The Planning Board of the Village of Montebello held a meeting on Tuesday, April 14, 2015 at the Montebello Community Center, 350 Haverstraw Road, Montebello, New York. Chairman Caridi called the meeting to order at 7:16 p.m. and led everyone in the Pledge of Allegiance.

PRESENT

Anthony Caridi, Chairman
Jane Burke, Member
Michael Iatropoulos, Member
Thomas Ternquist, Member
Donald Wanamaker, Member
Steven Beldock, Member

OTHERS

Ira Emanuel, Assistant Village Attorney
Martin Spence, Village Engineer
Shelly Flanagan-Ramos, Deputy Clerk

ABSENT

Robert Geneslaw, Village Planner

Approval of the February 2015 minutes was tabled until the next meeting. There was not a meeting held in March.

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, and Lot 13 in a P-I Zone.

In attendance were Mr. Bill Marsh, the Applicant's Representative; Mr. Steven Honan, the Applicant's Attorney; Mr. Glenn McCreedy, the Applicant's Engineer; and Mr. Frank Relf, the Applicant's Architect.

Mr. Relf did not think he was going to be making a presentation therefore he did not bring any architectural drawings to the meeting. He stated there had not been any changes with the building architecturally since the last meeting.

Chairman Caridi asked the Board if they were ok with the graphics. Member Iatropoulos stated everything seemed ok, subject to the few conditions of the Zoning Board of Appeals.

Member Burke noted there was not a March meeting, and, there were comments from the Village Engineer in his memo dated March 9, 2015, received March 10, 2015 (copy in file). She asked if all the comments were adhered to on the map. Mr. McCreedy, Applicant's Engineer stated those comments have been outstanding since the first submission, and they will be handled prior to the Chairman signing off on the Site Plan. The Applicant will be more than willing to make those a condition of any approval that may be granted this evening.

Village Engineer, Martin Spence referred to his memo dated March 9, 2015, Received March 10, 2015. (Copy in file). The comments were made after the last Planning Board meeting in February, which most of those comments are regarding details of the plan. He reminded the Board that Cost Estimate Reports are prepared at the very end of the plan approval prior to any signing. Mr. McCreedy noted that all Mr. Spence's comments will be addressed during their final check print review. Mr. Spence assured the Board that all comments will have to be satisfied before a plan is submitted for the Chairman to sign.

Mr. Emanuel stated these comments are fairly standard engineering comments. Mr. Spence concurred.

Chairman Caridi confirmed that since Mr. Spence's memo dated March 9, 2015, the Applicant has not submitted any other plan. There was no meeting last month, and no reports were updated, this memo is the latest.

Mr. Emanuel stated the latest revision date he has on his latest set of plans is 11/18/2014.

Mr. Emanuel, as to avoid any confusion with these applications, has prepared three different resolutions. One resolution is for the proposed second building, second resolution for the lighting on the proposed second building, and the third resolution with respect to lighting at the existing building.

The Zoning Board of Appeals issued two conditions subject to the granting of approval, one, final site plan approval by the Planning Board, including compliance with engineering comments from Mr. Spence, and two, the recommendations of the Rockland County Planning Department as set forth in its memorandum dated March 9, 2015, with the exception of Item #1. These conditions are considered standard.

Chairman Caridi asked the Board if they had any comments.

Member Burke brought up an issue of discussion held by the Zoning Board of Appeals before their approval was granted, and read a comment that preceded their resolution.

"It was also noted before the Planning Board that neither the existing nor the new building could be used for any purpose other than self-storage. The proposed new building lacks domestic water service, sanitary sewer connections and electric service for individual storage units. The cost of

retro fitting the buildings for another use, the Applicant advised at the time, was prohibitive; the most cost effective method of introducing any use would therefore be to demolish the building".

Member Burke questioned whether the verbiage should be included in the Planning Board resolution as a condition of approval. It was her recollection that when Storage Post was given their first approval years back the large portion of the property in front was supposed to stay undeveloped because the Applicant had received a variance to build the three story building in back. She felt that if the verbiage was in the resolution it could be referenced for guidance, if needed, for future members of the planning board.

