The Planning Board of the Village of Montebello held a meeting on Tuesday, November 18, 2014 at the Montebello Community Center, 350 Haverstraw Road, Montebello, New York. Vice Chairman Burke called the meeting to order at 7:18 p.m. and led everyone in the Pledge of Allegiance.

PRESENT

Jane Burke, Vice Chairman
Michael Iatropoulos, 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

Anthony Caridi, Chairman
Steven Beldock, Member

Member Ternquist made a motion to approve the minutes of October 14, 2014, seconded by Member Wanamaker. Upon vote, the motion carried unanimously.

Par Pharmaceutical
22 Hemion Road (30 Dunnigan Drive)
55.06-1-3.1

> Application of Par Pharmaceutical, Inc., 1 Ram Ridge Road, Chestnut Ridge, New York 10977 for an amended site plan to add a standby generator at the 22 Hemion Road (30 Dunnigan Drive) leased facility. The property is located on the north side of Dunnigan Drive, approximately 1500feet of the intersection of North Airmont Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 55.06, Block 1, Lot 3.1 in a P-I Zone.

The Applicant's representative, Mr. John Tableriou, was in attendance.

Member Burke stated that at the previous Planning Board meeting they were awaiting comments from the Rockland County Planning Department, which have since come in. Member Burke read into the record the comments from the Rockland County Planning Department letter, dated October 20, 2014 (copy in file).

Mr. Ira Emanuel read the Resolution into the record:

Resolution PB 07 of 2014
Granting Approval of an Amended Final Site Plan entitled
"Par Pharmaceutical - Emergency Generator"

WHEREAS, an application for approval of an Amended Final Site Plan entitled "Par Pharmaceutical - Emergency Generator," consisting of 1 sheets, has been presented by Par Pharmaceutical, Inc.; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, this is a Type II action; and

WHEREAS, on October 20, 2014, the Rockland County Planning Department approved and remanded the proposed site plan; and

WHEREAS, a public hearing on this application was waived by this Board due to the relatively minor nature of the amendment;

NOW, THEREFORE, be it

RESOLVED, that the Amended Final Site Plan presented by Par Pharmaceutical, Inc., entitled "Par Pharmaceutical - Emergency Generator," consisting of 1 sheets, affecting premises known as Section 55.06, Block 1, Lot 3.1 on the Tax Map of the Town of Ramapo, be and hereby is approved, subject to the following conditions:

1. Applicant shall add a formal title block, containing the information required by the site plan regulations, including the title of the plan, date, and preparer. Applicant shall add standard general notes as required by the site plan regulations. A check print shall be submitted to the Village Engineer prior to signature by the Chairman to insure that the final signed plan conforms to the materials submitted with the application.

MOTION: Member Michael Iatropoulos

SECOND: Member Thomas Ternquist

MEMBERS PRESENT:	**YEA or NAY**
Jane Burke, Vice Chairman	Aye
Michael Iatropoulos, Member	Aye
Thomas Ternquist, Member	Aye
Donald Wanamaker, Member	Aye

MEMBERS ABSENT:

Anthony Caridi, Chairman
Steven Beldock, Member

Upon vote, the Resolution carried unanimously.

Storage Post Self Storage—Public Hearing—Continued
Site Plan—Second Self Storage Building
55.07-1-13

Application of Storage Post Self Storage facility located on 2 Dunnigan Drive, Montebello, New York, for Amended Site Plan to allow a second self-storage building with additional parking on the site. 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 were Mr. Bill Marsh, the Applicant's Representative; Mr. Steven Honen, the Applicant's Attorney; Ms. Elizabeth Mello and Mr. Daniel Russo, the Applicant's Engineers; Mr. Frank Relf, the Applicant's Architect; Mr. Harry Baker, the Applicant's Traffic Consultant; Ms. Kim Mitchell, the Applicant's Landscape Architect and Ms. Paula Ziegenbein, the Applicant's Lighting Consultant.

