

**TOWN OF ORANGETOWN PLANNING BOARD
MEETING OF SEPTEMBER 27, 2017**

Members Present:

Kevin Garvey, Chairman
Thomas Warren
Robert Dell

Bruce Bond, Vice Chairman
Michael Mandel
Stephen Sweeney

Member Absent:

William Young

Also Present:

Robert Magrino, Deputy Town Attorney
Rick Oliver, Acting Director, Department of Building, Zoning,
Planning Administration and Enforcement
Ann Marie Ambrose, Stenographer
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:

Orangetown Commerce Center Plan **PB #17-49**

Recommendation to the Town Board to **Recommended**
Establish the Value and Term **to Town Board**
of the Performance Bond
5 Greenbush Road, Orangeburg
74.15/1/2; LI zoning district

Yost/ Magenheim & Sammon **PB #17-50**

Resubdivision Plan **Final Resubdivision**
Prepreliminary/ Preliminary/ **Plan Approval Subject**
Final Resubdivision Plan **to Conditions/ Neg. Dec.**
and SEQRA Review
178 and 174 Elizabeth Street, Pearl River
72.08/3/83.8 & 83.9; R-15 zoning district

U.S. Information Systems Project Site Plan **PB #17-51**

Final Site Plan Review **Postponed to**
25 Ramland Road, Orangeburg **October 25 Meeting**
73.20/1/26; LIO zoning district

Kolb Subaru Site Plan Amendment **PB #17-52**

and Conditional Use Permit **Amended Final Site Plan**
Amendment to Final Site Plan **Approval Subject to Conditions**
PB #17-24, dated May 24, 2017
582 Route 303, Blauvelt
Route 303 Overlay Zone
70.14/4/12; CC zoning district

TOWN OF ORANGETOWN
2017 OCT 13 P 2:28
TOWN CLERK'S OFFICE

**TOWN OF ORANGETOWN PLANNING BOARD
MEETING OF SEPTEMBER 27, 2017**

The decisions of the September 13, 2017 Planning Board Meeting was reviewed, edited, and approved. The motion for adoption was made and moved by Bruce Bond and seconded by Michael Mandel and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye, William Young, absent; Robert Dell, aye; Stephen Sweeney, aye and Thomas Warren, aye.

Since there was no further business to come before the Board, a motion to adjourn the meeting was made by Bruce Bond and seconded by Stephen Sweeney 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 11, 2017.

September 27, 2017
Cheryl Coopersmith
Chief Clerk Boards and Commissions

Cheryl Coopersmith

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TOWN CLERK'S OFFICE

**PB#17-49: Orangetown Commerce Center Plan
Recommendation to the Town Board
to Establish the Term and Value of the
Performance Bond**

PB #17-49

**Town of Orangetown Planning Board Decision
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**TO: Alfred Rossi, P.E., Senior Vice President, BF Orangetown, LLC,
C/O RD Management, LLC, 810 7th Avenue, 10th Floor,
New York, New York 10019**
FROM: Town of Orangetown Planning Board

RE: Orangetown Commerce Center Plans: The application of BF Orangetown LLC, owner, to establish the Value and Term of the Performance Bond at a site known as "**Orangetown Commerce Center Plans**", 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 5 Greenbush, Orangeburg, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 74.15, Block 1, Lot 2 in the LI zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 27, 2017**, at which time the Board made the following determinations:

The Board received the following communications:

1. Project Review Committee Report dated September 20, 2017.
2. An Interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Rick Oliver, Acting Director, dated September 27, 2017.
3. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated August 25, 2017.

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 Bruce Bond and second by Thomas Warren and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel aye; William Young, absent; Stephen Sweeney, aye; Robert Dell, aye and Thomas Warren, aye.

RECOMMENDATION: In view of the foregoing, the Planning Board Recommends to the Town of Orangetown Town Board that the value and term of the Performance Bond be established in accordance with the Interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated August 25, 2017.