Mr. Emanuel commented that it was certainly within the Planning Board's authority to impose such a condition, given the statements that were made by the Applicant, especially with respect to the second building, and the fact that it was a basis upon which the Zoning Board made its determination. He informed the Board that whether they base it as a condition is entirely up to them.

Member Beldock asked Mr. Emanuel what the significance would be with basing this as a condition. He stated that the condition would be that, upon a change of use for the second building for use of anything other than self-storage or mini-warehouse, the building would have to be demolished and the ground restored. If anyone wanted to build a new structure they would have to return to the Planning Board for approval.

Chairman Caridi felt this made sense, and did not have a problem with adding the verbiage to the resolution. Members concurred, and Mr. Emanuel did not have any legal issues with it.

Member Burke also mentioned that these types of buildings are a lot of times used as gyms, and that if someone came in, in the future wanting to install sanitary sewers, it should state on the resolution that it was not approved for that. She wondered if this could be added.

The Applicant's Representative, Mr. Bill Marsh did not necessarily have a problem with it being added, but suggested it be worded in a way where is did not require demolition of the building, but if there ever was a change of use, it would have to come back before the Planning Board.

Mr. Steven Honan, the Applicant's Attorney stated that if there was ever a change of use sometime in the future, it would have to go back before the Board anyway for approval.

Chairman Caridi stated even if its mechanical it would have to come back for approval, or even utilities. Mr. Marsh concurred, and stated that the building is constructed in such a way that any other kind of use would not be warranted. There are no sanitary sewers being installed, other than the sprinkler system.

Mr. Emanuel wanted to examine what the Board was discussing. He stated it was different from what Member Burke was first discussing. He stated it is one thing to say that the building had to be demolished, and another thing to say that it had to come back for a change of use.

The difficulty with that is that if the Applicant does return for a change of use, the building will remain, it may not be used for anything, it will remain vacant, which as a matter of policy the Village does not desire. Mr. Emanuel suggested the Board consider that.

Ms. Burke stated it was a unique situation, and that she thought the Zoning Board of Appeals gave the variance because the parking was not needed, any other type of use would need that parking. She does not want to see vehicles pared haphazardly all over the property.

Ms. Burke noted that she does not mind granting approval for just the self-storage use, but wondered how approval would be able to be given for just that one use, and only that use. She reiterated that the variances were granted for various reasons. The Storage Post has been a very good neighbor, and they provide good ratables to the Village. She could not dismiss the fact that the Floor Area Ratio was an extreme variance, and if it has a different use down the line, that could be a problem.

Mr. McCreedy stated that he did not believe the facility has an infrastructure that could be used for anything other self-storage. There are so many elements that prevent it from being used for anything other than what is being proposed. There is not ample parking, and there are no sanitary sewer lines. He understood where Ms. Burke was coming from though, and stated her concerns required building permits and permits from other agencies that would put mechanism in place to stop any other use from going there illegally. He suggested a condition stating "that the Applicant would have to return to the Planning Board if any other use was proposed."

Mr. Emanuel stated that an owner could always return to the Board for relief from any condition of a site plan or subdivision approval. There is always that opportunity.

Mr. Honan felt that it was rare for something such as a use change, that a Planning Board would impose such a condition of approval as demolition of a building. It seems rather extreme in his opinion to have that kind of restriction on the property.

Mr. Emanuel drafted an excerpt of the condition and asked the Board how they felt about it as well as the Applicant's reaction.

He read: "At such time that the subject building ceases to be used as a self-storage facility, or mini warehouse, for a period in excess of one year the building shall be demolished and the land restored to its natural condition. Alternatively, the then owner may seek approval for a different use from this Board from said a one year period". The reason Mr. Emanuel picked the "one" year is because that is the period of time the Village uses for non-conforming uses.

Mr. Marsh's concern is that if a title search is done on the property that the lender will not want to provide a loan on a property with a condition of demolition imposed. He felt it would cause a title problem for them.

