

**Meeting of January 10, 2018
Town of Orangetown Planning Board**

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

MEMBER ABSENT: Thomas Warren

ALSO PRESENT: Jane Slavin, R.A., A.I.A., Director, Department of Building,
Zoning, Planning Administration and Enforcement; Robert Magrino, Deputy
Town Attorney; Ann Marie Ambrose, Stenographer, and
Cheryl Coopersmith, Chief Clerk Boards and Commissions

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:

Crestron Electronics Site Plan Amendment to Filed Site Plan Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review 88 Ramland Road, Orangeburg 77.05/1/36; LIO zoning district	Final Site Plan Subject to Conditions Reaffirmation of SEQRA	PB #18-01
Pfizer Village Green Fence Site Plan Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review 401 North Middletown Road, Pearl River 68.08/1/5; LI zoning district	Preliminary Site Plan Approval Subject to Conditions Reaffirmation of SEQRA	PB #18-02
RRIS Corp. Site Plan Final Site Plan Review 1 Route 340, Orangeburg 74.11/2/26; CC zoning district	Final Site Plan Approval Subject to Conditions	PB #18-03
C & E Island Flavor Site/Parking Plan Prepreliminary/ Preliminary/ Final Site/ Parking Plan and SEQRA Review 500 Route 303, Blauvelt 74.07/1/6; CC/LI zoning districts	POSTPONED at Applicant's Request	PB #18-04
Project Sycamore Data Center Site Plan Amendment to Final Site Plan for a Visitor's Center Approval Subject to Conditions dated June 28, 2017 Convent Road, Pearl River 73.08/1/1, 3 & 4; RPC - OP zoning district	Amendment to Final Site Plan Approval Subject to Conditions Reaffirmation of SEQRA	PB #18-05

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Other Business:

- The Planning Board reviewed and approved Brooker Engineering Consulting's fees for 2018

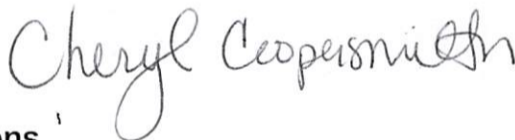
The Board requested that Brooker Engineering provide their correspondence in a timelier manner. The motion was made by Bruce Bond and seconded by William Young and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye, William Young, aye; Robert Dell, aye; Stephen Sweeney, aye and Thomas Warren, absent.

The decisions of the December 20, 2017 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Bruce Bond and seconded by Robert Dell and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye, William Young, aye; Robert Dell, aye; Stephen Sweeney, aye and Thomas Warren, absent.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Bruce Bond and seconded by Michael Mandel and agreed to by all in attendance. The meeting was adjourned at 8:45 p.m. The next Planning Board meeting is scheduled for January 24, 2018.

DATED: January 10, 2018

**Cheryl Coopersmith
Chief Clerk Boards and Commissions**



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**PB #18 - 01: Crestron Electronics, Amendment
to Filed Site Plan
Final Site Plan Approval Subject to Conditions
Neg. Dec.**

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**TO: Anthony Morin, Crestron Electronics, Inc., 7 Volvo Drive,
Rockleigh, New Jersey 07647**
FROM: Orangetown Planning Board

RE: Crestron Electronics Site Plan Amendment: The application of Crestron Electronics, applicant, for 280-282 Orangeburg Road LLC, owner, for an Amendment to the Filed Site Plan; Prepreliminary/ Preliminary/ Final Site Plan Amendment Review at a site known known as "**Crestron Electronics Site Plan Amendment**", 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 88 Ramland Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.05, Block 1, Lot 36 in the LIO zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, January 10, 2018**, at which time the Board made the following determinations:

Terry Rice, Anthony Morin, Steven Grogg, and John Speer appeared and testified.

The Board received the following communications:

1. A Project Review Committee Report dated January 3, 2018.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., A.I.A., Director, dated January 4, 2018.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated January 4, 2018.
4. Letters from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated December 15, 2017 and January 10, 2018.
5. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated January 8, 2018.
6. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Associate Engineer, dated November 28, 2017.
7. A letter from the Rockland County Highway Department, signed by Joseph Arena, Senior Engineering Technician, dated December 13, 2017.
8. A letter from the Rockland County Sewer District, signed by Joseph LaFiandra, Engineer II, dated December 15, 2017.
9. An email from of the Rockland County Drainage Agency, Shajan Thottakara, P.E., dated December 12, 2017.
10. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated November 28, 2017.

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11. A letter from the Town of Orangetown Zoning Board of Appeals signed by Daniel Sullivan, Chairman, dated January 3, 2018.
12. An email from the U.S. Army Corps of Engineers – New York District, Peter Steinour, Project Manager, dated December 26, 2017.
13. A Short Environmental Assessment Form signed by Anthony Morin dated November 20, 2017.
14. A Project Narrative dated November 16, 2017 signed by John Speer, Senior Engineer, McLaren Consulting Group.
15. A copy of the Building Permit Referral, dated September 29, 2017, signed by Michael Manzare, Building Inspector.
16. A copy of PB #10-21, Final Site Plan Approval Subject to Conditions dated June 9, 2010.
17. Site Plans prepared by McLaren Engineering Group dated November 16, 2017:
 - C-001: Cover Sheet
 - C-002: Existing Conditions Plan
 - C-100: Overall Site Plan
 - C-101: Proposed Parking Plan
 - C-102: Land banked Parking Plan
 - C-401: Soil Erosion and Sediment Control Plan
 - C-501: Soil Erosion and Sediment Control Details
 - C502: Details
18. Architectural Plans prepared by Elkin/Sobolta & Associates dated November 16, 2017:
 - Drawing 1: First Floor Plan
 - Drawing 2: Elevations

The Board reviewed the plans. The meeting was then open to the public. There being no one from the public, a motion was made to close the Public Hearing portion of the meeting 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; Stephen Sweeney, aye; and Thomas Warren, absent.

REAFFIRMATION OF SEQRA

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 McLaren Engineering and the Town of Orangetown's engineering consultant, and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering, and having heard from the following involved and interested agencies: Rockland County Department of Health, Rockland County Sewer District No. 1, Town of Orangetown Zoning Board of Appeals, and having reviewed the proposed Plans by prepared by McLaren 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;
- 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;

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

DECISION: In view of the foregoing and the testimony before the Board, the application was Granted an Amendment to the Filed Site Plan and Final Site Plan Approval Subject to the Following Conditions:

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting."
2. The following note shall be placed on the Site Plan regarding Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.

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4. The application shall be reviewed by the Town of Orangetown Architecture and Community appearance Board of Review, specifically for the review of the following items:

Structure:

- New entrance canopies: 6 proposed – provide elevations, details and material and color selections.
- Proposed materials to be used for the infill of existing openings.

Site Plan:

- Review of new parking layout.
- Proposed landscaping.

5. The proposed total area of disturbance shall be listed on the plans, at a minimum, drawings; C100-C102, C401.

6. The soil erosion and sediment control plans and details are under review by DEME. However, they shall be revised to reflect NYSDEC standard symbols.

