

The Planning Board of the Village of Montebello held a meeting on Tuesday, February 12, 2013 at the Montebello Community Center, 350 Haverstraw Road, Montebello, New York. Chairman Rubin called the meeting to order at 7:20 p.m. and led everyone in the Pledge of Allegiance.

PRESENT

Al Rubin, Chairman
Michael Iatropoulos, Member
Anthony Caridi, Member
Thomas Ternquist, Member
Donald Wanamaker, Member

OTHERS

Ira Emanuel, Assistant Village Attorney
Robert Geneslaw, Village Planner
Martin Spence, Village Engineer
Gloria Scalisi, Planning & Zoning Clerk

ABSENT

Jane Burke, Member

Member Iatropoulos made a motion to approve the minutes of December 11, 2012, seconded by Member Ternquist. Upon vote, the motion carried unanimously.

**Manhattan Beer
10 Dunnigan Drive
Amended Site Plan**

Application for amended Site Plan for signage from Manhattan Beer Distributors, 400 Walnut Avenue, Bronx, New York, for the Property at 10 Dunnigan Drive, Montebello, New York. The property is located on the north side of Dunnigan Drive, approximately 792 feet west of the intersection of Airmont Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 55.07, Block 1, Lot 11 in a PI Zone.

Mr. Jerry Bergson was in attendance on behalf of Manhattan Beer. Mr. Bergson explained his application for amended Site Plan to place a sign onto the building in the same location that a previous sign was. Mr. Bergson stated that the proposed sign is slightly bigger than what was previously there.

Chairman Rubin questioned the Applicant on the allowable size of the signage.

Mr. Bergson stated that the previous sign was five feet high by fourteen feet wide.

Member Ternquist questioned the Applicant on the placement of the sign, whether it is facing the thruway or an entrance sign.

Mr. Bergson stated that the proposed sign will be on the side of the building facing the northbound side of the Thruway.

Mr. Ira Emanuel, Assistant Village Attorney, read the site plan review section of the Village Code, Section 146-11E3c Wall Signs.

Chairman Rubin stated that the proposed sign exceeds the forty square feet.

Chairman Rubin canvased the Planning Board on approval of the sign as proposed. The entire Planning Board was against the proposed sign.

Mr. Emanuel reminded the Board that prior applications in which the signs exceeded the allowable size were approved if facing the Thruway.

Mr. Bergson stated that the sign “fits”, above the doorway and the roofline, it will not be a billboard.

Chairman Rubin questioned the Applicant on Tree Removal. Mr. Bergson stated that there will be no trees removed with this application.

Member Caridi stated that there would be precedence with the Dress Barn sign.

Member Iatropoulos stated that the Board should follow the footprint of the previous sign for the signs looking towards the Thruway.

Mr. Martin Spence, Village Engineer, read his memo dated February 12, 2013 (copy attached).

Member Caridi stated that he is not opposed to the proposed sign on principle since it is setback far enough.

Member Iatropoulos stated that he is also not opposed to the proposed sign.

Member Ternquist stated that he does not oppose the sign but is concerned when Raymour & Flanigan come before the Planning Board for signage in the future.

Mr. Emmanuel informed the Board that the need to indicate why they want to grant the approval in their resolution.

Member Wanamaker is concerned with lighting of the sign.

Mr. Emanuel read the code in reference to lighting of the sign.

Mr. Emanuel informed the Applicant that they need to review the sign with the Thruway Authority.

**Resolution PB 01 of 2013
Granting Approval of an amended Final Site Plan entitled
“Manhattan Beer Distributors, LLC”**

WHEREAS, an application for approval of an amended Final Site Plan entitled “Manhattan Beer Distributors, LLC,” consisting of sheets T-001 and SP-1, dated June 1, 2012, has been presented by Manhattan Beer Distributors, LLC; and

WHEREAS, at its meeting of October 9, 2007, this Board granted amended Final Site Plan approval to this applicant upon its acquisition of the site and to allow it to commence operations; and

WHEREAS, a subsequent amendment allowed for the replacement of an existing monument sign and the introduction of a planting bed around the new sign; and

WHEREAS, the current amendment seeks to replace a wall sign facing the New York State Thruway with an existing sign owned by the applicant; and

