

**Meeting of October 11, 2017
Town of Orangetown Planning Board**

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

MEMBERS ABSENT: None

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

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:

Sambrotto Minor Subdivision Plan Reapproval of Final Subdivision Plan Review #16-09 and Reaffirmation of SEQRA and Reapproval of Performance Bond Value and Term, PB #16-34 34 Clausland Mountain Road, Blauvelt 70.15/2/11; R-40 zoning district	Reapproved Subject to Conditions and Reaffirmation of Neg. Dec.	PB #17-53
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Griffin Site Plan Kreiger Subdivision – Lot #1 Final Site Plan Review 27 Sunrise Lane, Pearl River 69.18/3/43.1; R-15 zoning district	Final Site Plan Approval Subject to Conditions	PB #17-54
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Other Business: The Planning Board gave the Building's Department the authority of oversight to review/approve two permit applications; one application to back fill an excavated area to repair a broken water line and another to install a well. The applicant has been borrowing water from neighbors for the past 4 months. Section 71.09, Block 1, Lot 54.

The decisions of the September 27, 2017 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved 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; 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 Stephen Sweeney and seconded by Bruce Bond, Vice Chairman, and agreed to by all in attendance. The meeting was adjourned at 7:45 p.m. The next Planning Board meeting is scheduled for October 25, 2017.

DATED: October 11, 2017
Cheryl Coopersmith
Chief Clerk Boards and Commissions

Cheryl Coopersmith
TOWN OF ORANGETOWN
2017 OCT 25 1:30
TOWN CLERK'S OFFICE

**PB#17-53: Sambrotto Minor Subdivision Plan:
Reapproval of Final Subdivision Plan Approval Subject to Conditions, and
Reapproval of the Recommendation to the Town Board to Establish the
Value and Term of the Performance Bond**

**Town of Orangetown Planning Board
October 11, 2017
Page 1 of 4**

**TO: Raymond Sambrotto, 34 Clausland Mountain Road, Blauvelt,
New York 10913**

FROM: Orangetown Planning Board

RE: Sambrotto Minor Subdivision Plan: The application Raymond Sambrotto, owner, for Reapproval of the Final Plan Review; PB #16-09, at a site to be known as “**Sambrotto Minor Subdivision Plan and Reapproval of the Performance Bond Value and Term**”, 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 21 of the Code of the Town of Orangetown. The site is located 34 Clausland Mountain Road, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.15, Block 2, Lot 11 in the R-40 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, October 11, 2017**, the Board made the following determinations:

Donald Brenner appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated October 4, 2017.
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 October 11, 2017.
3. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., October 5, 2017 and May 25, 2016.
4. A Project Narrative prepared by Raymond Sambrotto.
5. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated May 26, 2016.
6. Drainage Calculations prepared by Edward A. Maikish, P.E., dated May 5, 2016.
7. Copies of the following Board Decisions: PB #16-34, Recommendation to the Town Board to Establish the Value and Term of the Performance Bond, dated July 13, 2016; PB #16-09, Final Subdivision Plan Review, dated February 10, 2016; ACABOR #16-09, Approved Subject to Conditions, dated February 4, 2016; ZBA #15-11, Approved, dated February 18, 2015 and PB #13-29, Preliminary Subdivision Approval Subject to Conditions, dated December 10, 2014.

TOWN OF ORANGETOWN
2017 OCT 26 P 1:30
TOWN CLERK'S OFFICE

**PB#17-53: Sambrotto Minor Subdivision Plan:
Reapproval of Final Subdivision Plan Approval Subject to Conditions, and
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Value and Term of the Performance Bond**

**Town of Orangetown Planning Board
October 11, 2017
Page 2 of 4**

8. Plans prepared by Robert E. Sorace, PLS and Jay Greenwell, PLS, dated September 12, 2014;

- Sheet 1: Subdivision of Property last revised June 3, 2016;
- Sheet 2: Grading, Drainage & Utility Plan, last revised May 10, 2016

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

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

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 Robert E. Sorace, PLS and Jay Greenwell, PLS 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 involved and interested agencies and having reviewed the proposed Subdivision Plans prepared by Robert E. Sorace, PLS and Jay Greenwell, PLS, 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;

TOWN OF ORANGETOWN
2017 OCT 26 P 1:30
TOWN CLERK'S OFFICE

**PB#17-53: Sambrotto Minor Subdivision Plan:
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Value and Term of the Performance Bond**

**Town of Orangetown Planning Board
October 11, 2017
Page 3 of 4**

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

DECISION:

In view of the foregoing and the testimony before the Board, the applicant was **Granted the following:**

- (1) Reapproval of the Final Subdivision Plan (PB #16-09, dated February 10, 2016), and**
- (2) Reapproval of the Recommendation to the Town Board to Establish the Value and Term of the Performance Bond (PB #16-34, dated July 13, 2016)**

Subject to the Following Conditions:

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

TOWN OF ORANGETOWN
2017 OCT 26 P 1:30
TOWN CLERK'S OFFICE

**PB#17-53: Sambrotto Minor Subdivision Plan:
Reapproval of Final Subdivision Plan Approval Subject to Conditions, and
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Value and Term of the Performance Bond**

**Town of Orangetown Planning Board
October 11, 2017
Page 4 of 4**

2. The following note shall be placed on the Subdivision 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. The applicant shall comply with all pertinent and applicable prior Board Decisions:
 - PB #16-34, Recommendation to the Town Board to Establish the Value and Term of the Performance Bond, dated July 13, 2016,
 - PB #16-09, Final Subdivision Plan Review, dated February 10, 2016,
 - ACABOR #16-09, Approved Subject to Conditions, dated February 4, 2016,
 - ZBA #15-11, Approved, dated February 18, 2015, and
 - PB #13-29, Preliminary Subdivision Approval Subject to Conditions, dated December 10, 2014.
4. The applicant shall make application to the Town of Orangetown Zoning Board of Appeals to obtain a Reapproval of the variances obtained under ZBA#15-11, dated February 18, 2015; Lot Area Variances for Lots #1 and #2 and Front Yard and Side Yard Variances for Lot #1.
5. The applicant shall submit the entire package of plans, including details sheets for approval and signature.
6. The drawings submitted have additional revision dates, indicating changes. A full set of drawings, with up-to-date revision dates added, shall be submitted for review.

The foregoing Resolution was made and moved by Thomas Warren 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; Thomas Warren, aye; and Michael Mandel, aye.

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

**Dated: October 11, 2017
Town of Orangetown Planning Board**

Cheryl Cooper Smith

TOWN CLERK'S OFFICE
2017 OCT 26 P 1:30
TOWN OF ORANGETOWN

**PB #17-54: Griffin Site Plan
(Kreiger Subdivision – Lot #1)
Final Site Plan Approval Subject to Conditions**

Permit #46504

**Town of Orangetown Planning Board Decision
October 11, 2017
Page 1 of 6**

**TO: Steven Griffin, 27 Sunrise Lane, Pearl River, New York
FROM: Orangetown Planning Board**

RE: Griffin Site Plan: The application of Steven Griffin, owner, for Final Site Plan Review, at a site known as “**Griffin 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 27 Sunrise Lane, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 69.18, Block 3, Lot 43.1 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, October 11, 2017**, the Board made the following determinations:

Steven Griffin appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated October 4, 2017.
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 October 11, 2017.
3. An Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated October 5, 2017.
4. A letter from Brooker Engineering, signed by Kenneth DeGennero, P.E., dated October 10, 2017.
5. A Letter from the Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated October 2, 2017.
6. A letter from the Rockland County Highway Department, signed by Joseph Area, Senior Engineering Technician, dated October 5, 2017.
7. Percolation Test Results prepared by Fairway Testing dated September 18, 2017, signed by Patsy Aguanno, P.E.
8. Drywell Design calculations prepared by Paul Gdanski, P.E., dated July 25, 2017.
9. Site Plan prepared by Robert Sorace, PLS and Paul Gdanski, P.E., dated July 28, 2017, last revised September 20, 2017.
10. Copies of the following Board Decisions: ACABOR #17-36, Approved Subject to Conditions, dated September 19, 2017; ZBA #17-53, Front Yard and Total Side Yard Variances Approved, dated September 18, 2017 and PB #17-45, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated September 13, 2017.

TOWN CLERK'S OFFICE
2017 OCT 26 P 1:30
TOWN OF ORANGETOWN

**PB #17-54: Griffin Site Plan
(Kreiger Subdivision – Lot #1)
Final Site Plan Approval Subject to Conditions**

Permit #46504

**Town of Orangetown Planning Board Decision
October 11, 2017
Page 2 of 6**

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

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall comply with all pertinent and applicable conditions of previous Board Decisions: ACABOR #17-36, Approved Subject to Conditions, dated September 19, 2017; ZBA #17-53, Front Yard and Total Side Yard Variances Approved, dated September 18, 2017 and PB #17-45, Preliminary Site Plan Approval Subject to Conditions, Neg. Dec., dated September 13, 2017.
4. The Board recommended that the applicant attempt to save as many trees as possible during construction on the site.
5. The drainage calculations shall include a **written** explanation as to what will happen if stormwater runoff exceeds the capacity of the proposed drywells.
6. The slope of the proposed driveway shall be given on the plans and a profile of the driveway shall also be provided on the plans.
7. The metes and bounds for the existing sanitary sewer that crosses at the western most corner of the property, shall be given on the plans.
8. A detail for the proposed driveway shall be added to the plans.

TOWN OF ORANGETOWN
2017 OCT 26 P 1:30
TOWN CLERK'S OFFICE

9. The drainage calculations are currently under review by DEME.

10. Drainage Review Recommendation – Brooker Engineering

Additional detail and drainage calculations have been provided to demonstrate that potential significant impacts with respect to drainage can be mitigated; Brooker Engineering therefore recommends that the Griffin Site Plan application be approved for drainage subject to the following Project Comments.