7. The applicant's engineers shall submit a report, including calculations, describing how the current drainage system will accommodate (in terms of quality and quantity) both proposals; conversion of loading dock area to parking and landbanked parking area. Included in that analysis will be a review of the existing drainage infrastructure in the areas of the proposed work and its efficacy to handle the increased flow.

8. The applicant's engineers shall consider replacing the existing drainage manhole (rim elev. 103.25 – across from the proposed loading dock conversion area) with a flat top grate/ catch basin.

9. Erosion control measures shall be depicted in all of the landbanked parking areas.

10. Drainage Review: Brooker Engineering

This is the second drainage review report for this project; the last review was dated December 15, 2017. The original approved Stormwater Pollution Prevention for the project is dated August 19, 2010. The project consists of the removal of loading docks and a reconfigured parking area along the southwest

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Continuation of Condition #10...

corner of the Crestron building. Landbanked parking is proposed along the southern area of the parking lot. In the November 16, 2017 letter from McLaren, the original provided stormwater mitigation for a design impervious area of 8.85 acres; however, only 8.03 acres of impervious area were constructed according to the as built survey. The current project adds 0.15 acres of impervious area.

Review of Additional Information

The applicant's engineer has provided supporting information to verify that the existing stormwater management basin was designed for 8.85 acres of impervious area, and 8.03 acres of impervious area were constructed. The current application proposes 8.18 acres of impervious area. The stormwater management basin can provide stormwater mitigation for the proposed conditions. The proposed drainage and stormwater flow paths do not change and the new impervious areas are directed to the Stormwater Management Basin. Project Comment 1 from the previous report has been addressed.

Drainage Review Recommendation

Drainage calculations have been provided to demonstrate that potential significant impacts with respect to drainage can be mitigated and the Drainage Consultant therefore recommends that Creston Electronics, Inc. Site Plan be approved for drainage subject to the following Project Comment.

Project Comments

1. An alternate hydrologic model shall be prepared using the current NYSDEC 24-hour rainfall totals for existing and proposed conditions. Based on this information, the Drainage Consultant can coordinate with the applicant's engineer whether any modifications of the outlet structure are required.

11. Based upon the plans and details provided, the Rockland County Highway Department held that the proposed action should have a de-minimis impact upon County Highway System and the poses no objection to the plan as presented.

12. The Rockland County Health Department reviewed the plans and found that no approvals are required by the Rockland County Health Department.

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13. In regard to the Site Plan Amendment, the Bureau of Fire Prevention offered the following. The following notes shall be added to the Site Plan and Construction Plans:

- In the new proposed parking area, the Bureau requests a minimum of 26 feet to facilitate the use of a ladder truck, and to allow the turning radius to accommodate a 50 foot ladder truck on each end of the new parking area. The site plan shall be revised.
- Add Sprinkler heads in the new areas and Fire Alarm devices as required.
- Portable fire extinguishers as 75 foot ravel distances to new areas.
- Emergency lighting as per NEC.

14. 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.

15. 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.

16. The U.S. Army Corps of Engineers reviewed the submitted plans and found that based on the description of the proposed work at the Crestron Electronics facility at 88 Ramland Road, Town of Orangetown, New York, and plans dated November 16, 2017, no permit is required under Section 404 of the Clean Water Act for this activity. If the proposal changes such that streams or wetlands may be impacted or if the applicant prefers that the Corps verify stream and wetlands boundaries, contact the office and reference file number NAN-2017-1679.

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

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

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

- Town of Orangetown Zoning Board of Appeals
- Rockland County Department of Health

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20. 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.

21. 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.

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22. 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.

23. 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.

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

25. If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's (applicant's engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicant's engineer's) disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Federal Wetlands - U.S. Army Corps of Engineers).

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

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27. 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

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

The foregoing Resolution was made and moved by Bruce Bond, Vice Chairman, and seconded by William Young and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Chairman, aye; Michael Mandel, aye; William Young, aye; Stephen Sweeney, aye; Thomas Warren, absent; and Robert Dell, 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: January 10, 2018
Cheryl Coopersmith, Chief Clerk Boards and Commissions
Town of Orangetown Planning Board



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

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Reaffirmation of Neg. Dec.**

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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: Crestron Electronics Amendment to Filed Site Plan

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

DESCRIPTION OF ACTION: Site Plan Amendment

LOCATION: The site is located at 88 Ramland Road, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.05, Block 1, Lot 36 in the LIO zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

Jane Slavin, R.A., A.I.A., 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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TO: Dave Sliter, 401 North Middletown Road, Pearl River, New York
FROM: Orangetown Planning Board

RE: **Village Green Fence Plan Phase 2- Pfizer Site Plan:** The application of Pfizer, applicant, for Wyeth Holding, owner, for Prepreliminary/ Preliminary/ Final Fence Site Plan Review at a site known known as "**Village Green Fence Plan Phase 2 – Pfizer 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 401 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.08, Block 1, Lot 5 in the LI zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, January 10, 2018** at which time the Board made the following determinations:

Dave Sliter and Anthony Bispo appeared and testified.

The Board received the following communications:

1. A Project Review Report dated January 3, 2018.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., A.I.A., Director, dated January 4, 2018.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated January 4, 2018.
4. An Interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated December 5, 2017.
5. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner, dated January 8, 2018.
6. A letter from Rockland County Department of Health, signed by Scott McKane, P.E., Associate Engineer, dated December 6, 2017.
7. A letter from the Rockland County Sewer District, signed by Joseph LaFiandra, Engineer II, dated December 15, 2017.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated January 3, 2018.
9. A Short Environmental Assessment Form signed by Dave Sliter, dated October 20, 2017.
10. A Narrative submitted by the applicant with a vicinity map.

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11. Site Plans prepared by SLAM Architects, Fuss & O'Neill and Van Zelm Engineers, dated October 16, 2017, last revision date of October 18, 2017:
 - Sheet 1: Site Preparation Plan
 - Sheet 2: Site Layout & Planting Plan.
12. Additional Plans prepared by SLAM Architects, Fuss & O'Neill and Van Zelm Engineers:
 - A101: 16 X 20 Pavilion Structure, Turnstile & Gates, Landscape Renovation Plans, dated October 18, 2017
 - A102: Details
 - C502: Site Preparation, Layout & Planting Details, dated October 16, 2017, revised October 18, 2017
13. Copy of the Building Permit Referral, dated November 1, 2017, signed by Glenn Maier, Building Inspector.

The Board reviewed the plan. The meeting was then open to the public. There being no one from the public, a motion was made to close the Public by Michael Mandel 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; Michael Mandel, aye and Thomas Warren, absent.