WHEREAS, the proposed sign is intended to replace a sign that had been erected by a previous tenant of the premises, which sign was smaller than the proposed sign (5' x 14' vs. 8' x 16'); and

WHEREAS, the proposed sign is an existing sign that had been used by the applicant at another location and is to be mounted on the subject building in the same place as the previous sign; and

WHEREAS, the Rockland County Planning Department, in a memorandum dated February 7, 2013, recommended modifications to the application, to wit, that the sign conform to the Village's sign standards and that the New York State Thruway Authority review the proposal and issue any necessary permits; and

WHEREAS, the proposed amendment is a minor change to the previously approved site plan, which requires no further environmental review; and

WHEREAS, because of the minor nature of the amendment, this Board has waived the requirement of a public hearing.

NOW, THEREFORE, be it

RESOLVED, that the amended Final Site Plan presented by Manhattan Beer Distributors, entitled "Manhattan Beer Distributors, LLC," consisting of sheets T-001 and SP-1, dated June 1, 2012, affecting premises known as Section 55.07, Block 1, Lot 12 on the Tax Map of the Town of Ramapo, be and hereby is approved, subject to the following conditions:

1. This Board makes the following findings:
 - a. The proposed sign is larger than the maximum size permitted for wall signs in the PI district (Montebello Code, § 146-11.E(3)(c)), but, for properties facing the New York State Thruway, this Board has the authority to grant waivers from the maximum size permitted (Montebello Code § 146-11.F(4)).
 - b. This Board has previously approved an oversized sign in this location because of the need for visibility and legibility from the New York State Thruway.
 - c. The applicant has an existing sign which it seeks to place in the previously approved location. While the existing sign is larger than the previously approved sign, it fits in the proposed location, which is the area between an existing overhead entry door and the roof line. The sign will not extend beyond the width of the entry door. It will not be out of place, aesthetically.

d. According to the report of the Village Engineer dated February 12, 2013, the sign will generally be visible only to vehicles traveling northbound on the New York State Thruway. There are a number of deciduous trees between the Thruway and the building on which the sign is to be mounted.

e. The building on which the sign is to be mounted is approximately 150 feet from the roadway of the New York State Thruway. This distance will minimize the visual impact of the oversized sign on the general public.

f. Based on the foregoing, this Board approves the waiver from the maximum size requirement of the Montebello Code for this sign.

2. Based on the foregoing, the proposed sign conforms to the Village's sign standards.

3. The applicant shall contact the New York State Thruway Authority and obtain any necessary permits and make any necessary changes to the sign as required by the Authority. Any such changes shall be reported to the Village Engineer. If the Village Engineer deems such changes to be substantive and detrimental to the interests of the Village, he shall direct the applicant to return to this Board for further proceedings.

4. All conditions of the previous site plan and amended site plan approvals.

5. All other site plan requirements set forth in the site plan regulations of the Village of Montebello.

MOTION: Member Thomas Ternquist

SECOND: Member Michael Iatropoulos

Upon vote, the Resolution carried with Chairman Al Rubin voting nay.

**Town of Ramapo—Public Hearing
Coe Farm Road Sewer Extension
Wetlands Permit**

Application of the Town of Ramapo, 237 Route 59, Suffern, New York 10901, for Approval of a Stream and Wetlands Permit entitled "Coe Farm Road Sewer Extension" to allow disturbance and construction within 75 feet of a freshwater wetland. The proposed construction is for the extension of sanitary sewer service from Coe Farm Road to provide gravity sewer service to an existing dwelling at 585 Haverstraw Road, which will cross 75 feet of wetland. The subject property is located on the west side of Coe Farm Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Sections 40.20, Block 1, Lots 21 and 52 in a RR-50 Zone.

The Applicant has submitted a request for an adjournment until the March 12, 2013 Planning Board meeting. Member Iatropoulos made a motion to adjourn the Public Hearing on the Application of the Town of Ramapo for approval of a Wetlands Permit for the Coe Farm Road

Sewer Extension, as per the Applicant's request, until the March 12, 2013 Planning Board meeting, seconded by Member Ternquist. Upon vote, the motion carried unanimously.