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**PB#17-49: Orangetown Commerce Center Plan
Recommendation to the Town Board
to Establish the Term and Value of the
Performance Bond**

PB #17-49

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The term of the Performance Bond shall not exceed two (2) years as set forth in Section 21A-10 of the Town of Orangetown Town Code, which shall be on or before September 27, 2019, and Subject to the Following Conditions:

<u>ITEM</u>	<u>COST</u>
Iron Pins	\$ 5,400.00
Concrete Sidewalk	\$ 16,800.00
Driveway Openings	\$ 27,000.00
As-Built Drawings	\$ 5,400.00
Storm Drainage	\$ 16,985.00
Soil Erosion & Sediment Control	\$ 62,200.00
Sanitary Sewers	\$ 5,650.00
Sub-Total	\$ 139,435.00
Administrative Close-out (20% of Sub-Total)	\$ 27,887.00
<u>Total Bond</u>	<u>\$ 167,322.00</u>

Inspection Fee (3% of Sub-Total
of original bond amount) \$ 4,183.05

To be submitted to DEME prior to the onset of construction.

All Bonds are to conform to current town regulations.

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

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

**Dated: September 27, 2017
Cheryl Coopersmith
Town of Orangetown Planning Board**

Cheryl Coopersmith
TOWN CLERK'S OFFICE
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TOWN OF ORANGETOWN

**PB #17-50: Yost/ Magenheim and Sammon Resubdivision Plan
Final Resubdivision Plan Approval
Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
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**TO: Blythe Yost, 178 Elizabeth Street, Pearl River, New York, 10965
FROM: Orangetown Planning Board**

RE: Yost/ Magenheim & Sammon Resubdivision Plan: The application of Blythe Yost, applicant, for Blythe Yost and Daniel Sammon, owners, for Prepreliminary/ Preliminary/ Final Resubdivision (Lot line change) Review, at a site to be known as “**Yost/ Magenheim & Sammon Resubdivision 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 21 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 178 and 174 Elizabeth Street, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 72.08, Block 3, Lots 83.8 & 83.9 in the R-15 zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 27, 2017**, at which time the Board made the following determinations:

Blythe Yost appeared and testified. Ms Yost stated that she is Chair of the Town of Orangetown Architecture and Community Appearance Board of Review.

The Board received the following communications:

1. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Rick Oliver, Acting Director, dated September 27, 2017.
2. An interdepartmental memorandum from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 21, 2017.
3. A letter from Rockland County Department of Planning, Arlene Miller, Deputy Commissioner, dated August 29, 2017.
4. Letters from Rockland County Department of Health, signed by Scott McKane, P.E., Senior Public Health Engineer, dated August 28, 2017.
5. A letter from Rockland County Sewer District No. 1, signed by Joseph LaFiandra, Engineer II, dated August 30, 2017.
6. A letter from the Town of Orangetown Zoning Board of Appeals, signed by Dan Sullivan, Chairman, dated September 6, 2017.
7. A Short Environmental Assessment Form signed by Blythe Yost, dated August 17, 2017.

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**PB #17-50: Yost/ Magenheim and Sammon Resubdivision Plan
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8. Subdivision Plan prepared by Jay Greenwell, PLS, dated May 31, 2017.

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 Bruce Bond and second by Michael Mandel and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, absent; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye.

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

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

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, 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 and having reviewed the drawings presented by Jay Greenwell, PLS, a summary of the reasons supporting this determination are, and the Planning Board finds that the proposed action:

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**PB #17-50: Yost/ Magenheim and Sammon Resubdivision Plan
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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 Thomas Warren and seconded by Michael Mandel and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, absent; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye; the Board made a Negative Declaration pursuant to SEQRA.

DECISION: In view of the foregoing and the testimony before the Board, the application was **Granted a Final Resubdivision 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."