Members did not want to see a building sitting vacant, slowly deteriorating. Mr. Emanuel again stated the Board can fashion the resolution to how they deem fit. The owner can always return to the Board seeking relief in the circumstance, extensions can always be requested, and granted. His main concern is that the village will get stuck with an empty building. If the one year period he suggested is to short, it can go two or three years, or any period the Board feels. There is a grandfather provision in the Village Code for non-conforming buildings, it says that if you continue to maintain a non-conforming building/use but it ceases to be used for a period of one year of more for that use than you lose the protection. Maybe a different time frame should be mandated. Chairman Caridi suggested verbiage, and he read "the granting of the approval is based upon the Applicant's proposal strictly indicated on all submissions; any further modifications will require complete re-engineering, re-drawing, re-application as if it were a new structure which may include demolition of the existing".

Mr. Emanuel asked if he wanted to include cessation of use.

Mr. Caridi answered "yes", they may want a modified use without increasing F.A.R, not affecting loads or layouts. He felt cost was a main issue. It would be cheaper to demo the building instead of making any modifications when it came time to sell. If that is the case he wants the Village to be covered. It is a very unusual piece of property. Any modifications to the second building would mean a change of use to the Planning Board.

Mr. Marsh is fine with this verbiage, but Mr. Honan is uneasy with it. He would rather not see this in the resolution, and felt that whether or not the building was being used, as long as the building was being maintained and the taxes being paid, it should continue to stand. Although he does not want to see the structure face demolition, he noted it was very dangerous for a Planning Board to place that kind of condition on a property. In terms of long term financing, he felt this would be nothing but problems, Mr. Marsh concurred with him.

Mr. Emanuel stated the use would have to remain the same if the property sold in the future or the owner would have to return to the Board.

Mr. Caridi is not mandating demolition but reiterated that if this specific use changes, any other use will kick in a whole other set of parameters. It is only being placed in the resolution as a possibility.

The Attorney read revised verbiage "If at any time the change of the specific use of the building proposed or structural change of the building is proposed or if the building ceases to be used as a self-storage facility, the applicant or its successor shall return to this Board for a use site plan which may require demolition of the building and new variances".

Mr. Honan stated that for a Planning Board to place a condition such as demolition on a building for approval was very burdensome.

Mr. Emanuel reread the verbiage, based upon the dialogue between members and the Applicant's representatives. "If at any time a change of the specific use of the building is proposed or structural change to the building or change to the layout is proposed, the applicant or its successor shall return to this board for a new site plan which may require demolition of the building and new variances".

Mr. Emanuel is not mandating variances, just indicating that they may be required. Mr. Marsh asked that the verbiage be reread. Mr. Honan still had issues with it.

Mr. Emanuel noted that the negative declaration and variance that were given are based in large measures upon the assertion that the building cannot be used for any other purpose without significant expenditures of funds. The Applicant made that point before both boards, and that carried lots of weight with the Zoning Board in granting a large Floor Area Ration variance. The use is very low intensity, which is why the Planning Board and Zoning Board are willing to grant the approvals.

Mr. Relf, the Applicant's Architect noted that at times there will be reorganizational periods of the space, he asked that the language in the resolution not be so harsh as to prohibit from making those types of changes. Chairman Caridi stated that that would not be a change of "use", so that type of change could be made, but anything other than that use will trigger a red flag.

There were minor changes made to the verbiage, and ultimately all members and the applicant were in agreement with the final words.

Ms. Burke questioned whether or not the sign that will be placed on the new building was included on the site plan. Mr. Spence responded it was included; therefore there was no need for a separate Permanent Sign Application. The sign conforms to code regulations.

No additional comments were made from the Board or the public. Member Ternquist made a motion to close the public hearing at 8:08 pm, seconded by Member Iatropoulas, the motion carried.

Resolution PB 1 of 2015
Granting Approval of an Amended Final Site Plan entitled
"Proposed 3 Story Self Storage Building for Storage Post"

WHEREAS, an application for approval of an Amended Final Site Plan entitled "Proposed 3 Story Self Storage Building for Storage Post," consisting of 14 sheets, dated 8/14/2014, and last revised 1/21/2015, has been presented by SP HHF SUB A LLC a/k/a Storage Post; and

WHEREAS, a site plan has been previously approved for the subject premises by this Board for the construction of a self storage building; and

WHEREAS, the applicant seeks to add a second self storage building to the site; and

WHEREAS, on September 9, 2014, this Board declared its intent to become lead agency under the New York State Environmental Quality Review Act (SEQRA), which intent was not challenged by any other eligible agency; and

WHEREAS, on February 10, 2015, this Board, after reviewing the environmental impacts of the proposed project, issued a negative declaration pursuant to SEQRA; and

WHEREAS, on September 23, 2014, the Rockland County Planning Department recommended modifications to the proposed site plan; and

WHEREAS, a public hearing on this application was held, pursuant to due notice, on September 9, November 18, and December 9, 2014, and January 13, February 10, and April 14, 2015; and

WHEREAS, the Zoning Board of Appeals has granted necessary variances.