Mr. Honen, the Applicant's Attorney, stated that the Applicant has provided, this evening, many consultants to answer any and all of the Planning Board questions. Mr. Honen would like to move the application along for preliminary approval and towards a Negative Declaration.

Mr. Frank Relf, the Applicant Architect, discussed meeting with the CDRC on October 28, 2014 in which the CDRC professionals recommend modifications to the site plan. The proposed expansion is a three story facility with 14,750 square feet. Mr. Relf stated that they will be seeking two variances; both variances were received for the existing building. Mr. Relf stated that he provided the Planning Board, this evening, with updated plans and information.

Mr. Ira Emanuel, Assistant Village Attorney, stated that the Planning Board may not be able to react to any of the new information received due to only having received the information this evening. Mr. Relf responded that they understood that.

Mr. Harry Baker, Traffic Consultant, discussed the Traffic Impact Study, dated October 10, 2014 (copy in file).

Member Iatropoulos questioned Mr. Baker on the days and times of the study. Mr. Baker replied that study was conducted on Thursday between the hours of 7:00-9:00am, 4:00-6:00pm and Saturday between the hours of 11:00am-1:00pm. The morning peak was between 7:45-8:45am and the evening peak was between 5:00-6:00pm. On Saturday the peak was between 11:45-12:45pm. Mr. Baker stated that the Saturday volume, on Airmont Road, was about 2/3 less than the weekly volume.

Member Wanamaker stated that he is a customer of Storage Post and wondered if the traffic study took into consideration the thruway traffic. Mr. Baker replied that the vehicles coming from the thruway traffic were part of the cue that was counted. All vehicles that crossed Dunnigan Drive or turned into Dunnigan Driver were counted.

Ms. Elizabeth Mello, the Applicant's Engineer, discussed the changes to the site plan. Ms. Mello stated that the building was shifted 5 feet to the east which will allow for sidewalks in the front. Signage was added, as requested by the Fire Department/Fire Inspector. Also added, were two new pole mounted lights; one at the intersection and one by the 5 new parking spaces. Ms. Mello stated that they would have no objections to Martin Spence's comments of his November 17, 2014 memo.

Mr. Emanuel questioned the Applicant on whether the curb cuts were for backing a vehicle into the facility. Ms. Mello responded that the curb cuts were for hand trucks being wheeled into the facility.

Mr. Emanuel questioned the Planning Clerk on whether the application was sent to the Village of Airmont and the Town of Ramapo for review. The Clerk stated that the Application was sent to both the Town of Ramapo and the Village of Airmont, sometime in August-2014, with no response from the two municipalities.

Member Burke questioned the Applicant on the percentage of Development Coverage of the total site. Mr. Relf responded stating that the total Development Coverage is 98,550 square feet. Ms. Mello stated that the proposed site plan adds 27,313 square feet to the existing Development Coverage.

Member Burke questioned the Village Engineer, Mr. Martin Spence, on the drainage capability with the new proposed building. Mr. Spence replied that the Applicant will provide on-site detention systems that will discharge through an existing detention basin towards the northwest of the existing building. Mr. Spence stated the detention and water quality are consistent with the regulations.

Member Wanamaker questioned the Applicant on whether the new access road will have catch basins. Ms. Mello stated that there will be catch basins on the north side of the driveway; there will be multiple basins (5).

Member Burke questioned the 10-11 degree slope and whether that will be a problem, especially with trucks. Mr. Spence replied that it is at the maximum range for being accurate. Mr. Spence stated that he has seen them between 10-12% and he would not recommend going higher than 12%.

Member Wanamaker questioned the Village Engineer on whether note #11 (supplementing some evergreen landscaping on northern end) has been addressed. Mr. Relf stated that there has been work done, within the last few months, at the site; added and corrected some of the dying shrubbery. Mr. Spence stated that note#11 was on his September 23, 2014 (copy in file) and since it was addressed, the note did not appear in his November 17, 2014 (copy in file) memo.