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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 page and liber/ instrument number as well as ownership of the existing 15 foot wide sanitary sewer easement shall be added to the Subdivision Plan.
4. A note shall be added to the plan stating what, if any, construction/ work is being contemplated or intended, by the owner of lot 72.08-3-83.8 (Yost/ Magenheim) to be done in the "transfer area."
5. The applicants are advised that no permanent structures may be built in or on the sewer easement, including pools, decks, sheds, sprinkler systems, etc.
6. A note shall be added to the plan stating that the owner of lot 72.08-3-83.8 shall contact the Town Sewer Inspector 48 hours prior to any work happening in and around the sanitary sewer easement, to ensure proper inspections.
7. The Rockland County Department of Health (RCDOH), reviewed the submission provided and found that there are no RCDOH approvals needed for this application.
8. 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.
9. All of the conditions of this decision, shall be binding upon the owner of the subject property, its successors and /or assigns, including the requirement to maintain the property in accordance with the conditions of this decision and the requirement, if any, to install improvements pursuant to Town Code §21. Failure to abide by the conditions of this decision as set forth herein shall be considered a violation of Subdivision Plan Approval pursuant to Town Code §21 and §6A.
10. The following agencies do not object to the Town of Orangetown Planning Board assuming responsibilities of lead agency for SEQRA purposes:
 - Rockland County Health Department
 - Town of Orangetown Zoning Board of Appeals
 - Rockland County Sewer District #1
11. The applicant shall comply with all pertinent items in the Guide to the Preparation of Subdivisions and Board Decisions prior to signing the final plans.
12. All reviews and approvals from various governmental agencies must be obtained prior to stamping of the Subdivision Plan.

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13. TREE PROTECTION: The following note shall be placed on the Subdivision 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.

14. 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.

15. 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.

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**PB #17-50: Yost/ Magenheim and Sammon Resubdivision Plan
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Neg. Dec.**

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

17. 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).

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

19. 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

20. 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 Michael Mandel and carried as follows: Kevin Garvey, Chairman, aye; Bruce Bond, Vice Chairman, aye; Michael Mandel, aye; William Young, absent; Robert Dell, aye; Thomas Warren, aye and Stephen Sweeney, aye.

The 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: September 27, 2017
Cheryl Coopersmith
Town of Orangetown Planning Board**
Attachment

Cheryl Coopersmith

TOWN OF ORANGETOWN
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TOWN CLERK'S OFFICE

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

**PB #17-50: Yost/ Magenheim and Sammon Resubdivision Plan
Final Resubdivision Plan Approval
Subject to Conditions
Neg. Dec.**

**Town of Orangetown Planning Board Decision
September 27, 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: Yost/ Magenheim and Sammon Resubdivision Plan
Final Resubdivision Plan Approval Subject to Conditions/ Neg. Dec.**

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

DESCRIPTION OF ACTION: Resubdivision Plan Review

LOCATION: The site is located at 178 and 174 Elizabeth Street, Pearl River, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 72.08, Block 3, Lots 83.8 & 83.9 in the R-15.

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:

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

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

TOWN CLERK'S OFFICE
2017 OCT 13 PM 2:27
RECEIVED

**PB #17-52: Kolb Subaru Site Plan
Amendment to Final Site Plan Approval, PB #17-24
Final Site Plan Approval Subject to Conditions
and Conditional Use Permit Granted**

Permit #45885

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

RE: Kolb Subaru Site Plan and Conditional Use Permit – Amendment to the Final Review, PB #17-24, dated May 24, 2017, of the application of Bill Kolb Jr. Subaru, owner, at a site located in the Route 303 Overlay Zone at a site to be known as “**Amendment to Final Site Plan Review - Kolb Subaru Site Plan and Conditional Use Permit**”, for the addition of an access door on the western wall of the proposed building to improve the internal operation of the service facility, in accordance with Article 16 of the Town Law of the State of New York, the Land Development Regulations of the Town of Orangetown, Chapter 21A of the Code of the Town of Orangetown. The site is located at 582 Route 303, Blauvelt, Town of Orangetown, Rockland County, New York, and as shown on the Orangetown Tax Map as Section 70.14, Block 4, Lot 12 in the CC zoning district.

Heard by the Planning Board of the Town of Orangetown at a meeting held **Wednesday, September 27, 2017**, the Board made the following determinations:

Donald Brenner appeared and testified.