Fant Farm Subdivision Informal Discussion

Application from Joon Management to appear before the Planning Board informally to discuss the Fant Farm Subdivision for a revised/amended Site Plan-Subdivision. The property is located on the westerly side of Spook Rock Road, approximately 800 feet north of the intersection of Carlton Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 49.17, Block 1, Lot 2.1 in an ER-80 Zone.

The Applicant, Mr. Marsel Amona was in attendance.

Mr. Amona stated that he is before the Planning Board informally to discuss the Fant Farm Subdivision. One of the goals when working on the Fant Farm Subdivision was preserving the look of Spook Rock Road. Mr. Amona stated that with his experiences while building the Fant Farm Subdivision he would have subdivided the property differently. Mr. Amona would like to better save/preserve the historical barn. Currently the historical barn is located on Lot 17 and the main house is located on Lot 18. Mr. Amona stated that he would like to combine the two lots therefore the barn will always remain a barn he would put restrictions in which there would be no further subdivision of the combined lots. The only "trade-off" Mr. Amona would request is subdividing Lot #1 in order to keep the number of building lots approved by the Planning Board the same. Lot #1 is oversized due to the historic designation of the 300 foot buffer on Spook Rock Road. Mr. Amona stated that he is before the Planning Board for direction. As it is now in order to convert the Barn into living space the entire front needs to be converted, egress windows need to be installed, front door, front porch and a front roof. It would change the look of the entire setting.

Mr. Martin Spence, Village Engineer, read his memo dated February 12, 2013 (copy attached).

Chairman Rubin questioned the Applicant on the number of houses that have been built. Mr. Amona replied that so far 10 houses have been built.

Chairman Rubin questioned the Applicant on whether there are any other lots that are oversized in the subdivision. Mr. Amona replied that lot #10 is oversized but there are a number of trees on the lot and the fire pit is on lot #10.

Chairman Rubin stated that the Village worked very hard to create this vista—landscape of openness and the Applicant knew that going into the project. Chairman Rubin stated that he would not want to destroy the vista in any way, shape or form but at the same time he recognizes the Applicant's predicament in terms of the historical barn. Chairman Rubin stated that he does not want the Village to take a loss in terms of the openness of the vista in which they worked very hard to create.

Mr. Geneslaw stated that he also has similar concerns as the Chairman. Mr. Geneslaw was concerned with the future maintenance of the historical barn and how the Village will enforce the maintenance.

Mr. Amona stated that the impact to convert the barn into living space would be greater than the impact of subdividing Lot # 1. Mr. Amona informed the Board that when driving on Spook Rock Road one sees the new homes anyway. Mr. Amona stated that he would match the homes on Lot #1 to the homes across the street so that they will blend with each other.

Chairman Rubin would like to hear what the Village Trustees think about this proposal especially since too many people worked very hard to come up with the Final Subdivision.

Mr. Emanuel questioned the Applicant on whether he discussed the proposal with the Village's Historical Preservation Commission. Mr. Amona replied that he did not but he discussed it informally about 2-3 years ago and they were happy about preserving the barn. Mr. Emanuel informed the Applicant that it would be helpful to contact them now since they were also very involved in the original Subdivision.

Chairman Rubin is concerned with a buyer buying the property with the Barn on it and being unable to maintain it.

Mr. Emanuel stated that if this proposal is adopted the homeowner would not be able to change the Barn into living quarters, the homeowner could abandon it but it would a negative affect their property values.

Member Iatropoulos would like to have a workshop with both the Historical Preservation Commission and the Village Trustees to discuss and debate the facts of the proposal since the property is one of the anchor points of the Village.

Chairman Rubin would like the Village Planner, Robert Geneslaw, to put together a memo to the Mayor and the Historical Preservation Commission to let them know that this is under consideration and that we would like to get their thoughts in this review process.

Chairman Rubin informed the Applicant that the Planning Board would get back to him soon.

**Ramapo Valley Sports Park
55.08-1-5 &6**

Assist the Village Board with the "Ramapo Valley Sports Park" Village Board Application for a Zone Change or Change of Use. The Applicant proposes to build a multi-sports park consisting of three outdoor fields and one indoor domed field. The total acreage for the parcels (lot 5 & 6) is 19.34 acres. The property is located on the north side of Rella Boulevard, zero feet east of the intersection of Airmont Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 55.08, Block 1, Lots 5 & 6 in an LO-C Zone.

The Applicant Mr. John Martin was in attendance.