NOW, THEREFORE, be it

RESOLVED, that the Final Site Plan presented by SP HHF SUB A LLC a/k/a Storage Post, entitled "Proposed 3 Story Self Storage Building for Storage Post," dated 8/14/2014, last revised 1/21/2015, consisting of 14 sheets, affecting premises known as Section 55.07, Block 1, Lot 13 on the Tax Map of the Town of Ramapo, be and hereby is approved, subject to the following conditions:

1. Rockland County Planning Department recommendations and conditions as stated in its memorandum dated September 23, 2014, it being noted that, with respect to recommendation #13, the Zoning Board of Appeals granted the necessary variances without requiring a reduction in the footprint of the building. All other recommendations have been satisfactorily addressed.

2. Applicant shall comply with comments S-1 through S-6, S-8 (there being no S-7), T-1, and A-1 through A-2, inclusive, of the Village Engineer's memorandum dated March 9, 2015.

3. Applicant to add the following as a plan note: "If at any time a change of the specific use of the building is proposed, or a structural change is proposed, or the introduction of sanitary sewer services is proposed, or a change to the site layout is proposed, then the applicant or its successor shall return to this Board for a new site plan, which may require demolition of the building and/or new variances."

4. All other site plan requirements set forth in the site plan regulations of the Village of Montebello, and all relevant conditions of the prior approvals affecting these premises.

MEMBERS PRESENT:	**YEA or NAY**
Anthony Caridi, Chairman	Aye
Jane Burke, Member	Aye
Michael Iatropoulos, Member	Aye
Tomas Ternquist, Member	Aye
Steven Beldock, Member	Aye
Donald Wanamaker, Member	Aye

MEMBERS ABSENT:

None

Upon vote, the Resolution carried unanimously.

Storage Post Self Storage
Amended Site Plan – Lighting Existing Building
55.07-1-13

> Application of Storage Post Self Storage facility located on 2 Dunnigan Drive, Montebello, New York, for Amended Site Plan (lighting). 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.

Mr. Emanuel stated that back in December it was requested that the existing lighting be separated from the proposed lighting. He prepared two separate resolutions for this, and effectively treated the application as three individual parts.

Member Ternquist opened the public hearing at 8:10 to discuss lighting on the existing building, seconded by Member Iatropoulos, motion carried.

Martin Spence, Village Engineer in a memo dated March 9, 2015, received March 10, 2015. (copy in file), stated overall lighting is good, and the Applicant met all the lighting standards submitted in their revised site plan.

With no comments or objections from Board or the public, Member Iatropoulos motioned to close the hearing at 8:15 pm, seconded by Member Ternquist, motion carried by all.

Resolution PB 2 of 2015
Granting Approval of an Amended Final Site Plan entitled
"Exterior Lighting for Existing Self Storage Building for Storage Post"

WHEREAS, an application for approval of an Amended Final Site Plan entitled "Exterior Lighting for Existing Self Storage Building for Storage Post," consisting of 3 sheets, dated 7/17/2014, and last revised 2/20/2015, has been presented by SP HHF SUB A LLC d/b/a Storage Post; and

WHEREAS, this application originally sought to add pole mounted light fixtures to illuminate the existing building at the site; and

WHEREAS, during the course of review by this Board, the application was modified to eliminate direct building illumination, and to generally restrict illumination to surface safety lighting; and

WHEREAS, no new building area or impervious surface is being proposed; and

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

WHEREAS, on August 11, 2014, the Rockland County Planning Department recommended modifications to the proposed site plan; and

WHEREAS, a public hearing on this application was held, pursuant to due notice, on September 9, November 18, and December 9, 2014 and January 13, February 10, and April 14, 2015; and

WHEREAS, the applicant has complied with all engineering requirements of the Village Engineer, as set forth in his memorandum dated March 9, 2015.