REAFFIRMATION OF SEQRA

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

After having identified the relevant areas of environmental concern, namely drainage, surface water runoff, land clearing, vegetation, fauna, traffic and noise levels, and after having taken a hard look at said environmental issues, and after having deliberated regarding such concerns, and having heard from the applicant, the applicant's professional representatives, namely by Dave Sliter and having heard from the following offices, officials and/or Departments: (Town of Orangetown): Project Review Committee, Office

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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 #1, and having reviewed Plans by prepared by Dave Sliter a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

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

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

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

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1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a meeting".
2. The following note shall be placed on the Site Plan: "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. An Overall Site Plan shall be submitted to show the location of the proposed work in relationship to the site.
4. The Site Plan shall include a Bulk Table.
5. The Site Plan shall indicate the setback dimensions to the proposed Pavilion, in order to determine compliance with the Town of Orangetown Zoning Code.
6. The application shall be reviewed by the Town of Orangetown Architecture and Community appearance Board of Review, for the Pavilion structure and landscaping.
7. Soil erosion and sediment control plans and details shall be added to the plan set for review and approval.
8. The total area of disturbance (a.o.d.) shall be listed on the plans. The a.o.d. shall include all proposed work, i.e. utility trenches, building, fences, curbs, sidewalks, gates, etc.)
9. The Rockland County Department of Planning had the following comments which are incorporated herein as conditions of approval:
 1. A review must 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 and any required permits obtained.

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10. Based on the information provided, there are no Rockland County Health Department approvals needed for this project.

11. 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.

12. The Town of Orangetown Bureau of Fire Prevention reviewed the plan and offered the following comments.

- Maintain the current width of the slide gate that is at the North West corner of Building 200, approximately 17 feet.
- Relocate Fire Department Siamese from the present location on the north side of Building 200 to the northwest corner of the building to allow access if the gate is open.
- What is the weight rating for the paver/ concrete path directly in front of Building 200 that runs from north to south and then east to west in front of Building 222?
- There is a fire hydrant located at the northwest corner of Building 222, how will this be accessible to fire apparatus with the new fence in plan (note: there has been a fence installed with no consultation with the Bureau).
- The paver/ concrete path that will be adjacent to the proposed security pavilion at the southwest corner of building 160- this runs west to east and has a fire hydrant on the north side of it. What is the weight rating for this path? Will the pavilion interfere with fire apparatus accessing this path?
- Provide Supra boxes at the proposed slide gate and at the proposed pavilion for fire department access.

13. The Short Environmental Assessment Form (SEAF) appears to be in order.

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

- Town of Orangetown Zoning Board of Appeals
- Rockland County Sewer District #1

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

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

17. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §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.

18. **TREE PROTECTION:** The following note shall be placed on the Site Plan: The Tree Protection and Preservation Guidelines adopted pursuant to Section 21-24 of the Land Development Regulations of the Town of Orangetown will be implemented in order to protect and preserve both individual specimen trees and buffer area with many trees. Steps that will be taken to reserve and protect existing trees to remain are as follows:

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:
 - One (1) foot radius from trunk per inch DBH
 - Drip line of the Tree Canopy.

The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:

- Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
- Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

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

19. All landscaping shown on the Site Plans shall be maintained in a vigorous growing condition throughout the duration of the use of this site. Any plants not so maintained shall be replaced with new plants at the beginning of the next immediately following growing season.

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20. Prior to the commencement of any site work, including the removal of trees, the applicant shall install the soil erosion and sedimentation control as required by the Planning Board. Prior to the authorization to proceed with any phase of the site work, the Town of Orangetown Department of Environmental Management and Engineering (DEME) shall inspect the installation of all required soil erosion and sedimentation control measures. The applicant shall contact DEME at least 48 hours in advance for an inspection.

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

22. If the applicant, during the course of construction, 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).

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

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

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

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

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: January 10, 2018

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

Cheryl Coopersmith

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CLERK'S OFFICE

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

**PB #18-02: Village Green Fence Phase 2
Preliminary Site Plan Approval Subject
to Conditions
Reaffirmation of Neg. Dec.**

Permit #47040

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: Village Green Fence Phase 2 Preliminary Site Plan Approval Subject / Neg. Dec.

SEQR STATUS: Type I _____
Unlisted XXXXXX

CONDITIONED NEGATIVE DECLARATION: Yes _____
No XXXXXX

DESCRIPTION OF ACTION: Site Plan Review

LOCATION: The site is located at 401 North Middletown Road, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 68.08, Block 1, Lot 5 in the LI zoning district.

REASONS SUPPORTING THIS DETERMINATION:

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

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

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

For Further Information contact:

Jane Slavin, R.A., A.I.A., 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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**PB#18-03: RRIS Corp Site Plan:
Final Site Plan Approval Subject to Conditions**

Permit #45162

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

RE: RRIS Corp. Site Plan: The application of Paul Adler, owner, for Final Site Plan Review at a site to be known as “**RRIS Corp. 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. The site is located at 1 Route 340, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.11, Block 2, Lot 26 in the CC zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, January 10, 2018**, the Board made the following determinations:

Donald Brenner and Jesse Cokeley appeared and testified.

The Board received the following communications:

1. A Project Review Committee Report dated January 3, 2018.
2. A interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., A.I.A., Director, dated January 4, 2018.
3. A interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated January 5, 2018.
4. A interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated November 21, 2017.
5. A letter from Brooker Engineering, signed by Kenneth DeGennaro, P.E., dated January 8, 2018.
6. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated January 5, 2018.
7. A letter from the Rockland County Highway Department signed by Joseph Arena, Senior Engineering Technician, dated July 11, 2017.
8. A letter from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated November 22, 2017.
9. A copy of a letter from Rockland County Drainage Agency to Paul Adler, RRIS Corp., signed by Shajan Thottakara, P.E., CFM, dated December 20, 2017 and a copy of a Notice of Receipt Rockland County Stream Control Act Permit Application from the Rockland County Drainage Agency to Paul Adler, dated November 22, 2017.
10. A letter from the Rockland County Sewer District #1, signed by Joseph LaFiandra, Engineer II, dated December 15, 2017.

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11. A copy of a letter from the Department of the Army, U. S. Army Corps of Engineers, New York District, to Jesse Cokeley, Maser Consulting, dated November 15, 2017, signed by Rosita Miranda, Chief, Western Section.
12. A letter from the Rockland County Office of Fire and Emergency Services, signed by Peter Byrne, dated November 21, 2017.
13. A Project Narrative prepared by Maser Consulting, dated November 6, 2017.
14. Stormwater Management Report prepared by Maser Consulting dated November 8, 2017.
15. An Engineer's Report for Proposed Sewer System for RRIS Corp Site Plan, prepared by Maser Consulting, dated November, 2017.
16. A letter of responses to comments, prepared by Maser Consulting, signed by Jesse Cokeley, P.E., dated November 13, 2017.
17. RRIS Corporation Preliminary Major Site Plan, prepared by Jesse Cokeley, Maser Consulting, dated June 6, 2017, last revised November 3, 2017:
 - Sheet 1 of 12: Cover Sheet
 - Sheet 2 of 12: Project Notes
 - Sheet 3 of 12: Demolition Plan
 - Sheet 4 of 12: Layout Plan
 - Sheet 5 of 12: Grading, Drainage and Utility Plan
 - Sheet 6 of 12: Proposed Storm and Sanitary Profiles
 - Sheet 7 of 12: Landscaping Plan & Details
 - Sheet 8 of 12: Lighting Plan
 - Sheet 9 of 12: Soil, Erosion & Sediment Control Plan
 - Sheet 10 of 12: Construction Details
 - Sheet 11 of 12: Construction Details
 - Sheet 12 of 12: Construction Details
18. Building Permit Referral dated March 8, 2016, signed by Rick Oliver, Building Inspector.
19. Copies of Board Decisions: ACABOR #17-43, Approved Subject to Conditions, dated October 5, 2017; ZBA #17-73, Front Yard and Side Yard Variances Approved, dated October 4, 2017 and PB#16-36, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated July 26, 2017.