Chairman Rubin stated that the Planning has received quite a lot of detailed information.

Mr. Geneslaw summarized the Village Board directive to the Planning Board, whether or not the site is appropriate for this type of use. If yes, what modifications should or could be made to the site.

Chairman Rubin stated that the question for the Planning Board should be “What do we do in terms of giving proper weight/thought/consideration for the application. Chairman Rubin questioned if the site is appropriate for a sports complex, is it a place that the Planning Board is comfortable with. If it is appropriate under what circumstances and what modifications can be required or recommended to the Village Board in terms of reducing environmental impacts. The application will have three open fields and one domed field adjacent to private homes and a senior complex with approximately 176 units.

Chairman Rubin polled the Planning Board members on whether the site is appropriate.

Member Ternquist stated that he does not believe the site is appropriate. Member Ternquist realizes that there may not be other sites available in the Village of Montebello but would prefer the Sports Park in the Town of Ramapo.

Member Caridi stated that in lieu of any other proposals believes the application is viable although marginally viable. There would be many obstacles and would require engineering considerations. Member Caridi believes that the Planning Board received plenty of information to be able to turn it over to the Village Board for consideration especially since it would require a Public Hearing. Member Caridi cannot find any valid reasons why the application would not be viable.

Chairman Rubin questioned the Village Planner and the Planning Board Attorney on the recommendation to “establish a right of building” in this particular area.

Member Caridi questioned the Chairman on whether the village is putting restrictions on themselves and going against the Comprehensive Plan.

Chairman Rubin stated that the Village Board does not need to accept the recommendation of the Planning Board.

Member Iatropoulos stated that after all the points were raised at the previous Planning Board workshop he does not believe the area is appropriate for that use despite the Comprehensive Plan.

Member Wanamaker stated that he is in favor of considering the site as a viable use for the application. Member Wanamaker informed the Board that he has seen these sports complexes in urban and suburban areas and work well. The only concern is the lack of sidewalks for pedestrians to walk to the site within the village.

Chairman Rubin stated that he is very uncomfortable with a sports complex on this particular site. There are too many levels of environmental impacts that will either change or greatly change the financial impact of reducing the number of field or the size of the fields. The cost of the entity would be greatly raised in order to protect the community.

The Applicant, Mr. John Martin, stated that the reason why he picked this particular location, after looking at many different areas, was one the topology of the land, ease of access and being able to serve the community.

Brief discussion on the property of Rockland Community College wooded land.

Chairman Rubin stated that the applicant has provided the Planning Board with a well thought out concept. Chairman Rubin polled the Board on whether the concept-proposal is appropriate for the Planning Board to recommend or not to the Village Board to allow amending the Code to allow this type of facility on this particular site.

Al Rubin, Chairman	nay
Michael Iatropoulos, Member	nay
Anthony Caridi, Member	yea
Thomas Ternquist, Member	nay
Donald Wanamaker, Member	yea

Chairman Rubin stated that after exhaustive meetings with the applicant, a number of environmental issues that would impact the opportunity of accomplishing this application on this site or on a number of other sites within the Village. These issues should be explored in order to have this facility within the Village of Montebello.

Chairman Rubin outlined the issues to be explored and or can be modified to mitigate the environmental impacts associated with the application.

1. Noise levels

- Fencing and additional screening of trees.
- Diminution of loud speakers systems.
- Major reduction in noise within the domed field with fiberglass insulation.
- Whistle noise
- No musical events allowed on site.

2. Parking Study

3. Toilet Facilities—size, number, location

4. Road system and access to small building.

5. Food preparation—restriction—no catering.

6. Drainage Studies.

7. Light barriers, intensity of light onto field will create vulnerability to Polo Court residents. Spillage.

8. Dome would be black at night and not be translucent

9. Security—high school fights—security officer needed to coordinate with police.

10. Equipment—maintenance storage.

11. Head count—overlapping of people coming and going on site.

12. Traffic Study

13. Hours of operation—possible test period.

14. Tree plantings and restoration.

15. Aesthetic/visual impacts of the dome.

16. Operational real traffic study of the facility.

17. Shrink the design—viability of the financial plan.

Chairman Rubin stated that after taking a vote of three against two against recommending a Zone Change for Ramapo Valley Sports Park these were the issues that were explored and will have an impact on the concept.