Member Burke questioned the Applicant on whether the elevator shaft will protrude from the roof by 2feet. Member Burke stated her concern with seeing "things" protruding from the roof while driving over the overpass. Mr. Relf stated that at the moment they have not fully engineered the systems within the building. The elevator will be closer to the existing building and the way the roof is shaped with the "parapet" along with the landscaping, the roof will not be seen from Airmont Road.

The Applicant's Landscape Consultant, Ms. Kim Mitchell, discussed the Landscaping Plan.

Member Iatropoulos questioned the Applicant on whether there will be additional landscaping by the exit ramp of the Thruway with respect to the buffer and the oncoming car lights. Ms. Mitchell replied that the height of the arborvitae proposed will be seven to eight feet tall and will grow two feet more each additional year.

Member Burke questioned the Applicant on the Orange and Rockland Utility poles and whether they come right through the property and what happened to the "big boulders" that were on the property. Mr. Relf stated that the big boulders were removed and is no longer an issue; were probably removed when the existing building was constructed. Mr. Spence stated that Orange and

Rockland has an easement through the property and the building is north of the existing easement and will not affect the existing poles.
Member Wanamaker questioned the Applicant on whether "down lighting" was considered as opposed to pole lighting. Member Burke stated that the lighting will be discussed with the following application.

Member Iatropoulos questioned the Village Engineer on the CDRC minutes of October 28, 2014 (copy in file) on why the variances are "significant". Mr. Relf responded that the Applicant is seeking a variance for Floor Area Ratio and a variance for Front Yard Setback. When the existing building was proposed they sought the same variances, which were granted. The Front Yard Setback went from 75feet to 40feet with the existing building and the proposed building is seeking a Front Yard Setback of 34feet.

Member Burke questioned the Applicant on whether they have done a schematic of what the building would look like without any variances. Mr. Relf stated that there would be no building due to the Floor Area Variance. Mr. Geneslaw requested the applicant show how much of the building would be built dealing only with the setbacks. Ms. Mello stated that the existing building would not exist and there would only be a small triangular area for a building. Mr. Relf stated that it would be so small that it wouldn't even be a building; it would be a garage or a lighthouse.

Member Burke informed the Applicant that she was on the Planning Board when the original building was proposed circa 2000. Member Burke stated that the original Application proposed two buildings but the front (closer to Airmont Road) building was only one story. The current application is proposing a three story building. Mr. Relf stated that the current owners were not the owners in 2000, nor were they involved in that application. Mr. Relf stated that from the beginning they told the Planning Board that they are new owners with a new application. Member Burke would like Applicant to refer to the Planning Board and Zoning Board of Appeals minutes circa 2000. Member Burke stated her concern for the quick pace of the current application.

Mr. Honen informed the Board that this is a completely new application for the Planning Board to judge on the merits of the application. Mr. Honen stated that he cannot speak for what another applicant stated before the Board. Mr. Honen respectfully requested that the Application be judged on its merits. The Applicant supplied consultants for the Planning Board to address any concerns. Mr. Honen stated that the Applicant came before the Planning Board, Last year, informally with the current plan and the Planning Board expressed their approval to move forward with an actual application for site plan. The Applicant has gone to great expense on moving forward.

Member Burke stated her concern because some statements were made to the Zoning Board of Appeals when the original variances were given. Member Burke stated the following from a February 21, 2001 letter from a Mr. Daniel McSweeney, Project Planner for East Coast Storage:

> "The property has a unique, irregular shape, which adversely hinders its development potential. The entire easterly quadrant of the lot will remain in landscaped area and open space."

Member Burke stated the small front building was combined with the back building to make it bigger with a greater Floor Area Ratio. Member Burke stated that she thought this property was

fully developed and now a new application wants to develop it more. Member Burke believes the new owner should have looked at the history of the property.