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 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, absent and Stephen Sweeney, aye.

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DECISION: In view of the foregoing and the testimony before the Board, the application was Granted Final Site Plan 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. All outdoor construction activities, including site clearing operations if applicable, shall take place between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. No such activities shall take place on Sunday or a legal holiday. The same criteria shall apply to indoor construction activities, except that such activities may take place between the hours of 7:00 a.m. and 10:00 p.m.
4. The applicant shall comply with all relevant and pertinent conditions of previous Board Decisions: ACABOR #17-43, Approved Subject to Conditions, dated October 5, 2017; ZBA #17-73, Front Yard and Side Yard Variances Approved, dated October 4, 2017 and PB#16-36, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated July 26, 2017.
5. Per the letter dated November 13, 2017 prepared by Maser Consulting, PA, the proposed retaining walls are to be less than four feet in height, therefore drawings prepared by a NYS Professional Engineer are not required. However, shop drawings and specifications shall be provided to the Town of Orangetown Office of Building, Zoning, Planning Administration and Enforcement, (OBZPAE) for review and approval.
6. Each individual tenant shall apply for an occupancy permit with OBZPAE and a Certificate of Compliance with the Town of Orangetown Bureau of Fire Prevention.

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7. Although water quality improvements are not normally required when the total area of disturbance is under 1 acre, the design engineer shall provide water quality improvements because this site drains directly into the Sparkill Creek. This is critical as the portion of the Sparkill Creek that this site drains to, is now under consideration (i.e.) On the NYSDEC's tentative revised list of impaired waters), and in all probability will be added to the NYSDEC 303rd list of impaired waters. Any untreated waters that feed the Sparkill will only tend to exacerbate the existing problems with the Sparkill Creek. The water quality improvements (CDS system/ Oil water separators/ or other equivalent as selected by the applicant's design engineer) shall be depicted on the plans, with corresponding details and spelled out (calculations/ sizing) in the stormwater management report.

8. Soil borings, perc tests and determination of groundwater elevations shall be performed at the proposed pervious paver location. These tests/ investigations shall be performed in the spring when the ground water table is typically at its highest. DEME and the Building Department shall be notified when this work is to be done so that the test tests can be witnessed. This shall be done **prior to this proposal receiving Final approval.**

9. DEME disagrees with the applicant's engineers letter of November 13, 2017, item #13, page 3 of 16, water quality improvements are required because as mentioned previously, although the overall site disturbance is less than one acre, the proposed drainage systems will direct stormwater from the proposed parking areas and roof area to discharged directly into the Sparkill Creek in two (2) separate areas. Under existing conditions, the stormwater flows overland before it gets to the Sparkill Creek and therefore has some opportunity to infiltrate into the ground in the grass area between the existing impervious area and the Creek. Also, as stated previously, the portion of the Sparkill Creek that this site drains to is now under consideration (i.e. on the NYSDEC's tentative revised list of impaired waters, and in all probability will be added to the NYSDEC 303rd list of impaired waters. Any untreated waters that feed the Sparkill will only tend to exacerbate the existing problems with Sparkill Creek. Therefore, DEME reiterates its recommendation that water quality improvements such as CDS systems/ oil water separators/ or other equivalent as selected by the applicant's design engineer, be depicted on the plans, (in line with the proposed drainage piping, after the last catch basins), with corresponding details and spelled out, (calculations/ sizing) in the stormwater management report.

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10. DEME disagrees with the applicant's engineer's letter of November 13, 2017, item #14, page 3 of 16, soil borings/ perc tests/ ground water elevation determination, in the area of the proposed permeable pavers is necessary as the very nature and design of the pavers (as also spelled out in the engineer's stormwater report) is to allow stormwater to infiltrate into the ground. Therefore, these tests are required in order to ensure the efficacy of the porous pavers design and function.

11. The detail for the proposed permeable pavers shall clearly show how two types of pavement proposed (traditional and permeable pavers) shall be physically separated in order for both to function as designed into the future (i.e. to prevent any migration of either subbase into the other subbase causing one or both to fail.)

12. Currently, the sanitary sewer layout depicts two (2) cleanouts at the northern and southern end of the proposed 8 inch common private sanitary main that runs in front (and parallel to) the proposed building. This is unacceptable. Standard sanitary manholes shall be shown at either end of the proposed 8 inch common main. Also, the sanitary mains shall be labeled as private. A NOTE shall be added to the general notes stating same (that the proposed 8 inch sanitary mains are private.)

13. The revised post construction stormwater maintenance plan is under review by DEME. However no post construction checklist has been provided. The applicant's engineer shall provide post construction checklists for the proposed permeable pavers and the requested water quality systems.

14. A profile for the southern portion of the proposed private sanitary sewer main (southern portion) shall be added to the drawings.

15. The sanitary calculations are under review by DEME.

16. Drainage Recommendation – Drainage Consultant

The application has provided sufficient information to demonstrate that potential significant adverse impacts with respect to drainage and the Sparkill Creek can be mitigated. The Planning Board's Drainage Consultant, Brooker Engineering, therefore recommends that the RRIS Site Plan be approved for drainage subject to the following Project Comments:

This is the forth drainage review report for this project; the last review was dated July 25, 2017. The property is located along the north side of Route 340, just east of Route 303. There are two existing buildings on the site that are to be removed. Stormwater runoff flows west on the site toward the Sparkill Creek. The site is encumbered by the Sparkill Creek 100-year floodplain. The building has been elevated to a proposed first floor elevation of 77.5 NAVD, which meets New York State Building Code by providing two feet of freeboard above the 100-year base flood elevation of 75.5 NAVD.

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Continuation of Condition #16....

As per the last revision, the applicant has changed the proposed use from a hotel building and associated parking to a retail/service building with fewer parking requirements. The proposed conditions impervious surface is reduced from existing conditions and there is a net increase in flood storage on the site as a result of the proposed grading.

