The Planning Board of the Village of Montebello held a meeting on Tuesday, December 10, 2013 at the Montebello Community Center, 350 Haverstraw Road, Montebello, New York. Chairman Caridi called the meeting to order at 7:18 p.m. and led everyone in the Pledge of Allegiance.

PRESENT	OTHERS
Anthony Caridi, Member	Warren E. Berbit, Village Attorney
Michael Iatropoulos, Member	Ira Emanuel, Assistant Village Attorney
Jane Burke, Member	Robert Geneslaw, Village Planner
Donald Wanamaker, Member	Martin Spence, Village Engineer
Steven Beldock, Member	Gloria Scalisi, Planning & Zoning Clerk

ABSENT

Thomas Ternquist, Member

Member Wanamaker made a motion to approve the minutes of November 12, 2013, seconded by Member Burke. Upon vote, the motion carried unanimously.

Storage Post Self Storage –Public Hearing
Architectural Review-Sign Permit
2 Dunnigan Drive
55.07-1-13

> Application of Storage Post Self Storage facility located on 2 Dunnigan Drive, Montebello, New York, for Architectural Review, Approval of Proposed New Façade Colors and a Sign Permit. The property is located on the north side of Dunnigan Drive, approximately zero feet west of the intersection of North Airmont Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 55.07, Block 1, Lot 13 in a P-I Zone.

In attendance are the Applicant's representatives, Mr. Robert Holly, the Applicant's Attorney, Mr. Dennis Lynch, the Applicant's Architect, Mr. Frank Relf and the Applicant's Sign Consultant, Mr. Michael Jessup.

Mr. Lynch discussed the Storage Post application and how it relates to the statute. Mr. Lynch stated that the Rockland County Planning Department and the New York State Thruway Department had no objections to the application. Mr. Lynch discussed the "access and accent" language in the Code. Mr. Lynch stated that the reason for the bright green color is to attract people to their location and also a safety measure.

Mr. Robert Holly expressed his gratitude to the Planning Board and stated that Storage Post has invested a lot in their corporate branding and corporate identity. It is a nationwide program that has had great success.

Mr. Frank Relf discussed changes to the plans after meeting with the CDRC. Mr. Relf discussed pictures of various locations that have the new corporate colors. The entire mansard will have the new bright green color. The Applicant will change the color of the doors to the new "green" color. Mr. Relf stated that the Applicant is proposing moving the existing Pylon sign to the corner of

Dunnigan Drive and Airmont Road. The size of the pylon sign will not change and the colors have not been changed yet. Mr. Relf discussed the photo shopped pictures presented (copies in file).

Mr. Lynch stated that the Applicant is not changing the dimensions of the wall sign and the free-standing sign.

Mr. Michael Jessup, Signage Consultant, discussed the signage and the branding to particular buildings and what the codes allow.

Member Wanamaker questioned the Signage Consultant on the usage of the words sign and color and whether the mansard is considered a sign.

Mr. Ira Emanuel, Assistant Village Engineer, clarified the application, before the Planning Board are 2 separate applications one for the signs (3) and the other for the façade coloration.

Mr. Frank Relf stated that the new proposed location/placement of the pylon sign was selected with the agreement of the Village Engineer, Mr. Martin Spence.

Mr. Spence stated that he witnessed where the Applicant wanted to place the Pylon Sign but told the Applicant that only the Planning Board can review, agree and vote on it.

Mr. Lynch stated that at many Planning Boards that he has been before, there is sometimes a give and take relationship or a compromise. This application deals with a color that is a National Corporate Brand. Mr. Lynch stated that every Board is worried about precedent, but the code can be changed to remove access and put in accent.

Discussion between the Mr. Lynch and Mr. Emanuel on trademarks, registered marks, Mr. Emanuel questioned the applicant on what is Storage Posts registered mark. Mr. Lynch stated that they are currently in the process of registering it and that doesn't mean that they don't have the mark. The mark itself will be the color and the sign. Mr. Emanuel questioned the applicant on whether the "treatment" of the building is being trademarked. Mr. Emanuel stated that he is simply trying to find out what the registered mark is. Mr. Lynch stated that there is no registered mark but that does not mean during the process of registering it the applicant is not entitled to protection. Mr. Emanuel inquired on the actual trademark for the Applicant. Mr. Lynch responded that he would have to check with the corporate consul.

Mr. Lynch stated that the matter before deals with the code and the standards that tell an applicant what can be done or can't be done.

Mr. Robert Geneslaw, Village Planner, discussed standards of the Comprehensive Plan in which a Special Committee and consultants conducted a visual preference survey in which residents of the Village were asked what they thought about the buildings on Dunnigan Drive. The recommendations and guidelines were used in formulating some of the policies in the Comprehensive Plan.

Mr. Emanuel would like it noted that those standards of the Comprehensive Plan are used in the Architectural Review Board section of the Village Code.

Mr. Lynch stated the Village Planner informed the Board that no one knows what the standards are.

Mr. Emanuel replied that the Village Planner certainly did not say that, if you go to the Comprehensive Plan, which is incorporated into the Village Code by reference, you will see those standards.

Mr. Lynch questioned the Board on whether the Comprehensive Plan was enacted into law.

Mr. Emanuel replied that the Comprehensive Plan and its subsequent amendment were adopted by the Village Board consistent with the requirements of the New York State Village Law. The Zoning Code incorporated those standards by reference.

Mr. Lynch questioned the Board on where in the Code will he find the standards.

Mr. Emanuel questioned the Applicant's Attorney on whether he has looked at the Comprehensive Plan. Mr. Lynch responded that he looked at Village Law. Mr. Emanuel stated that he will take that as a "no".

