completed? These issues must be addressed, particularly since the northern generators face a residential area.

TOWN OF ORANGETOWN
2017 JUN 15 PM 3 36
TOWN CLERKS OFFICE

Continuation of Condition #36...

- Prior to any start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the New York State Guidelines for Urban Erosion and Sediment Control.
- There shall be no net increase in the peak rate of discharge from the site at all design points.

37. Rockland County Highway Department offered the following comments for consideration:

1. Since the existing buildings on site are to be removed, the Site Plan shall provide details and location for a construction access. It may be beneficial and have less impact on the area for large vehicles to exit out toward Veterans Memorial Parkway/ Orangeburg Road, instead of Convent Road.
2. A Rockland County Highway Department Work Permit will be required for the proposed construction, in addition to any and all permits required by the local municipality and various involved governmental agencies, and shall be secured prior to the start of any excavation or construction on the site.
3. In addition to a Rockland County Highway Department Work Permit, the applicant shall be aware of and responsible to obtain any overweight hauling permits that may be necessary to transport over state, county and local roadways. The Rockland County Highway Department require Hauling Permits for vehicles utilizing county roadways that exceed the following limits:
 - Greater than 8½ feet in width
 - Greater than 13½ feet in height
 - Greater than 40 feet in length
 - Greater than 80,000 pounds in weight

38. The Rockland County Health Department (RCDOH) reviewed the information provided and offered the following comments:

1. RCDOH must approve plans for the sewage disposal per Article IV, Section 4.2.1 of the Rockland County Sanitary Code. Formal application is to be made.
2. Application is to be made to the RCDOH for review of the storm water management system for compliance with the County Mosquito Code.

TOWN OF ORANGETOWN
2017 JUN 15 PM 3 36
TOWN CLERKS OFFICE

**PB#17-26: Project Sycamore Data Center Site Plan
Preliminary Site Plan Approval Subject to Conditions**

Permit # 46407

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 14 of 20**

39. 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.

40. The Rockland County Drainage Agency (RCDA) has previously reviewed the site and determined that it is outside the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act is not required. However, as an interested and involved agency pursuant to SEQRA, the RCDA offers the following comment(s) regarding the above referenced proposal based on the information submitted and request that the Town of Orangetown ensures that the applicant has fully addressed the comments indicated below prior to granting any final approvals for this project:

1. Please have the applicant/ consultant indicate/ delineate the proposed condition drainage areas, including contributing drainage area of the proposed basin, and the existing condition drainage areas with time of concentration (Tc) path and distances on the Drainage Area maps consistent with the Runoff Analysis. The Drainage Area Maps included do not show the specific drainage areas with Tc path and distances used in the Runoff Analysis.
2. The Stormwater Management Report, page 5, indicates that pipe flow/ conveyance system calculations provided in Appendix III are based on 25-year design storm events; however, the Runoff Analysis appear to indicate that the proposed basin will receive 100-year storm runoff inflow. Also, the grading plans do not demonstrate how runoff from 100-year storm events that overflows the pipe conveyance system designed for 25-year storms will be conveyed in to the proposed basin. Please have the applicant/ consultant demonstrate that 100-year storm runoff from the entire contributing area will be conveyed into the basin or re-size the stormwater conveyance pipe system as necessary to convey 100-year storm runoff to the basin, to be consistent with the Runoff Analysis.
3. Please have the applicant/ consultant provide a detail for the outlet structure on project drawings that provides specific information about the outflow openings consistent with the opening details used in the Stormwater Management Report.
4. Please have the applicant/ consultant provide a sectional detail of the proposed basin on the project drawings and revise the project drawings to demonstrate that the proposed basin meets the requirements for the proposed Micropool Extended Detention Pond, such as aquatic bench, maintenance access, emergency spillway and stable outfall as per the New York State Stormwater Management Design Manual

TOWN OF ORANGETOWN
PLANNING BOARD
JUN 15 PM 3:36
TOWN CLERK'S OFFICE

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 15 of 20**

41. The Town of Orangetown Fire Prevention Bureau (Bureau) had the following comments; place as notes on the Site Plan, and submit plans for review and approval, as noted:

- Install an NFPA 13 Compliant Sprinkler system with plans submitted to the Bureau for review and approval prior to the Site Plan being Stamped with the Planning Board Office, with Fire flow calculations provided and with 4" Storz FDC.
- Install and maintain an NFPA 72 Compliant Fire Alarm System with plans submitted to the Bureau for review and approval prior to the Site Plan being Stamped with the Planning Board Office; Connected to Rockland County 44-Control, with cut sheets provided and Amber and Red strobes, as per Orangetown Code.
- Install and maintain Carbon Monoxide alarms as per NFPA 720.
- Install and maintain Emergency Lighting as per NEC.
- Install and maintain portable fire extinguishers as required by NFPA 10.
- Provide Fire Access as per NYS Fire Code appendix FCD, with plans submitted to the Bureau for review and approval prior to the Site Plan being Stamped with the Planning Board Office
- Apply for and maintain Certificate of Compliance Fire Safety with the Bureau.
- Provide Key Box.
- Provide information on any sub systems. (Vesda) FM200 Pre-Act systems, UPS Systems, with plans submitted to the Bureau for review and approval prior to the Site Plan being Stamped with the Planning Board Office.
- Provide information regarding any Generators; total fuel storage, etc. with plans submitted to the Bureau for review and approval prior to the Site Plan being Stamped with the Planning Board Office.
- Install a Communications Command Center in the Building Lobby with plans submitted to the Bureau for review and approval prior to the Site Plan being Stamped with the Planning Board Office. This would provide for greater safety to firefighters in the event there is a need to respond to an incident at the building.

TOWN CLERKS OFFICE
2017 JUN 15 PM 3 36
TOWN OF ORANGETOWN

Town of Orangetown Planning Board Decision

May 24, 2017

Page 16 of 20

42. 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 #1
- Rockland County Health Department
- Rockland County Highway Department
- Town of Orangetown Zoning Board of Appeals
- Rockland County Drainage Agency
- New York State Office of Mental Health

43. 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.

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

45. 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

2017 JUN 15 PM 3 36

TOWN OF ORANGETOWN

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 17 of 20**

46. 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.

47. 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.

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

49. If the applicant, during the course of construction, 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 shall submit their recommendations as to the special treatment 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 recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant'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. Wetlands - U.S. Army Corps of Engineers).

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

51. 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

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

TOWN OF ORANGETOWN
2017 JUN 15 PM 3:38
TOWN CLERK'S OFFICE

Town of Orangetown Planning Board Decision
May 24, 2017
Page 18 of 20

53. 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.

Overrides

The Board made a motion to override Conditions 4, 6, 7, 8, & 9 of the May 23, 2017 letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, for the following reasons:

#4. We question the placement of the location of the proposed substation. The northern portion of the site is directly across the street from a residential area and zoning district. Since the site is over 60 acres in size, and contains a large area of vacant land, it would be more appropriate to locate the substation further from the residential area to the south of the building. The applicant must consider alternative locations for the substation, and/or a redesign of the site so that the substation is not located directly across from residences.

The Board held that the applicant has revised the plans and relocated the substation on the Site Plan to the south side of the property, away from the residential area in accordance with the recommendation of the County Planning comment.

A motion to override Condition #4 was made and moved by Thomas Warren and seconded by Stephen Sweeney and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel aye; William Young, aye; Stephen Sweeney, aye; Robert Dell, aye and Thomas Warren, aye.

#6. The frontage along Convent Road is currently wooded with mature trees. The applicant is proposing to plant October Glory Red Maples in the wooded area. It is not clear as to why the existing trees will be removed and new, young trees planted in their places. The wooded area must remain, and be supplemented with other landscaping as needed, particularly since this is the portion of the site that is adjacent to a residential area.

TOWN OF ORANGETOWN
PLANNING BOARD
JUN 15 2017
9 55 AM

TOWN CLERKS OFFICE

JUN 15 2017 3 36 PM

**Town of Orangetown Planning Board Decision
May 24, 2017
Page 19 of 20**

Overrides ...Continued...

The Board held that the applicant has agreed to restudy this area of the site plan. The applicant asserts that the reason provided for the removal of the trees relates to a security issue for the applicant. Mature trees as currently exist are too close to the security fence and could be used for purposes of breaching the security fence. The Board has requested that the applicant restudy this area of the Site Plan and consider additional landscaping prior to the Final Site Plan approval.