Project Comments

1. As per the July 25, 2017 report, more topography is needed along the east property line to evaluate the impacts of the proposed building with respect to the off-site stormwater runoff pattern. Topography shall be extended off-site to demonstrate the flow pattern. For this revision, the retaining wall has been removed from the area; however, it is still unclear if positive drainage away from the building can be provided while also directing off-site runoff from the property to the east around the new building without affecting the property to the east.
2. The applicant has stated that no sidewalk is provided in the rear of the building for the two exit doors at the south east corner of the building and that these doors are for emergency use only. The Drainage Consultant defers to the Building Department and Fire Marshall whether or not a sidewalk is required for these emergency only doors. This comment does not apply to the exit doors at the northeast corner of the building because they are located at the proposed parking lot.
3. A detail shall be added for the underdrain that has been added along the rear (east) side of the building. The footing drain shall be extended to along the south side of the building.
4. The drainage report shall verify that the proposed field inlet at the northeast corner of the proposed building can receive stormwater flow from the contributing drainage area, including any off-site runoff. If this inlet clogs the building could flood from ponding in the rear parking lot because the ridge line just west of the inlet is at elevation 77.5, which is the same as the first floor elevation of the building. For this revision, a low point at the ridge line at elevation 77.4 has been provided. This is only 0.1 feet below the finished floor elevation of the building of elevation 77.5; the applicant's engineer shall demonstrate that the building will not flood in this scenario. The drainage area map in the drainage report shall include a subarea showing runoff that enters this inlet. This subarea shall include off-site runoff.
5. An overflow shall be provided for the storm drainage system at HW S-6 in the event the check valve at the outlet is closed. If this check valve is closed, Drain Inlet S-1 will surcharge, which will result in local runoff from the rear parking area flowing west over the saddle point at elevation 77.4, which is only 0.1 foot below the first floor elevation of the building.

Continuation of Condition #16....

6. As per the July 25, 2017 report, provide the supporting calculations for the existing and proposed earthwork calculations. The Drainage Consultant notes the current submission states the project achieves a 2.00 cubic yard cut on the site. The previous submission noted a 7.38 cubic yards of cut.

7. For this revision, the doors in the rear of the building have been noted to match existing grade. This will require interior steps within the building. Interior steps shall be noted on the building footprint on the site plan. The two doors at the northeast corner of the parking lot are adjacent to the handicap spaces; the building department shall comment if interior steps adjacent to the handicap entrance is acceptable.

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

- A review shall be completed by the New York State Department of Transportation and all required permits obtained.
- A review shall be completed by the New York State Department of Environmental Conservation and any required permits obtained.
- The comments and conditions in the December 20, 2017 letter from the Rockland County Drainage Agency must be met.
- The comments and conditions in the December 15, 2017 letter from the Rockland County Sewer District #1 must be met.
- The comments and conditions in the December 15, 2017 letter the Rockland County Office of Fire & Emergency Services must be addressed.
- The Floodplain Administrator for the Town of Orangetown shall certify that the proposed construction is in compliance with the floodplain regulations of the Town and the Federal Emergency Management Agency.

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Continuation of Condition #17....

- Since the majority of the parking spaces are located to the rear of the site, to ensure pedestrian safety, a sidewalk must be provided from these parking spaces to the entrances of the retail building.
- All proposed signage shall be indicated on the Site Plan and shall conform to the municipality's sign standards.
- Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Towns, Villages, and County with an adequate supply of water. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health for review.
- A stormwater pollution prevention plan (SWPPP) was not provided. The SWPPP, if required, shall conform to the current regulations, including the New York State Stormwater Management and Design Manual (August 2010) and local ordinances.
- 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.

18. All necessary Rockland County Health Department approvals have been submitted, which included the following:

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

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19. Based upon Rockland County Drainage Agency (RCDA) evaluation of available mapping and information submitted, it has been determined that the proposed activity is within the jurisdiction of the RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act, Chapter 846, is required for any developments within this parcel. The permit materials have been submitted, the RCDA offers the following comments:

1. The Permit application received for the above referenced project is signed and dated by Paul Adler, an agent for the property owner RRIS Corporation. In accordance with the Rockland County Stream Control Act, permit application must be signed by the property owner and if it is owned by a company, it must be signed by an officer of the company/ corporation. Please provide a duly completed amended permit application to the RCDA with a signature of an officer of the corporation, as required. If the applicant is different than the property owner, please have both the applicant and the property owner sign and date the application.
2. The "County Planning Information Certification" form is signed by Jesse Cokeley- Engineer as the applicant with item "D" is marked; however, the permit application indicates RRIS corporation is the property owner with no applicant listed. Please have the application/ property owner duly complete and certify the attached "County Planning Information Certification" form and also include a certified copy of the local board overriding the report of the county Commissioner of Planning, as per item "D" of the form.
3. The Drawing Sheet Number 2 of 12 indicates vertical datum used for elevations is NGVD 1929 and the project drawings indicate a 100-year flood elevation at the site of 76.0. However, the 100-year flood elevation shown on the effective FIRM is based on a vertical datum of NAVD 1988. Therefore, please revise the drawing to indicate the datum conversion factor used on the drawing.
4. Please delineate the floodway limits of the Sparkill Creek on the project drawings consistent with the effective FIRM.
5. Please provide an environmental impact statement for the proposed project that provides sufficient information and details of the upstream and downstream impact of the proposed project with respect to the impact on aquatic life and habitat, fauna, biota, vegetation and wetlands. The environmental impact statement should also identify and describe any mitigating measures that will address the potential environmental impacts of the proposed project. Alternatively, please submit a Full Environmental Assessment Form, Part 1-Project and Setting, signed and dated by the preparer. This form is available at the New York State DEC website.

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Continuation of Condition #19....

6. Please provide the certification issued by the Floodplain Administrator for the Town of Orangetown that the proposed construction is in compliance with Chapter 14B, "Flood Damage Prevention", Town of Orangetown Town Code, as adopted by the Town of Orangetown and FEMA regulations. Alternatively, please provide a copy of the floodplain development permit issued by the Town with the floodplain administrator's certification confirming that the proposed construction is in compliance with "Flood Damage Prevention", Town of Orangetown Town Code and FEMA regulations.

7. Please note that all drawings and calculations/ analysis in support of the RCDA application must be dated, signed and stamped or sealed by a Professional Engineer or a Registered Architect licensed in the State of New York. At least one set of drawings and calculations must bear the original sign and stamp/seal.

20. Rockland County Sewer District (District) had the following comments which are incorporated herein as conditions of approval:

1. The District owns and maintains sewers in two (2) easements on the above property.
 - a) No permanent structures may be built within the District easements.
 - b) Please have the engineer submit a foundation analysis to show if the District's sewers are within the zone of influence on the soil caused by the proposed building.
 - c) If any foundation work or other type of major excavation work is to be done within close proximity to the easement boundary, the District must be notified forty-eight (48) hours in advance. Shoring or other types of precautions may be needed to protect the sewer main. The property owner must also pay these expenses.
 - d) To prevent any damages from occurring to the existing main, the District must be notified when the land within the easement is to be modified. This includes but is not limited to regrading, raising or lowering of manhole frames, or working in close proximity to sewers and manholes within the easement. The District office must approve any construction to be done with the District easements.
 - e) A contractor must obtain required insurance and sign a waiver to defend, indemnify, save and hold harmless both the County of Rockland and Rockland County Sewer District No. 110 from any claims arising from work performed with its easements.