Mr. Honen stated that the Applicant last year presented the current application and received what appeared to be a "vote of confidence" by the entire Planning Board. Mr. Honen stated that with respect to the Zoning Board of Appeals, the previous application had to receive variances and the Applicant is fully prepared to seek variances before the Zoning Board of Appeals. Mr. Honen stated that all of the issues will be brought up at the Zoning Board of Appeals and addressed. Mr. Honen would like to focus the attention of the Planning Board on the Planning function and receive a preliminary approval so that they can appear before the Zoning Board of Appeals.

Mr. Emanuel explained to the Applicant that the next step for the Planning Board would be consideration of Negative Declaration and it would be at that point that the Applicant would appear before the Zoning Board of Appeals. There will be no Preliminary Approval prior to Zoning Board of Appeals approval.

Mr. Honen informed the Planning Board that they have addressed all the environmental concerns and would like to receive a Negative Declaration.

Mr. Emanuel informed the Applicant that it is proper, the Planning Board as Lead Agency, to consider the impact of the loss of the open space.

Member Iatropoulos questioned the Village Professionals on whether the Board is ready for a Negative Declaration. Mr. Geneslaw responded by stated that a Negative Declaration has not been prepared as of yet. Based on Mr. Spence's memo of November 17, 2014 a Negative Declaration may be prepared for the next Planning Board meeting.

Member Burke stated that since material that was received at the Planning Board meeting needs to be reviewed the Planning Board should have a workshop before any Negative Declaration be issued.

The Planning Board will discuss the Negative Declaration and review the additional materials at a Planning Board workshop on December 2, 2014.

Mr. Emanuel informed the Applicant that workshop will be a public meeting.

Mr. Geneslaw requested clarification of short EAF. Member Burke questioned the Village Planner on whether this application warrants a long EAF. Mr. Geneslaw stated that, after researching, the DEC suggests that this type of action does not warrant a long EAF.

With no one else wishing to speak, Member Ternquist made a motion to continue the Public Hearing on the Application of Storage Post for Site Plan—Second Self Storage Building, to the December 9, 2014 Planning Board meeting, seconded by Member Iatropoulos. Upon vote, the motion carried unanimously.

Storage Post Self Storage—Public Hearing--Continued
Amended Site Plan—addition of Pole Mounted Lighting
55.07-1-13

Application of Storage Post Self Storage facility located on 2 Dunnigan Drive, Montebello, New York, for Amended Site Plan to add pole-mounted lighting around the existing facility. 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.

The lighting consultant Ms. Paula Ziegenbein of Hartranft Lighting Design discussed the Lighting Plans. The Photometric drawings are for both the existing and proposed buildings. Mr. Relf stated that the existing lighting goes from very bright to very black.

Member Iatropoulos stated that the Village has experienced a number of years of lighting on the existing building and wondered if there is any information on how the Senior Citizen complex perceives the illumination from the existing building. Mr. Geneslaw responded by stating if there were any complaints the Village or the Building Inspector would have a record of them. Member Iatropoulos stated that if in the last ten years the level of illumination did not receive any complaints how does the new illumination compare to the old illumination. Mr. Relf stated the new illumination will be more uniform and less bright. Ms. Ziegenbein stated that the new light fixtures have been turned 180degrees and they are now facing the building.

Member Burke questioned the flood lights and whether they are on poles. Ms. Ziegenbein responded that the flood lights are on poles to provide adequate illumination on pavement and uniform illumination of the building façade. The previous plan had a fixture with 60 LED bulbs and in the latest revision the fixture has 40 LED bulbs. The fixture has a lower wattage in intensity. Mr. Spence stated that at the original demonstration the Applicant had 8foot high poles and in the latest proposal there are 15foot high poles but the angle is 90degree to the building. Mr. Spence stated that at the CDRC meeting the Applicant was questioned on the purpose of the lighting. Mr. Spence stated that it seemed that the Applicant had a departure from security to illumination of the building. The Applicant lowered the levels of brightness by using lower wattage bulbs. Member Burke stated that the building will still be quite bright and will be the brightest thing in the area. Mr. Relf replied that it won't be a bright building but a uniform light level across the façade and lower in intensity than the current light levels. From a security stand point the camera systems work at a higher quality when the light source is uniform.