The Board received the following communications:

1. Project Review Committee Report dated September 20, 2017.
2. An interdepartmental memorandum from the Office of Building, Zoning, Planning Administration and Enforcement, Town of Orangetown, signed by Rick Oliver, Acting Director, dated September 27, 2017.
3. Interdepartmental memorandums from the Department of Environmental Management and Engineering (DEME), Town of Orangetown, signed by Bruce Peters, P.E., dated September 13 & 21, 2017.
4. A letter from Maser Consulting, signed by Jesse Cokeley, P.E., dated September 13, 2017.
5. An interdepartmental memorandum from the Bureau of Fire Prevention, Town of Orangetown, signed by Michael Bettmann, Chief Fire Inspector, dated September 19, 2017.
6. Site Plans for Kolb Subaru prepared by Jay Greenwell, PLS, dated November 9, 2016, last revision date of August 24, 2017:
 - Page 1 of 14 Site Plan
 - Page 2 of 14: Drainage and Grading Plan
 - Page 3 of 14: Stormwater and Soil Erosion Control Plan
 - Page 4 of 14: Construction Detail (1 of 2)
 - Page 5 of 14: Construction Detail (2 of 2)
 - Page 6 of 14: Construction Detail (3 of 3)
 - Page 7 of 14: Existing Condition Plan
 - Page 8 of 14: Existing Condition Drainage Plan
 - Page 9 of 14: Proposed Condition Drainage Plan
 - Page 10 of 14: Drainage Profiles (1 of 2)
 - Page 11 of 14: Drainage Profiles (2 of 2)

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**PB #17-52: Kolb Subaru Site Plan
Amendment to Final Site Plan Approval, PB #17-24
Amendment Granted for
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

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7. Page 12 of 14: Landscape Plan prepared by Ronald Haelen, RLA, dated February 16, 2017.
8. Page 13 of 14: Lighting Plan Version B prepared by RAB Lighting, Lighting Technical Specifications.
9. Page 14 of 14: Lighting Plan Version B prepared by RAB Lighting, Layout.
10. Copies of the following Board Decisions: PB #17-24, Final Site Plan Approval Subject to Conditions, dated May 24, 2017.

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

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

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

1. The following note shall be placed on the Site Plan: "At least one week prior to the commencement of any work, including the installation of erosion control devices or the removal of trees and vegetation, a Pre-construction meeting must be held with the Town of Orangetown Department of Environmental Management and Engineering, Superintendent of Highways and the Office of Building, Zoning and Planning Administration and Enforcement. It is the responsibility and obligation of the property owner to arrange such a Meeting".
2. Stormwater Management Phase II Regulations: Additional certification, by an appropriate licensed or certified design professional shall be required for all matters before the Planning Board indicating that the drawings and project are in compliance with the Stormwater Management Phase II Regulations.
3. The applicant shall comply with all applicable conditions of the previous Board Decisions: PB #17-24, Final Site Plan Approval Subject to Conditions, dated May 24, 2017; ACABOR #17-09, Approved Subject to Conditions, dated April 20, 2017; ZBA#17-19, Variances Approved, dated March 1, 2017 and PB #16-74: Kolb Subaru Site Plan, Preliminary Site Plan Approval Subject to Conditions/ Neg. Dec. dated January 25, 2017.