NOW, THEREFORE, be it

RESOLVED, that the Final Site Plan presented by SP HHF SUB A LLC d/b/a Storage Post, entitled "Exterior Lighting for Existing Self Storage Building for Storage Post," dated 7/17/2014, last revised 2/20/2015, consisting of 3 sheets, affecting premises known as Section 55.07, Block 1, Lot 13 on the Tax Map of the Town of Ramapo, be and hereby is approved, subject to the following conditions:

1. Rockland County Planning Department recommendations and conditions as stated in its memorandum dated August 11, 2014, provided, however, that recommendation 2, requiring compliance with the Rockland County Highway Department's letter of April 1, 2014, is hereby overridden because this Board is not in receipt of, nor aware of, a letter of that date relating to this project. Instead, this Board is in receipt of a letter from that Department dated August 11, 2014. The applicant shall comply with the terms of that letter.

2. There shall be no illumination of the building other than as shown on the approved site plan.

3. All other site plan requirements set forth in the site plan regulations of the Village of Montebello, and all applicable conditions of the prior site plan approvals for this site.

MOTION: Member Thomas Ternquist

SECOND: Member Michael Iatropoulos

MEMBERS PRESENT:	**YEA or NAY**
Anthony Caridi, Chairman	Aye
Jane Burke, Member	Aye
Michael Iatropoulos, Member	Aye
Tomas Ternquist, Member	Aye
Steven Beldock, Member	Aye
Donald Wanamaker, Member	Aye

MEMBERS ABSENT:

None

Upon vote, the Resolution carried unanimously.

Storage Post Self Storage
Amended Site Plan – Lighting Proposed Building
55.07-1-13

Village Engineer Martin Spence referred to his memo dated March 9, 2015, received March 10, 2015, (copy in file) citing similar comments to the exterior lighting on the existing building. He noted all proposed lighting photometrics met the standards of the village code lighting requirements.

With no comments or objections from Board or the public, Member Iatropoulos motioned to close the hearing at 8:17 pm, seconded by Member Ternquist, motion carried by all.

Resolution PB 3 of 2015
Granting Approval of an Amended Final Site Plan entitled
"Exterior Lighting for Proposed Self Storage Building for Storage Post"

WHEREAS, an application for approval of an Amended Final Site Plan entitled "Exterior Lighting for Existing Self Storage Building for Storage Post," consisting of 3 sheets, dated 8/17/2014, and last revised 2/20/2015, has been presented by SP HHF SUB A LLC d/b/a Storage Post; and

WHEREAS, this application is made in conjunction with an application for site plan approval for a second self-storage building on this site (and is therefore part of the same action for SEQRA purposes), which application was approved by this Board on April 14, 2015; and

WHEREAS, during the course of review by this Board, the application was modified to eliminate direct building illumination, and to generally restrict illumination to surface safety lighting; and

WHEREAS, a public hearing on this application was held, pursuant to due notice, on September 9, November 18, and December 9, 2014 and January 13, February 10, and April 14, 2015; and

WHEREAS, the applicant has complied with all engineering requirements of the Village Engineer, as set forth in his memorandum dated March 9, 2015.

NOW, THEREFORE, be it

RESOLVED, that the Final Site Plan presented by SP HHF SUB A LLC d/b/a Storage Post, entitled "Exterior Lighting for Proposed Self Storage Building for Storage Post," dated 8/17/2014, last revised 2/20/2015, consisting of 3 sheets, affecting premises known as Section 55.07, Block 1, Lot 13 on the Tax Map of the Town of Ramapo, be and hereby is approved, subject to the following conditions:

1. There shall be no illumination of the building other than as shown on the approved site plan.

2. All other site plan requirements set forth in the site plan regulations of the Village of Montebello, and all applicable conditions of the prior site plan approvals for this site, including, but not limited to, all applicable conditions of the amended site plan approval granted this date.

MOTION: Member Thomas Ternquist

SECOND: Member Michael Iatropoulos

MEMBERS PRESENT: **YEA or NAY**

Anthony Caridi, Chairman	Aye
Jane Burke, Member	Aye
Michael Iatropoulos, Member	Aye
Tomas Ternquist, Member	Aye
Steven Beldock, Member	Aye
Donald Wanamaker, Member	Aye

MEMBERS ABSENT:

None

Upon vote, the Resolution carried unanimously.