Member Burke questioned the Applicant on whether they plan on keeping the office lights on all night. Mr. Relf replied that the office lights will not be on all night only a nightlight after hours.

Member Wanamaker questioned the Applicant on whether they will use motion detectors. Mr. Relf stated that they will not use motion light since they have continuous recording camera system.

Mr. Relf addressed Mr. Spence's comments of his memo dated November 17, 2014 (copy in file).

With no one else wishing to speak, Member Ternquist made a motion to continue the Public Hearing on the Application of Storage Post for Amended Site Plan—addition of Pole Mounted Lighting, to the December 9, 2014 Planning Board meeting, seconded by Member Iatropoulos. Upon vote, the motion carried unanimously.

Manhattan Beer Distributors

20 Dunnigan Drive
Informal Discussion
55.07-1-12

> Application of Manhattan Beer Distributors located on 20 Dunnigan Drive, Montebello, New York, for an Informal Discussion on amended site plan for additional parking for trucks and a proposed Natural Gas Filling Station. The property is located on the north side of Dunnigan Drive, approximately 1500 feet 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 12 in a PI Zone.

In attendance were Mr. Simon Bergson and Mr. Mike McCarthy, the Applicant's representatives; Mr. Terry Rice, the Applicant's Attorney and Mr. Joseph Caruso, the Applicant's Architect. Mr. Rice discussed the amended site plan to take 15 of the existing truck (parking) spaces on the western side of the building and convert them to 19 employee parking spaces. Also the Applicant would create additional truck parking in the back. Mr. Rice informed the Board the Applicant would like to add a natural gas filling station.

Mr. Robert Geneslaw, Village Planner, read the minutes of the October 28, 2014 CDRC meeting (copy in file).

Mr. Emanuel stated that as per the bulk table the Applicant does not need any variances.

Member Iatropoulos questioned the Village Planner on the Short EAF. Mr. Geneslaw stated that he did not have a chance to review the EAF.

Mr. Bergson discussed the natural gas filling station proposed.

Mr. Martin Spence, Village Engineer, read his memo dated November 17, 2014 (copy in file).

Member Burke questioned the Applicant on whether they have a gatekeeper. Mr. Bergson replied that they have 24hour security. Mr. Bergson stated that there has never been an incident in the Village of Montebello.

Member Wanamaker questioned the Applicant on whether they get deliveries by railway. Mr. Bergson stated that they do get deliveries by rail.

Member Burke questioned the Applicant on whose trucks were parked along Dunnigan Drive. Mr. Bergson stated that the trucks do not belong to Manhattan Beer.

Member Iatropoulos made a motion to waive the requirements of a Public Hearing for the application of amended site plan for Manhattan Beer Distributors, seconded by Member Ternquist. Upon vote, the motion carried unanimously.

Yosef Emuna
Subdivision
49.05-1-15
First 90 Day Final Filing Extension

Application of Yosef Emuna, 129 Grandview Avenue, Monsey, New York 10952, for approval of a Final 2 lot subdivision entitled "Yosef Emuna" consisting of two lots from 2.2205 +/- acres. The subject property is located on the north side of Viola Road approximately Zero feet of the intersection of Spook Rock Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 49.05, Block 1, Lot 15 in a RR-50 Zone. **The Applicant received Final Approval on June 10, 2014. The first 90 day extension will expire on March 7, 2015.**

Member Ternquist made a motion to grant a First 90 day Final Filing Extension for the Yosef Emuna Subdivision that will start on December 7, 2014 and end on March 7, 2015, seconded by Member Wanamaker. Upon vote, the motion carried unanimously.

New Business

Mr. Emanuel briefly discussed the proposal of the Wetlands Law to be discussed at the next Planning Board meeting. Materials will be re-distributed.

Member Ternquist made a motion to adjourn the meeting to the December 9, 2014 Planning Board meeting, seconded by Member Iatropoulos. Upon vote, the motion carried unanimously. The meeting adjourned at 10:20 p.m.