Meeting of May 10, 2017
Town of Orangetown Planning Board

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

MEMBERS ABSENT: Kevin Garvey, Chairman and Robert Dell

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

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

Dedicated Dental Site Plan – Deck Prepreliminary/ Preliminary/ Final Site Plan and SEQRA Review 609 Main Street, Sparkill 77.08/5/39; CS zoning district	**Final Site Plan Approval Subject to Conditions/ Neg. Dec.**	**PB #17-20**
Parkway Associates/ **King Car Services Parking Plan** Prepreliminary/ Preliminary/ Final Parking Plan and SEQRA Review 1-11 Veterans Parkway, Pearl River 69.05/2/76; CO zoning district	**Continued: Proceed to the ZBA for an Interpretation**	**PB #17-21**
Skae Site Plan Prepreliminary/ Preliminary Site Plan, Special Permit and SEQRA Review 337 – 330 Blaisdell Road, Orangeburg 76.08/1/3 & 4; LIO zoning district	**Continued to the May 24th Meeting at the Request of the Applicant**	**PB #17-09**

Other Business: Referral from the Town of Orangetown Town Board – Lead Agency Coordination – Proposed Amendment to Chapter 43; Addition of "Article XVI" entitled "Entity Disclosure"; the Board consented to the Town Board as Lead Agency.

Meeting of May 10, 2017
Town of Orangetown Planning Board

The decisions of the April 26, 2017 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Bruce Bond and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, absent; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, absent; Stephen Sweeney, aye and Thomas Warren, aye.

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

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Thomas Warren and seconded by Stephen Sweeney and agreed to by all in attendance. The meeting was adjourned at 8:40 p.m. The next Planning Board meeting is scheduled for May 26, 2017.

DATED: May 10, 2017
Cheryl Coopersmith
Chief Clerk Boards and Commissions

Cheryl Coopersmith

PB# 17-20: Dedicated Dental Site Plan – Deck **Permit #46130**
Final Site Plan Approval Subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision
May 10, 2017

TO: **Thomas Williams, 609 Main Street, Sparkill, New York 10976**
FROM: **Orangetown Planning Board**

RE: **Dedicated Dental Site Plan – Deck**: The application of Thomas Williams, applicant, for Patience at Sparkill, LLC, owner, for Prepreliminary/ Preliminary/ Final Site Plan Review at a site to be known as **"Dedicated Dental Site Plan – Deck"**, 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 609 Main Street, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.08, Block 5, Lot 39 in the CS zoning district.

Heard by the Planning Board of the Town of Orangetown at meeting held **Wednesday, May 10, 2017**, the Board made the following determinations:

Adra Bubesi and Dominick Pilla appeared and testified.
The Board received the following communications:
1. Project Review Committee Report dated May 3, 2017.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by John Giardiello, P.E., Director, dated May 10, 2017.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated May 4, 2017.
4. Letters from the Rockland County Department of Planning, signed by Douglas Schuetz, Acting Commissioner of Planning, dated April 28, 2017.
5. Letters from the Rockland County Highway Department signed by Sonny Lin. P.E., dated April 21, 2017.
6. Letters from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated April 11 & 12, 2017.
7. A letter from the Rockland County Drainage Agency, signed by Vincent Altieri, Executive Director, dated April 19, 2017.
8. A letter from the Rockland County Sewer District No.1, signed by Joseph LaFindra, Engineer I, dated April 21, 2017.

9. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chair, dated April 19, 2017.
10. Building Permit Referral dated January 20, 2017, signed by David Majewski, Building Inspector.
11. Short Environmental Assessment Form signed by Thomas Williams, dated February 6, 2017.
12. Plans prepared by Dominick Pilla, P.E., R.A., dated January 4, 2017:
    - SP01: Site Plan
    - A100: Existing/ Proposed Plans & Elevations
    - A200: Details
13. Survey for 609 Main Street prepared by Anthony Celentano, PLS, dated March 15, 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 Michael Mandel and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, absent; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, absent; Thomas Warren, aye and Stephen Sweeney, aye.