Project Description

This is the third drainage review report for this project; the last drainage review was dated September 13, 2017. The proposed work includes a garage addition, new porch, and a second story addition over an existing 1-1/2 story residential story structure. The lot was created as part of the Krieger subdivision. No drainage information was provided at the time of the subdivision; drainage review was deferred to Site Plan approval for the new lots.

Stormwater runoff flows downhill in a southeasterly direction through the site. The storm drainage system in Sunrise Lane in front of the lot discharges to an open channel along the southwest corner of the property. Stormwater detention is provided by two proposed drywells in the rear (northeast) side of the building. Drainage calculations have been provided to support the drywell design. The overall additional impervious area of 1800 SF has been listed. Proposed grading has been provided to demonstrate how the site will operate with respect to drainage post-construction. Test pits have been performed to verify the observed field soil percolation rate exceeds the assumed percolation rate in the design.

Project Comments

1. As per the September 13, 2017 drainage review report, a section detail through the tiered retaining walls shall be provided. Separation distance between the two tiers shall be provided.
2. As per the August 29 and September 13, 2017 drainage review reports, a detail for the trench drain shall be added.
3. As per the August 29 and September 13, 2017 drainage reports, detailed grading at the driveway entrance along Sunrise Lane shall be provided to demonstrate that runoff from Sunrise Lane will not flow down the driveway. A spot grade in the road at the center of the driveway of 150.9 and a proposed spot grade at the high point in the driveway of 151.0 have been added for this revision. However, this does not take into account the slope of the road and the depth of flow. Significant stormwater runoff from the road will most likely be directed down the driveway to the new garage. More detail is needed in this area.

TOWN CLERK'S OFFICE

2017 OCT 26 P 1:30

TOWN OF ORANGETOWN

Continuation of Condition #10...

4. As per the September 13, 2017 drainage review report, the new driveway grading appears to have a slope significantly greater than 10% listed at the driveway entrance to Sunrise Lane between the 151 spot grade and the 150 contour. Existing grading at Sunrise Lane shall be provided to verify the driveway slope. The proposed contours added at the embankment north of the driveway turnaround indicate a slope of 1.5 horizontal to one vertical; this will require some vehicle protection.
 5. As per the September 13, 2017 drainage review report, the drywells shall have an open grate. The Campbell Foundry number shall be corrected to 1352 and noted as a grate. The overall inside height of the drywell shall be shown on the detail.
 6. As per the September 13, 2017 drainage review report, detailed calculations for the 24-hour soil percolation rate shall be provided (item 6 in the Drywell Calculations); it appears that percolation from the sides might be included in the calculations.
 7. The drywells and stone envelope shall be shown to scale on the Site Plan.
- 11.** The Rockland County Department of Health (RCDOH) **granted approval** for the Stormwater Facility/ Article 19 Mosquito Control; noting that this approval is solely for compliance with Article 19 of the Rockland County Sanitary Code. All required Rockland County Department of Health approvals have been obtained.
- 12.** The Rockland County Highway Department reviewed the information and Site Plan provided and found that they have no objection to the site plan as presented and that the parcel is over 500 feet from the County right of way and a permit from the county Highway Department will not be required.
- 13.** 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.
- 14.** All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Site Plan.
- 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.

TOWN CLERK'S OFFICE
2017 OCT 26 P 1:30
TOWN OF ORANGETOWN

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

- a. No construction equipment shall be parked under the tree canopy.
- b. There will be no excavation or stockpiling of earth underneath the trees.
- c. Trees designated to be preserved shall be marked conspicuously on all sides at a 5 to 10 foot height.
- d. The Tree Protection Zone for trees designated to be preserved will be established by one of the following methods:

- One (1) foot radius from trunk per inch DBH.
- Drip line of the Tree Canopy. The method chosen should be based on providing the maximum protection zone possible. A barrier of snow fence or equal is to be placed and maintained one yard beyond the established tree protection zone. If it is agreed that the tree protection zone of a selected tree must be violated, one of the following methods must be employed to mitigate the impact:
 - Light to Heavy Impacts – Minimum of eight inches of wood chips installed in the area to be protected. Chips shall be removed upon completion of work.
 - Light Impacts Only – Installation of ¾ inch of plywood or boards, or equal over the area to be protected.

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

17. 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.

18. 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.

TOWN OF ORANGETOWN
2017 OCT 26 P 1:30
TOWN CLERK'S OFFICE

**PB #17-54: Griffin Site Plan
(Kreiger Subdivision – Lot #1)
Final Site Plan Approval Subject to Conditions**

Permit #46504

**Town of Orangetown Planning Board Decision
October 11, 2017
Page 6 of 6**

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

20. 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).

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

22. 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

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

The foregoing Resolution was made and moved 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; Thomas Warren, aye and Stephen Sweeney, aye.

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

**Dated: October 11, 2017
Cheryl Coopersmith
Chief Clerk Boards and Commissions**



TOWN CLERK'S OFFICE
2017 OCT 26 P 1:30
TOWN OF ORANGETOWN