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**PB #17-52: Kolb Subaru Site Plan
Amendment to Final Site Plan Approval, PB #17-24
Amendment Granted for
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
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4. The new proposed driveway on the West side of the building that enters onto the existing paved "easement" road shall be paved, not gravel.
5. Soil erosion and sediment control plans and details shall be submitted to DEME for review and approval. These shall be designed in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (Blue Book), November, 2016 version. Also, NYSDEC standard symbols shall be used for the SESC plan.
6. While DEME would prefer that only the SESC measures being contemplated and shown on the drawings be included in the SWPPP, the applicant's engineer's request to leave in additional details (found in Appendix B) is acceptable provided these additional details are described on both section 3.1.4 and 3.1.5. In keeping with the explanation presented, it will make it easier for the qualified inspector and the contractor to know what the products are and how they are to be maintained if and when they are required. Also, items described in sections 3.1.4 and 3.1.5 MUST have their corresponding "Blue Book" details added to Appendix B, for example: sedimentation basins.
7. The storm drain profiles are labeled with letters, however the plans and the facilities themselves on the profiles are numbered. This shall be corrected.
8. Drawing #2 of 14 and the profile for the drainage run on drawing #11 of 14, has drainage manhole 17A labeled as a catch basin, this shall be corrected. Also, CB 17B is not labeled on the profile, this too shall be corrected.
9. CB 19A and DM 19B (mislabeled on drawing #2 of 14 as a CB) are not labeled on the profile on drawing #11 of 14. Also, Profiles for CB 20 to CB 24, CB 26A to FES 26C and CB A1 to FES B1 are missing from the drawings. These shall be added to the drawings.
10. The profile for FES1 to existing CB and CB4 to CB9, drawing #10 of 14, shall show the sanitary building connection crossing.
11. The revised design calls for sumps in catch basins as a WQ treatment to the drainage lines not entering the proposed underground Stormtech chambers, however, this is NOT an approved technique. As previously suggested, the applicant's engineer shall design an approved technique for all drainage lines not entering the Stormtech system. One approved technique would be to use the same "first defender" manholes prior to the stormwater existing the piping systems (i.e. near the ends of the individual piping runs.)

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TOWN OF ORANGETOWN

**PB #17-52: Kolb Subaru Site Plan
Amendment to Final Site Plan Approval, PB #17-24
Amendment Granted for
Final Site Plan Approval Subject to Conditions
Conditional Use Permit Granted**

Permit #45885

**Town of Orangetown Planning Board Decision
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12. As previously stated, the applicant/ applicant's engineer shall contact the Town Pretreatment coordinator directly to verify the design of the proposed oil/ water separator AND to ascertain if this project will need to obtain an industrial user permit. The design of this system must be approved by the Town's pretreatment/ industrial user permit coordinator.

13. The proposed SESC measures, along the East side of the easement road along the Western side of the site shall be extended to the property line.

14. A note shall be added to the plans stating that the contractor shall contact the Town Sewer Inspector 48 hours prior to any sanitary sewer work being done onsite, to coordinate inspections.

15. A written description for the proposed road widening shall be prepared and submitted to DEME and the Town of Orangetown Town Attorney's Office for review and approval in form and substance.

16. The Drainage Consultant to the Planning Board, Maser Consultant recommended Final Drainage Approval and required that the following documents, signed and sealed SWPPP shall be submitted to the Town of Orangetown for MS4 Signoff and kept on-site during construction by the contractor and after by the maintenance staff:

- Letter from the pretreatment devise manufacture, Hydro International, stating the water quality structure will have capacity to convey the 100-year storm event, dated September 13, 2017;
- Drainage and grading Plan for Kolb Subaru, prepared by Jay A. Greenwell, PLS, LLC and Centerpoint Engineering, dated November 9 2016, last revised August 24, 2017 showing the increase from 12" to 18" pipe discharging from the water quality structure.

17. The Town of Orangetown Fire Prevention Bureau had the following comments in regard to a new 17,700 square foot auto Repair Shop:

- Install an NFPA 13 compliant Fire Sprinkler system, with design and calculations approved by the Bureau before work begins. Maintain the sprinkler system in accordance with NFPA 25 and with 4" Storz fire Department Connection FDC.
- Install and maintain an NFPA 72 compliant Fire Alarm System, designed and approved by the Bureau before work starts. Including CO detectors as required. Connected to Rockland County 44-Control, with amber and red exterior strobes as required by the Orangetown Code.

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Continuation of Condition #17...

- Install Emergency lighting as per NEC.
- Install and maintain Portable Fire Extinguishers as required by NFPA 10.
- List type and amount of Oils, Solvents, and Compressed gasses.
- Provide Key Box location, to be determined.
- Provide Bollards for pull in parking spaces that face the building Impact protection.
- Apply for and maintain Certificate of Compliance Fire Safety with the Bureau of Fire Prevention.
- Apply for Haz Map Permit \$200.00 one-time fee.

18. 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.

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

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.

The foregoing Resolution was made and moved 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, absent; 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: September 27, 2017
Cheryl Coopersmith
Town of Orangetown Planning Board**

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