Mr. Lynch stated that he would like to know where in the code he will find which colors are acceptable, the codes stated access and therefore the Applicant is using colors for access.

Mr. Emanuel informed the Applicant that the standards are referred in Section 159-59L1 in the Code of the Village of Montebello.

Mr. Geneslaw read his memo dated December 9, 2013 (copy in file).

Mr. Martin Spence, Village Engineer, read his memo dated December 9, 2013 (copy in file).

Member Jane Burke discussed Rockland County Planning Department letter. Mr. Lynch stated that the Applicant accepts the conditions. Member Burke does not want a proliferation of signs for each building.

Mr. Lynch stated that the Applicant is willing to reconsider the placement of the signs. The signs are not new signs, the dimensions are the same.

Member Burke stated that she would like the sign to stay where it is.

Discussions on the Cornice which is 16" and the mansard is 4-1/2feet -6feet.

Mr. Relf stated that all of the Brick would remain the same but the stucco band (cornice) will be changed from white to yellow.

Member Iatropoulos questioned the Applicant on the application of the paint. Mr. Spence stated that the preparation is very important. Member Iatropoulos would prefer a two color band rather than the entire mansard being painted.

Mr. Lynch respects the concerns of the Planning Board but the Government's function is to have a clear set of standards, the Applicant does not know what the Planning Board wants.

Mr. Emanuel stated that some of the examples that the Applicant has provided shows a narrowing of the band of colors. Mr. Lynch replied that the laws were different in those jurisdictions. Mr. Emanuel questioned the Storage Post example from Yonkers New York.

Mr. Relf replied that the Applicant met with Benjamin Moore Corporate for guidance in painting the Mansard.

Chairman Caridi questioned the Applicant on environmental concerns of the paint application and how they will protect the public.

Mr. Relf replied that it is a water-born paint and there are no concerns for the environment.

Mr. Lynch stated that prior to every application the process is to look at the laws in the jurisdiction and then look at the architecture of the building.

Chairman Caridi expressed his concern the "huge-massive" color banding on the building. The Planning Board does not want to hamper the Applicant's ability to be successful in their business. Chairman stated his appreciation for the "legal seminar" that was had this evening and feels that there is room for compromise. Chairman Caridi stated that he has no issue with the lettering, signage configuration and the pylon sign itself. Chairman Caridi discussed the Storage Post photo from New Hyde Park New York. Chairman Caridi would like the Applicant to review the application to see if there can be a revised color combination for the building.

Mr. Lynch questioned the Board on whether the colors themselves are acceptable.

Mr. Emanuel replied that the Board is basically stating that you can use your colors, just use less of them.

Mr. Lynch would like the Board to vote on whether they can accept the colors not necessarily the size of amount of the colors.

Chairman Caridi polled the Planning Board on whether they can accept the colors not necessarily the size or amount of colors on the building.

Member Beldock stated the narrowing of the colors as seen in the New Hyde Park photograph would be acceptable.

Member Iatropoulos stated that feels the same as Member Beldock.

Member Burke stated that she still has trouble with the colors and feels that those colors belong in Florida and would like the colors that are on the building now.

Member Wanamaker stated that he does not have a problem with the colors but is concerned with the amount of color on the building.

Chairman Caridi opened the Public Hearing.

Member Iatropoulos made a motion to continue the Public Hearing on the Application of Storage Post, to the January 14, 2014 Planning Board meeting, seconded by Member Beldock. Upon vote, the motion carried unanimously.

Executive Enterprises G.P.—Public Hearing
Site Plan—Re-Approval

> Application of Executive Enterprises G.P. for re-approval of revised site plan entitled "Executive Enterprises G.P.", site plan dated 5/16/07 latest revision date of 5/27/09. The site plan approved the construction on the 5.59 acre undeveloped parcel on the south side of Executive Boulevard for two separate four story office buildings each with 48,000 square feet for a total floor area of 96,000 square feet, which was submitted to the Village of Montebello Planning Board. The Property which is known and designated on the Ramapo Tax Map as Section 55.07, Block 1, Lot 9 in a LO Zone.

The Applicant's attorney, Mr. Michael Klein, and the Applicant's Project Manager, Mr. John Jovan, are in attendance.

Mr. Klein discussed the application before the Planning Board. The application was previously approved and has now expired. There are no changes to the application other that the addition of emergency generators for each building and a change in the phasing options. Mr. Klein stated that the Applicant is very optimistic that they will break ground in the spring of 2014.

Mr. Glenn McCreedy, the Applicant's engineer, discussed the site plan and evaluated the sound impacts.

Mr. Robert Geneslaw, Village Planner, read the minutes of the November 26, 2013 CDRC meeting (copy in file).

Mr. Martin Spence, Village Engineer, read his memo dated December 9, 2013 (copy in file).

Mr. McCreedy stated that the infrastructure will be built all at once and then either building one or two would be built then after the second building is in place the total impervious surface will be in place.

Member Burke questioned the Applicant on whether they had ARB approval back in 2009. Mr. Klein responded that the Applicant had ARB approval. Member Burke would like to see the architectural drawings of the office buildings.

Chairman Caridi opened the Public Hearing; a motion was made by Member Iatropoulos and seconded by Member Burke. Upon vote, the motion carried unanimously.

Member Iatropoulos made a motion to continue the Public Hearing on the Application of Executive Enterprises GP, to the January 14, 2014 Planning Board meeting, seconded by Member Burke. Upon vote, the motion carried unanimously.

New Business

Member Iatropoulos made a motion to adjourn the meeting to the January 14, 2014 Planning Board meeting, seconded by Member Wanamaker. Upon vote, the motion carried unanimously. The meeting adjourned at 9:05 p.m.