Continuation of Condition #20....

2. Sheet #5 (Grading, Drainage & Utility Plan) shows that the sanitary sewer for this project will connect to Orangetown's sewer, and not to the District's sewers.
3. The District has received and reviewed the "Engineer's Report for Proposed Sewer System" dated November 2017, which shows that the District's 48-inch interceptor sewer is above the zone of influence on the soil caused by the proposed building.

21. The Town of Orangetown Bureau of Fire Prevention had the following requests in regard to a new 12,000 commercial space divided into 4 lease able units:

- 1) An NFPA 72 Compliant Fire Alarm system connected to Rockland County 44-Control transmitting in Contact ID format. With plans and cut sheets and power calculations provided to the Bureau office for approval before work starts. A separate zone for each lease able space. With Amber and Red Strobes as per Orangetown Code.
- 2) Portable Fire Extinguisher as per NFPA 10
- 3) Emergency Lighting as per NEC
- 4) Each tenant must apply for and maintain a Certificate of Compliance with the Bureau office.
- 5) Install Key Box as per instructions.
- 6) Install and Maintain signage for Fire Zone/Fire Lane no parking.

22. The Rockland County Office of Fire and Emergency Services offered the following comments:

- The Maser Engineering Memo dated November 13, 2017 refers to this project as "RRIS Corp Site Plan – Hotel Plan." This is not a plan for a Hotel. Please correct.
- The Maser Engineering Memo dated November 13, 2017, 8th bullet under Question/ Answer 24: Please have the Orangeburg Fire Chief's Office approve the location of the Fire Department Connections.
- The maser Engineering Memo dated November 13, 2017, 10th bullet under Question/ Answer 25: Please provide the fire flow requirements for this proposed site and have SUEZ Water state the flow can be met with the current system. If demand is not achievable, please state what steps will be necessary to meet the demand. A "Willingness to Serve Letter" does not cover this condition.
- Emergency First Responder portable radios need to work throughout the building to ensure the safety of the Police, Firefighters and EMS personnel.

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23. The New York District, U.S. Army Corps reviewed the submitted information and found that since the proposed work does not appear to include dredging or construction activities in or over any navigable waters of the United States, the placement of any dredged or fill material in any waters of the United States (including coastal or inland wetlands) or the accomplishment of any work affecting the course, location, condition or capacity of such areas, a Department of Army permit, in accordance with 33 CFR 320-33-, will not be required provided the proposed work is executed in accordance with the referenced material received by the District on November 14, 2017.

Care shall be taken so that any fill or construction materials, including debris, do not enter the waterway to become a drift or pollution hazard. A No Permit Required determination by the Corps:

- Does not obviate the requirement to obtain any other Federal, State, or local permits which may be necessary for your project;
- Does not constitute a federal evaluation of possible impacts to species protected under the Endangered Species Act. Project that have the potential to impact federally listed species shall contact the U.S. fish and Wildlife Service/ NOAA Fisheries Service, and,
- Does not constitute a federal evaluation of possible impacts to historic resources protected under Section 106 of the Natural Historic Preservation Act. Project that have the potential to impact historic sites shall contact the State Historic Preservation Officer in New York.

24. 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.

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

26. 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:

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Continuation of Condition #26...

- 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.

27. 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.

28. 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.

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

30. If the applicant, during the course of construction of any required public improvements or private sanitary or storm sewer improvements, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, such conditions shall be reported immediately to DEME. The applicant (or the applicant's engineer) shall submit their recommendations as to the special treatment or design modification to be given such areas to secure adequate, permanent and satisfactory construction. DEME shall investigate the condition(s), and shall either approve the applicant's (applicant's engineer's) recommendations to correct the condition(s), or order a modification thereof. In the event of the applicant's (applicant's engineer's) disagreement with the decision of DEME, or in the event of a significant change resulting to the subdivision plan or site plan or any change that involves a wetland regulated area, the matter shall be decided by the agency with jurisdiction in that area (i.e. Federal Wetlands - U.S. Army Corps of Engineers).

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

32. 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

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

34. 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.

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

Override

The Board made a motion to override Conditions 7, 8, 9, 10, 12 & 13 of the January 5, 2018 letter from Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, for the following reasons:

#7. The parallel spaces are located on the left side of the driveway as vehicles enter the site, encouraging drivers to cut across the access way to utilize them. This is not only illegal, but will impede circulation and must be redesigned. To avoid this from occurring, signage must be installed that states that vehicles cannot park facing oncoming traffic.

The Board held that the applicant has agreed to redesign the parking lot to create a safer traffic circulation pattern.

A motion to override the condition #7 was made and moved by Bruce Bond and seconded by Stephen Sweeny 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, absent.

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Overrides

#8. Vehicles parking in the correct direction in the parallel parking spots will have to go the rear of the parking area to turn around. However, there is no turn around area provided to do this safely and conveniently. The lot must be redesigned to allow vehicles to turn around without the need to enter parking spaces to do so.

The Applicant has agreed to redesign the parking lot to create a safer traffic circulation pattern. In addition, the dumpsters and employee parking shall be relocated to allow for turn-around areas.

A motion to override the condition #8 was made and moved by Bruce Bond and seconded by Stephen Sweeny 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, absent.

#9. The overhead doors are located along the main façade, encouraging delivery vehicles to stop along the access way/ fire lane, thereby blocking the flow of traffic into the site. The overhead doors must be relocated, or the access way made wider so that delivery vehicles will not block the main driveway.

The Board held that the trucks will be unloading inside the building, not outside and will not block traffic flow.

A motion to override the condition #9 was made and moved by Stephen Sweeney and seconded by Michael Mandel 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, absent.

#10. The turn at the northwestern corner of the building is too tight and does not allow for adequate sightlines to ensure vehicle and pedestrian safety. In addition larger vehicles and truck will have difficulties making the turn without encroaching into the opposing lane. This must be redesigned.

The Board held that the applicant will place a Stop Bar in the parking lot to create safer traffic circulation.

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Overrides...Continued...

A motion to override the condition #10 was made and moved by Stephen Sweeney and seconded by Michael Mandel 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, absent.

#12. Access to the trash enclosure is blocked by two employee parking spaces. How will the trash be collected if these spaces are occupied? The enclosure must be relocated to allow full access at all times.

The Board held that the applicant has agreed to redesign the parking lot to allow access to the employee parking spaces and to relocate the dumpsters.

A motion to override the condition #12 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, absent.

#13. It appears that each retail unity will have its own access. If that is the case, then how will patrons who need to use the handicapped-accessible space be able to get to the ingresses/ egresses of the retail units? This is especially concerning since no sidewalks are provided to the front of the building. The handicapped parking space must be located as close to the front of the building as possible, and a safe pedestrian way provided.