A motion to override Condition #6 was made and moved 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, aye; Stephen Sweeney, aye; Robert Dell, aye and Thomas Warren, aye.

#7. Additional evergreen landscaping must be provided around the substation, to help visually screen it from the residential neighborhood.

The Board held that the applicant has revised the plans and relocated the substation on the Site Plan to the south side of the property, away from the residential area in accordance with the recommendation of the County comment #4.

A motion to override Condition #7 was made and moved 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, aye; Stephen Sweeney, aye; Robert Dell, aye and Thomas Warren, aye.

#8. Additional landscaping must be provided around the generators to help act as a noise barrier.

The applicant has provided evidence to the Board that the generator swill only be in use during emergency situations and will be tested on a monthly basis during daylight hours. In addition, the Board finds that the applicant will be appearing at the Town of Orangetown Zoning Board of Appeals to review the performance standards for the generators and noise attenuation, if necessary. In addition, the applicant will be appearing at the Town of Orangetown Architecture and Community Appearance Board of Review for review of the site landscaping, at which time landscaping issues will be addressed more fully.

TOWN CLERKS OFFICE

2017 JUN 15 PM 3 36

TOWN OF ORANGETOWN

**PB#17-26: Project Sycamore Data Center Site Plan
Preliminary Site Plan Approval Subject to Conditions**

Permit # 46407

Town of Orangetown Planning Board Decision

May 24, 2017

Page 20 of 20

Overrides ...Continued...

A motion to override Condition #8 was made and moved by Stephen Sweeney and seconded by Bruce Bond and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel aye; William Young, aye; Stephen Sweeney, aye; Robert Dell, aye and Thomas Warren, aye.

#9. Very little landscaping is being proposed for the site. To help reduce the visual impact of the proposed large building, additional landscaping must be provided around the building and the site.

The Board finds that although it is satisfied with the landscaping as proposed, the applicant should consider additional landscaping. In addition, that the applicant will be appearing at the Town of Orangetown Architecture and Community Appearance Board of Review for a more thorough review of and recommendations for the necessity of additional landscaping.

A motion to override Condition #9 was made and moved by Bruce Bond and seconded by Stephen Sweeney and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel aye; William Young, aye; Stephen Sweeney, aye; Robert Dell, aye and Thomas Warren, aye.

The foregoing Resolution was made and moved by Thomas Warren and seconded by William Young and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel aye; William Young, aye; 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: May 24, 2017
Cheryl Coopersmith
Planning Board**

Cheryl Coopersmith

TOWN OF ORANGETOWN
CLERK'S OFFICE
JUN 15 PM 3 36
TOWN OF ORANGETOWN
CLERK'S OFFICE
JUN 15 PM 3 36
TOWN OF ORANGETOWN
CLERK'S OFFICE
JUN 15 PM 3 36
TOWN OF ORANGETOWN
CLERK'S OFFICE
JUN 15 PM 3 36

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

**PB#17-26: Project Sycamore Data Center Site Plan Permit # 46407
Preliminary Site Plan Approval Subject to Conditions
May 24, 2017**

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: Project Sycamore Data Center Site Plan
Preliminary 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 on Convent Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 73.08, Block 1, Lots 1, 3 & 4 in the RPC-OP 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

TOWN OF ORANGETOWN
JUN 15 PM 3 36
TOWN CLERK'S OFFICE

THE UNIVERSITY OF CHICAGO
LIBRARY

1962

...

...

...

...

...

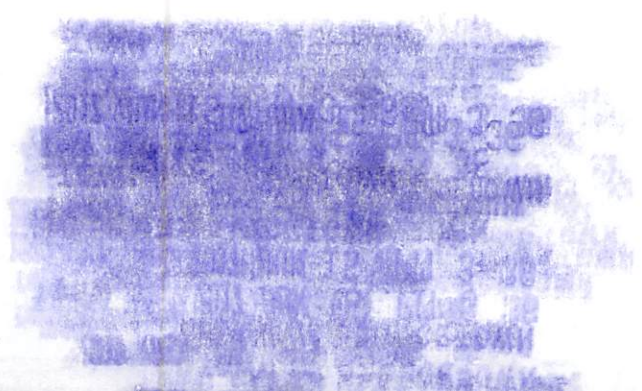
...

...

...

...

...



UNIVERSITY OF CHICAGO
LIBRARY
1962