Manhattan Beer Distributors
Amended Site Plan
55.07-1-12

Amended site plan application from Manhattan Beer Distributors, LLC to appear before the Planning Board. 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 an PI Zone.

The Village received a memo on April 14, 2015, dated April 14, 2015 from Maser Consultants requesting an adjournment until May 12, 2015 for Manhattan Beer Distributors. The requested adjournment was granted.

Larry Cohen-Public Hearing
17 Bayard Lane
Wetlands and Stream Protection Permit
48.10-1-74

Application of Larry Cohen, 17 Bayard Lane, Montebello, New York 10901, for Approval of a Wetlands and Stream Protection Permit entitled "Cohen Garage 17 Bayard Lane" to allow disturbance and construction within 100 feet of a freshwater wetland and for Approval of construction within a Conservation Overlay District. The proposed construction is to replace a burned-down garage. The subject property is located on the south-east side of Bayard Lane approximately 1000 feet of the intersection of Haverstraw Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 48.10, Block 1, Lot 74 in a R-35 Zone.

In attendance is property owner Mr. Larry Cohen. He explained that in October 2014 there was a fire on his property which destroyed his entire detached garage. After the incident, the area was cleaned up, and he applied to the Village for a building permit for a new pre-fab barn/garage, it is slightly larger than the old garage. He is also requesting approval to put in a paved driveway leading up to the proposed structure.

Member Ternquist opened the public hearing at 8:20 to the proposed garage, seconded by Member Iatropoulos, motion carried.

Village Engineer, Martin Spence prepared a letter dated April 13, 2015, received April 14, 2015, stating the pre-fab garage application is before the Planning Board as a result of the property being within the Conservation Overlay District which requires a permit for any improvements within that regulated area. The structure and grading is within a 100 foot regulated area adjacent to a flood hazard area. The Applicant has limited available areas to construct this garage, and from an engineering prospective the proposed garage would be placed in the most appropriate place on the property. It complies with zoning codes, but does increase the impervious area as the new garage will be 700 s.f. larger than the prior one. It will be placed on a slab on grade, with no large footings. The existing dirt driveway will be paved. Mr. Spence noted that the application was sent to the New York State Department of Environmental Conservation, but doubts they will submit any comments. The Applicant will have to obtain a Rockland County Drainage Agency

The Applicant's Engineer, Mr. Thomas Skrable submitted a letter dated April 13, 2015 received April 14, 2015 certifying that an inspection was made of the site, and, the existing freshwater wetlands associated with the Mahwah River are more than 100' from where the proposed disturbance area is going to be.

Chairman Caridi asked the Engineer few technical questions regarding minimal disturbance with the increase in square footage, infiltration with import or export of materials, and the roof and driveway posing any runoff conditions. Mr. Spence responded.

Member Burke asked if the overhang porch on the side of the garage will be enclosed. Mr. Cohen responded "that is considered a "lean-to", and No, it will not be enclosed, it will be used for firewood.

Member Wanamaker asked the Village Engineer if he knew what the depth to water was? Mr. Spence responded "; the water table is 3-4 feet below grade". The Applicant is proposing usage of a StormTech Downspout Drainage System. (copy of specifications in file).

The area was recently disturbed by the Applicant to demolish the old garage. There were some tree removed that were damaged by the fire. Some were dead, diseased or damaged by the previous hurricane a few years back. Mr. Cohen stated he is going to be planting more trees, probably blue spruces, after the garage is in place, but did note that the Village gave him permission to remove the trees that were taken down.

Chairman Caridi read letters received from the following neighbors in favor of the proposed garage. (copies in file)

1. John and Joann Shepitka;21 Bayard Lane
2. Thomas Conklin; 41 Bayard Lane
3. Sheila Nealon and Karen May; 22 Bayard Lane North
4. John and Donna Squiteri; 12 Bayard Lane
5. Lester and Barbara Bernstein; 19 Bayard Lane North

With no comments or objections from Board or the public, Member Iatropoulos motioned to close the hearing at 8:35 pm, seconded by Member Ternquist, motion carried by all.