The Applicant has agreed to redesign the parking lot to create safer traffic circulation and to move the handicapped parking closer to the building.

A motion to override the condition #13 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, absent.

The foregoing Resolution 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, absent.

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: January 10, 2018
Cheryl Coopersmith
Chief Clerk Boards and Commissions
Town of Orangetown Planning Board**

Cheryl Coopersmith

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**PB#18-05: Project Sycamore Data Center Site Plan
Amendment to Final Site Plan Approval: PB#17-33
Visitor's Center Plan**

Permit # 46407

**Town of Orangetown Planning Board Decision
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**TO: JPMorgan, 237 Park Avenue, 12th Floor, NY, NY
FROM: Orangetown Planning Board**

RE: Project Sycamore Data Center Site Plan: The application of JPMorgan Chase, owner, for an Amendment to Final Site Plan Approval, PB #17-33, dated June 28, 2017, at a site to be known as "**Project Sycamore Data Center Site Plan – Visitor's Center 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. 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, January 10, 2018**, the Board made the following determinations:

Brian Quinn, Robert Foley, Jake Raketich and David Winslow appeared and testified.

The Board received the following communications:

1. A Project Review Committee Report dated January 3, 2018.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Jane Slavin, R.A., A.I.A., Director, dated January 9, 2018.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated January 5, 2018.
4. A letter from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner, dated January 8, 2018.
5. A letter from the Rockland County Highway Department, signed by Dyan Rajasingham, Engineer III, dated December 12, 2017.
6. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated December 14, 2017.
7. A letter from the Rockland County Sewer District, signed by Joseph LaFiandra, Engineer II, dated December 14, 2017.
8. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Daniel Sullivan, Chairman, dated January 3, 2018.
9. A letter from the Rockland County Office of Fire and Emergency Services, signed by Peter Byrne, dated December 18, 2017.
10. A Short Environmental Assessment Form signed by Robert Foley, December 8, 2017 and the A Full Environmental Assessment Form, signed by Robert Foley, P.E., dated April 20, 2017.
11. A Project Narrative prepared by Robert Foley, dated December 11, 2017.
12. A Stormwater Management Report, prepared by Dewberry Engineering, dated April 20, 2017, last revision date of December 5, 2017.

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13. A Stormwater Pollution Prevention Plan, Volume 1, prepared by Dewberry Engineering, dated December 5, 2017.
14. Rockland Electric Photometric Plan, prepared by CH2M, dated November 27, 2017
15. Sanitary Pump Station Engineers Report, prepared by Dewberry Engineers, dated November 2017, last revision date of December 5, 2017.
16. Site Plans prepared by ch2m, Dewberry Engineers and Hope Furrer, dated April 20, 2017, last revision date of December 5, 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

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Continuation of submission #16...

- C707: Construction Details – Sheet 2
- C708: Construction Details – Sheet 3
- C709: Construction Details – Sheet 4
- C710: Construction Details – Sheet 5
- C711: Construction Details – Sheet 6
- C500: Electrical Photometric Plan dated April 27, 2017
- C500: Overall Site Lighting Photometrics Plan

**17. Stormwater Pollution Prevention Plans prepared by Dewberry Engineers,
dated December 5, 2017:**

- C400.1: Cover Sheet
- C400.2: Overall Disturbance Limit Plan
- C400.3: Stage 1 – Phasing Plan
- C400.4: State 2 – Phasing Plan
- C401: Phase 1
- C402: Phase 2
- C403: Phase 3
- C404: Phase 4
- C405: Phase 5
- C406: Phase 6
- C407: Phase 7
- C408: Phase 8
- C409: Phase 9
- C410: Phase 10
- C411: Phase 11
- C412: Phase 12
- C413: Phase 13
- C490: SWPPP Details 1
- C491: SWPPP Details 2
- C492: SWPPP Details 3
- C493: Temporary Sediment Basin Plan & Details
- DA-1: Existing Drainage Area Map
- DA-2: Proposed Drainage Area Map

**18. Copies of the following Board Decisions: PB #17-42, Amendment to Final
Site Plan Approval Subject to Conditions, dated July 26, 2017;
PB #17-33, Final Site Plan Approval Subject to Conditions, dated June 28, 2017;
ZBA #17-47, Zoning Board of Appeals Variance, dated June 21, 2017 and ZBA
#17-48, Performance Standards Zoning Boards of Appeal, dated June 21, 2017;
ACABOR #17-22, dated June 8, 2017 and PB#17-26, Preliminary Site Plan
Approval Subject to Conditions, dated May 24, 2017.**

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The Board reviewed the request for the amendment. The meeting was then open to the Public.

Public Comment:

Gwyn Murry, 376 Convent Road, Blauvelt, raised concerns regarding the location of the trees to be removed.

There being no one else from the Public, a motion was made to close the Public a motion was made to close the public portion of the meeting 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, absent and Stephen Sweeney, aye.

REAFFIRMATION OF SEQRA

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:

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- 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 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, absent 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 granted Final Site Plan Approval and Amended PB #17-33, Subject to the Following Conditions:

1. The Short Environmental Assessment Form Appears to be in order.
2. The Setbacks to the proposed visitor reception building shall be indicated on the Site Plan.

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3. The data center proposed location has moved 30'-0" feet to the west.
4. The pump station proposed location has moved approximately 100'-0" feet to the north.
5. The electric substation proposed location has moved 132'-0" feet to the east.
6. 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).
7. The revised SWPPP is under review by DEME. However, the applicant's engineer is advised that because the revised SWPPP proposed to disturb over 10 acres for phases 2-4 (12.8 acres, 14.3 acres and 34.1 acres, respectively), the proposed SWPPP does not meet the NYSDEC technical standards for the SPDES General Construction Permit, and is therefore subject to a 60 Business Day review by the NYSDEC.
8. The revised sanitary calculations are under review by DEME.
9. The revised SESC plans are under review by DEME.

10. Drainage Review Recommendation – Brooker Engineering

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 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 third drainage review report for this project; the last drainage review was dated June 28, 2017. 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 and slopes downhill to the west. A 3.4 acre stormwater management facility is proposed at the southwest corner of the site and provides 12.5 acre feet of storage for the 100-year design storm. One 36-inch pipe conveys the outfall from the stormwater management basin to an existing on-site drainage pipe.

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Continuation of Condition #10...

The revised drainage analysis utilizes 15.45 acres of impervious area and an additional 5.36 acres of impervious area under future build out conditions for a total impervious area of 20.81 acres. The drainage calculations show the proposed basin will reduce 100-year discharges by 57.49 cfs, 52.43 cfs, and 42.46 cfs at the three points of interest along the west side of the property. The detention basin stores 12.48 acre feet of stormwater under the 100-year recurrence interval storm. This provides storage for approximately 7.2 inches of rainfall runoff over the new impervious areas.