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

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

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 Dominick Pilla, P.E., R.A., and Anthony Celentano, PLS and having heard from the following offices, officials and/or Departments: (Town of Orangetown): The Office of Building, Zoning, Planning Administration and Enforcement and Department of Environmental Management and Engineering; and having heard from the following involved and interested agencies: Town of Orangetown Zoning Board of Appeals, Rockland County Highway Department, Rockland County Sewer District No.1, Rockland County Drainage Agency, Rockland County Department of Health, Rockland County Department of Planning and having reviewed proposed Site Plan by prepared by Dominick Pilla, P.E., R.A., and Anthony Celentano, PLS a summary of the reasons supporting this determination is, and the Planning Board finds, that the proposed action:

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

On motion by Michael Mandel and seconded by Thomas Warren and carried as follows: Kevin Garvey, Chairman, absent; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, aye; Robert Dell, absent; Thomas Warren, aye 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 Final Site Plan Approval Subject to the Following Conditions:**

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".

2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.

3. The existing and proposed Floor Area Ratio is less than 1. Please correct the Zoning Bulk Table.

4. The Short Environmental Assessment Form appears to be in order except items 5A and 5B shall be answered "yes".

5. The existing septic system or sanitary house connection location shall be shown on the Site Plan.

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

- As indicated in the April 21, 2017 letter from the Rockland County Department of Highways, a permit must be obtained

7. The Rockland County Highway Department reviewed the site plans and information submitted and offered the following for consideration:

- The proposed action should have a de minimis impact upon the County Highway System.

- Due to the proximity to the County Highway, if the proposed construction requires the installation of concrete footings or padding, then a Rockland County Highway Department Work Permit will be required for the proposed development.

8. The Rockland County Health Department (RCDOH) reviewed the information provided and found that there is no RCDOH approvals needed for this application.

9. Rockland County Drainage Agency (RCDA) has reviewed the information submitted and available maps and determined that the site is outside the jurisdiction of RCDA. Therefore, a permit from the RCDA pursuant to the Rockland County Stream Control Act is not required for any developments within the site.

10. 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.

11. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
- Rockland County Highway Department
- Rockland County Sewer District No. 1
- Rockland County Department of Health
- Rockland County Drainage Agency
- Rockland County Planning Department
- Town of Orangetown Zoning Board of Appeals

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

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

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

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

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

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

Dated: May 10, 2017
Cheryl Coopersmith, Chief Clerk Boards and Commissions
Town of Orangetown Planning Board
(attachment)

Cheryl Coopersmith

NEGATIVE DECLARATION
Notice of Determination of Non-Significance

PB# 17-20: Dedicated Dental Site Plan – Deck **Permit #46130**
Final Approval Subject to Conditions/ Neg. Dec.

Town of Orangetown Planning Board Decision
May 10, 2017

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

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

NAME OF ACTION: Dedicated Dental Site Plan – Deck
Final Approval Subject to Conditions

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

DESCRIPTION OF ACTION: Final Site Plan Review

LOCATION: The site is located at 609 Main Street, Sparkill, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 77.08, Block 5, Lot 39 in the CS zoning district.

REASONS SUPPORTING THIS DETERMINATION:
The Orangetown Planning Board, as Lead Agency, determined that the proposed action will not have a significant impact on the environment and a Draft Environmental Impact Statement (DEIS) will not be prepared. The reasons supporting this determination are as follows:
The project will not have a significant impact upon the environment and a DEIS need not be prepared because the proposed action does not significantly affect air quality, surface or ground water quality, noise levels or existing external traffic patterns. In addition, it will have no impact upon the aesthetic, agricultural or cultural resources of the neighborhood. No vegetation, fauna or wildlife species will be affected as a result of this proposed action. The proposed action is consistent with the Town of Orangetown's Master Plan and will not have any adverse economic or social impacts upon the Town or its businesses or residences.
If Conditioned Negative Declaration, the specific mitigation is provided on an attachment.
For Further Information contact:

John Giardiello, P.E., Director, Office of Building, Zoning and Planning Administration and Enforcement
Town of Orangetown
20 Greenbush Road
Orangeburg, NY 10962
Telephone Number: 845-359-5100

For Type I Actions and Conditioned Negative Declarations, a copy of this notice is sent: - Commissioner, New York State Department of Environmental Conservation, - Region 3 Headquarters, NYSDEC, - Town Supervisor, Applicant, Involved Agencies