Chairman Rubin stated that the Applicants presentation helped illuminate the concept.

Chairman Rubin instructed the Village Planner to construct a letter for the Planning Board's approval prior to sending it to the Village Board.

New Business

Member Ternquist made a motion to adjourn the meeting to the March 12, 2013 Planning Board meeting, seconded by Member Iatropoulos. Upon vote, the motion carried unanimously. The meeting adjourned at 9:00 p.m.

*Spence Engineering
Consulting and Municipal Engineers*

TO: VILLAGE OF MONTEBELLO, PLANNING BOARD
FROM: MARTIN K. SPENCE, PE, VILLAGE ENGINEER 
DATE: FEBRUARY 12, 2013
RE: MANHATTAN BEER DISTRIBUTORS, SECTION 55.07 BLOCK 1 LOT 11
10 DUNNIGAN DRIVE AMENDED SITE PLAN APPLICATION

We have received and reviewed the following:

- Application
- Cover Sheet, Dwg No. T-001, Sheet 1 of 2, as prepared by di Domenico and Partners, last revised 6/1/12
- Signage, Site Plan and Details, Dwg No. SP-1, Sheet 2 of 2, as prepared by di Domenico and Partners, last revised 6/1/12
- Narrative dated January 17, 2013
- Color Photo, 1 Sheet dated 1/17/2013

The application consists of proposing an 8' high X 16' wide overall sign mounted at the NE corner of the building corner. The proposed location is above an existing overhead door that services the building. A site inspection reveals that a pre-existing sign (emblem and lettering) was located in a similar location with an approximate measured size of 5' high X 14' wide.

Manhattan Beer Distributors occupies two adjacent buildings/parcels located at 10 (subject) and 20 Dunnigan Drive.
• 10 Dunnigan Drive currently has one 3' X 6' free standing sign at the entrance location along Dunnigan Drive.
• 20 Dunnigan Drive currently has a free standing sign along the Thruway frontage as well as a 3' X 6' free standing sign at the entrance location along Dunnigan Drive.

The proposed sign would protrude from the building 13" and be illuminated from within, as a light box. The sign material consists of "milky" white acrylic with blue painted logo.

The sign generally would be visible only to vehicles traveling in a northerly direction along the Thruway. There are a number of deciduous and evergreen trees that are located along the perimeter property line between sign area and Thruway.

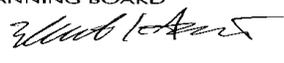
The existing signage area at the subject property is 18 SF. The new signage (wall mounted) is 128 SF for a total proposed signage for the property of 146 SF.

END OF REPORT

c. Ira Emanuel, Planning Board Attorney,
Robert Geneslaw, Planning Board Planner

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SPENCE ENGINEERING
Consulting and Municipal Engineers

TO: VILLAGE OF MONTEBELLO, PLANNING BOARD
FROM: MARTIN K. SPENCE, PE 
DATE: FEBRUARY 12, 2013
RE: FANT SUBDIVISION, SPOOK ROCK ROAD
INFORMAL DISCUSSION ON RE-SUBDIVISION

The applicant is submitting an informal application to the Board to discuss revisions to the previously approved Subdivision Plat. The original subdivision created 19 lots including the open space parcel on the east side of Spook Rock Road.

The current proposal wishes to discuss the further subdivision of lot 1 into two parcels where the frame red barn would be made part of the same lot as the original 2 story frame dwelling located north of the barn. Net number of lots would remain the same.

The original lot 1, as subdivided consists of 55,474 SF or 1.27 acres. The proposed lots created out of lot 1 would consist of approximately 26,000 and 29,500 SF approximately. It is noted that the sketch provided within the application is not to scale.

Concept Comments:

1. CDRC form states the lot is 2.3 acres, where the actual gross acreage is 1.27 acres.
2. New lot 16 would place improvements within the 300' preservation limit.
3. There are mature stand of trees along the south and east limits of the property, as well as a defined stone wall and trees between the proposed common lot line.
4. The subject lot is not impacted by steep slopes or wetlands, thereby not having any lot area reduction.
5. The proposed lot areas would create new lots with lot areas 26,000 - 29,500 SF. Minimum lot size required is 25,000 SF.

END OF REPORT

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