Project Comments

1. As per the May 24, 2017 and June 28, 2017 drainage review reports, any large, directly connected, impervious areas shall be modeled as a single drainage subarea in the revised hydrologic model.

2. As per the May 24, 2017 drainage review report, the drainage analysis assumes a "full build out" condition of 20.81 acres of impervious area. 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.

3. A Part Plan and details for the proposed box culvert located at the concrete swale along the east property line shall be provided.

4. The delineation of the subarea along the concrete trough at the northeast side of the property needs clarification.

5. As per the May 24, 2017 drainage review report, 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.

6. As per the May 24, 2017 and June 28, 2017 drainage review reports, the drainage area maps shall provide breakdowns of the existing and proposed land use cover and prepared at a larger scale. The existing conditions data shall be made clearer.

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7. A schematic shall be provided of the subareas used in the hydrologic model and the routings and additions of the subarea hydrographs for Subarea 4 in Appendix II of the Stormwater Management Report. A narrative shall be provided for each Point of Interest describing each subarea used in the hydrologic model.
8. Supporting information for curve number calculations shall be provided.
9. Additional field inlets shall be added in the parking lots that contribute to Catch Basins 31 and 44.
10. Calculations shall be provided showing that the proposed storm drainage pipes, including the outlet pipe from the stormwater management basin, have the capacity to convey the 100-year design storm peak discharge.
11. The 90 degree bend at doghouse manhole #209 shall be reconfigured.
12. Label roof leader pipes on the Utility Plan and include the roof subarea breakdown on this plan.
13. The project requires significant earthwork and cuts over 20 feet deep in many locations. Test pits should be performed to identify the groundwater table and methods of diverting groundwater seeps shall the excavation intercept the groundwater table.
14. The detail for the Collection Structure (C-704.1) shall show the openings that allow water to enter. The invert of the openings, pipe, and frame and grate shall be included for each of these structures on the Utility Plan.
15. The overflow emergency spillway discharges directly to Third Avenue. Stormwater runoff that flows down this embankment may inundate the buildings on the west side of Third Avenue. Additional drainage structures shall be provided on Third Avenue that can intercept any overflows and redirect them back to the drainage system.

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

- The comments in the December 12, 2017 letter from the Rockland County Department of Highways must be met. All required Work Permits must be obtained.
- The conditions in the December 14, 2017 letter from the Rockland County Department of Health must be met.
- The comments in the December 18, 2017 letter from the Rockland County Office of Fire and Emergency Services must be addressed.
- All proposed signage must be illustrated on the Site Plan, and shall conform to the Town's sign standards.
- Who will be responsible for the maintenance of the proposed stormwater management basin? Maintenance responsibilities must be notated on the Site Plan.
- There are still no areas designated for snow removal on the amended Site Plan. These areas must be clearly delineated on the Site Plan so that the plow drivers will know where to place the snow piles. This will help to provide specific locations on the site for the snow piles so that the number of parking spaces meant for the employees will not be impacted.
- The Town fire inspector and/ or the Rockland County Office of Fire and Emergency Services must review the Site Plan to ensure that adequate circulation is provided in the event an emergency arises. This review should include whether the proposed emergency access can accommodate fire equipment, a process to access the gates if the emergency access is needed to be used, and whether there is adequate water pressure/ volume for firefighting purposes.
- Data centers are generally large consumers of water. A review must be completed by Suez to ensure that there is adequate water supply for the proposed use.

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- Data centers are generally large consumers of water. A review must be completed by Suez to ensure that there is adequate water supply for the proposed use.
- The bulk table shall have a footnote indicating that a fence height variance is required. This footnote shall be updated to reflect the decision of the Town of Orangetown Zoning Board of Appeals final action.
- 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.

12. The Rockland County Department of Highway reviewed the recent submission and offered the following comments:

1. It appears that the pavement restoration detail has been labelled incorrectly. The items for pavement restoration shall include backfill with subbase, compacted in 8 inch lifts to the bottom of Type 1 base course hot mix asphalt (HMA), then Type 3 binder course HMA and Type 6 top course HMA. The pavement shall also be saw cut 6" beyond excavation for placement of top course.
2. As mentioned in the previous review comments dated June 23, 2017, the applicant needs highway permits from Rockland County Highway Department and shall meet all requirements prior to obtaining them.

13. The Rockland County Department of Health (RCDOH) reviewed the recent submission and offered the following comments:

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

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14. 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.

15. The Rockland County Office of Fire and Emergency Services offered the following comments:

- On comments in the Town of Orangetown Planning Board Decision, dated June 28, 2017, Page 14 of 18, 12th bullet of 42nd Statement the installation of a Communication Command Center in the building lobby is requested. Provide further clarification on this proposal since the Office of Fire and Emergency Services are not sure what is being requested?
- On Map C303 in the Private Package Pump Station, it appears a fire department connection of some sort is being installed on a 2" water line. Explain the purpose of this.
- Please have the plan show that the Orangeburg Fire Department's Ladder Truck can safely navigate all turns in the facility.
- What is the required fire flow for this facility and has Suez Water stated in writing this flow is currently available. If not, what is the plan to ensure proper fire flow.
- Emergency First Responder portable radios need to work throughout the building to ensure the safety of the Police, Firefighters and EME personnel.
- As this is going to be high security location, the Rockland County Office of Fire and Emergency Services requests that a meeting be set between the representative of JP Morgan, the Orangeburg Volunteer Fire Department and the Town of Orangetown Bureau of Fire Prevention to discuss emergency access during an incident.

16. 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

17. The applicant shall comply with all pertinent and applicable conditions of previous Board Decisions:

- PB #17-42, Amendment to Final Site Plan Approval, dated July 26, 2017,
- PB #17-33; Final Site Plan Approval Subject to Conditions, dated June 28, 2017,

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**PB#18-05: Project Sycamore Data Center Site Plan
Amendment to Final Site Plan Approval: PB#17-33
Visitor's Center Plan**

Permit # 46407

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- ZBA #17-47, Zoning Board of Appeals Variance, dated June 21, 2017,
- ZBA #17-48, Performance Standards, Zoning Board of Appeals Variance, dated June 21, 2017,
- ACABOR #17-22, Approved Subject to Condition, dated June 8, 2017, and
- PB #17-26, Preliminary Site Plan Approval Subject to Conditions, dated May 24, 2017

The foregoing Resolution 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; Stephen Sweeney, aye; Robert Dell, aye and Thomas Warren, absent.

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: January 10, 2018
Cheryl Coopersmith
Chief Clerk Boards and Commissions
Town of Orangetown Planning Board**



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

PB#18-05: Project Sycamore Data Center Site Plan Permit # 46407
Visitor's Center Plan
Amendment to Final Site Plan Approval: PB#17-33
Reaffirmation of Neg. Dec.

Town of Orangetown Planning Board Decision
January 10, 2018

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- Visitor's Center Plan

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

DESCRIPTION OF ACTION: Site Plan Review - Visitor's Center Plan

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

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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