The Attorney read the resolution.

RESOLUTION NO. PB 4 of 2015
Granting Approval of a Wetlands and Stream Protection Permit Application for "Cohen Garage, 17 Bayard Lane"

WHEREAS, an application has been made by Larry Cohen for approval of a Wetlands and Stream Protection Permit pursuant to Chapter 191 of the Montebello Code for the Cohen Garage, 17 Bayard Lane, affecting premises designated on the tax map of the Town of Ramapo as Section 48.10, Block 1, Lot 74; and

WHEREAS, said application seeks to construct certain structures and grading within the 100 foot regulated area adjacent to a flood hazard area; and

WHEREAS, the applicant has submitted plans and studies detailing the impacts proposed on the flood hazard area and the regulated area, and also proposed mitigation measures; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, this is a Type II action, as it involves the "construction [and] placement of [a] minor accessory/ appurtenant residential structure" to wit, a garage; and

WHEREAS, said application has been reviewed by the Village Engineer and the Village's Planning Consultant, who have issued reports to this Board with respect thereto; and

WHEREAS, pursuant to the requirements of section 191-6.B of the Montebello Code, a public hearing on this application was held, pursuant to due notice, on April 14, 2015.

NOW, THEREFORE, BE IT RESOLVED, based upon the foregoing, this Board hereby adopts as its own the findings set forth in the report of the Village Engineer dated March 30, 2015, and April 13, 2015; and be it further

RESOLVED, that this Board hereby grants to the applicant a Wetlands and Stream Protection Permit for premises designated on the Town of Ramapo Tax Map as Section 48.10, Block 1, Lot 74, to allow the disturbance shown on a drawing entitled "Cohen Garage, 17 Bayard Lane" prepared by Thomas W. Skrable, P.E., dated February 10, 2015 (no revision date), consisting of 1 sheet(s), subject to the following conditions:

1. Applicant shall comply with comments S-1 through S-5, inclusive, of the Village Engineer's report dated April 13, 2015.

2. No building permit shall be issued in the absence of a permit from the Rockland County Drainage Agency, or a letter from that Agency stating that no permit is needed.

3. Applicant shall install StormTech SC-310 chambers (or equivalent satisfactory to the Village Engineer) in the locations and numbers required by the Village Engineer.

4. There shall be no basement to the garage structure. The garage shall be built on a concrete slab installed in accordance with appropriate building techniques as approved by the Building Inspector.

5. All other requirements of the Village of Montebello, including, but not limited to, the payment of any and all required fees, obtaining building, floodway development, and/or soil disturbance permits, and compliance with all appropriate orders of the Village Engineer and other agencies and officers having jurisdiction over the proposed work.

MOTION: Member Thomas Ternquist

SECOND: Member Michael Iatropoulos

MEMBERS PRESENT:	**YEA or NAY**
Anthony Caridi, Chairman	Aye
Jane Burke, Member	Aye
Michael Iatropoulos, Member	Aye
Tomas Ternquist, Member	Aye
Steven Beldock, Member	Aye
Donald Wanamaker, Member	Aye

MEMBERS ABSENT:

None

Upon vote, the Resolution carried unanimously.

New Business:

Mr. Emanuel stated Raymour and Flanigan has been talking for a while now about proposing a transportation maintenance facility, and a cardboard and packaging recycling facility on site. They will be appearing before the Planning Board in the near future. They have appeared recently before the CDRC. Discussion ensued regarding the type of facility that is being proposed. Member Wanamaker mentioned an Article 360 Materials Management process, which is regulated by the NYSDEC; it is Mr. Emanuel's understanding that it will be a transfer station, not a processing facility, and limited to Raymour and Flanigan's use.

The Rockland County Department of Planning announced the Certification courses coming up at the end of the month; all members were encouraged to get their credits in.

Member Iatropoulos was concerned about a large amount of trees, at least 20, being removed at 133 Spook Rock Road. Mr. Emanuel stated that the work being done on the property is for clearing a driveway. The Village Engineer had visited the property within the last two weeks; they are clearing within their access area; he will revisit the property tomorrow.

Member Ternquist made a motion to adjourn the meeting, seconded by Member Beldock, motion carried.

Meeting ended at 8:50 pm.