

Village of Montebello

One Montebello Road
Montebello, New York 10901

(845) 368-2211
Fax (845) 368-2044

Mayor
JEFFREY OPPENHEIM

Deputy Mayor
LANCE N. MILLMAN

Trustees
STEVEN A. SORRILLO
STACY CARIDI
MELANIE GOLDEN

Clerk/Treasurer
DEBRA MASTROENI

Village Attorney
WARREN E. BERBIT

Assistant Village Attorney
IRA EMANUEL

July 16, 2015

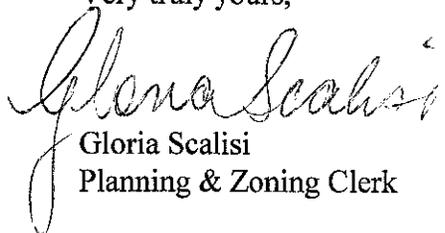
Ms. Helen Burrows
Rockland County Planning Department
50 Sanatorium Road, Building T
Pomona, NY 10970

Re: Planning Board Minutes of June 9, 2015

Dear Ms. Burrows:

Enclosed please find the minutes of the above meeting. Such minutes were approved by the Board and filed with the Board's clerk on July 14, 2015.

Very truly yours,


Gloria Scalisi
Planning & Zoning Clerk

Enc.

Cc: Martin K. Spence, Village Engineer
Robert Geneslaw, Village Planner
Larry Picarello, Building Inspector

The Planning Board of the Village of Montebello held a meeting on Tuesday, June 9, 2015 at the Montebello Community Center, 350 Haverstraw Road, Montebello, New York. Chairman Caridi called the meeting to order at 7:15 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
Bryon Rose, Spence Engineering
Gloria Scalisi, Planning Board Clerk

ABSENT

Robert Geneslaw, Village Planner
Martin Spence, Village Engineer

Member Ternquist made a motion to approve the Minutes of May 12, 2015, seconded by Member Beldock. Upon vote, the motion carried unanimously.

Raymour & Flanigan – Public Hearing
Site Plan
Wetlands & Stream Protection Permit
55.06-1-3.2

Application of Suffern CDC LLC, C/O Neil A. Rube, 7248 Morgan Road, Liverpool, New York 13088, for Approval of a Site Plan and Wetlands and Stream Protection Permit entitled “Raymour & Flanigan 22 Hemion Road”. The proposed construction is for a 10,200 square Foot auto repair garage and 25,000 square foot recycling facility for Raymour & Flanigan use only and to allow disturbance and construction within 100 feet of a freshwater wetland. The subject property is located on the east side of Hemion Road approximately 0 feet north of Piermont Branch Erie Lackawanna Railroad in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 55.06, Block 1, Lot 3.2 in a PI Zone.

The Applicant has submitted a request for an adjournment until the July 14, 2015 Planning Board meeting. Member Iatropoulos made a motion to continue the Public Hearing on the Application of Raymour & Flanigan, to the July 14, 2015 Planning Board meeting, seconded by Member Beldock. Upon vote, the motion carried unanimously.

**Manhattan Beer Distributors-Public Hearing
Wetlands and Stream Protection Permit
55.07-1-12**

Application of Manhattan Beer Distributors, LLC, 955 East 149th Street, Bronx, New York 10455, for Approval of a Site Plan and Wetlands and Stream Protection Permit entitled “Proposed Expansion for Manhattan Beer Distributors, LLC”. The proposed construction is for proposed addition of a parking area for trucks, fifteen existing spaces for trucks to be converted to additional parking for employees. Also proposed is a filling station for compressed natural gas to serve vehicles for Manhattan Beer use only and to allow disturbance and construction within 100 feet of a freshwater wetland. The subject property is located on the northerly side of Dunnigan Drive approximately 1500 feet west 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 12 in a PI Zone.

Mr. Cokeley, the representative for Manhattan Beer Distributors is in attendance. He gave a quick overview of the proposed project.

The improvements are a necessity because the company is expanding its operations, and there is a need for the additional 37,000 s.f. of space for employee and truck storage. Since last before the Board there were minor comments from the professionals and the Rockland County Department of Planning suggested a wetlands determination be performed. There was also preliminary discussion on the natural gas filling station that is proposed. The DEC was not able to perform a site visit until March 31, 2015 due to the rough winter weather. At that time the DEC determined that there were fresh water wetlands on site, but that it was not under DEC jurisdiction.

In that time an adjournment was requested from the March and April Planning Board meetings.

A wetlands specialist from Mr. Cokeley’s firm performed a delineation of the wetland limits, and submitted a revised site plan on May 1, 2015 to the Village.

The proposed wetlands disturbance is well below the 1/10th of an acre limit required for a permit from the village, and is also eligible to be filled in under the Nationwide Permit # 39 through the Army Corp of Engineers. However a good portion of the proposed improvements are located within the 100’ adjacent area which does require a permit from the village. He noted that the improvements are actually at an elevation of 10 feet higher than the wetland delineation, some areas even higher than the 10’. It’s an upland area that does not really have any wetland characteristics to it. It’s wooded and dry.

The initial scope of the project started out to be minor. At the initial informal meeting of the Planning Board back in November, the members elected the right to waive the public hearing, now that the wetlands permit is required, the public hearing is required.

An adjournment from the May meeting was requested so that the meeting could be properly noticed to the surrounding and adjacent neighbors.

Final approval is being sought at the meeting tonight. To date there have only been minor comments from Spence Engineering.

Ira Emanuel corrected Mr. Cokeley in that any amount of wetlands being disturbed needs a permit from the Village.

Bryon Rose read the comments from Martin Spence's memo dated June 8, 2015 (copy in file). Mr. Cokeley stated all the comments from the memo have been addressed.

Chairman Caridi asked the board if they had any questions or comments.

Ira Emanuel made a comment with respect to the natural gas station. His understanding was that the permitting authority was under the jurisdiction of the health department. The Village has jurisdiction over the location of the station on the property.

Chairman Caridi questioned Mr. Cokely if he had any plans with regard to the gas station. He responded that typically all the design plans are submitted at the same time the Building Department plans are submitted. All the property permits will be obtained from the Health Department. Mr. Michael Hosfeld, a representative from TruStar Energy was in attendance. He explained what TruStar Energy Company does and how the operations work.

Mr. Cokeley and Mr. Hosfeld showed a layout map of the proposed natural gas station and explained how the systems logistics will work on the property.

Chairman Caridi questioned the Applicant about the noise level on the compressors that will be used. The Applicant stated that from 10 feet its 85 decibels, which is less than a diesel truck, and it's 250' from the lot line. The Applicant noted how important it is to them to not have uncomfortable neighbors.

The fire risk is very low when building a natural gas dispensing station as this. There are three tubes of storage that will hold a maximum capacity of 259 gallons of fuel, which is not a lot. The way the plan is designed is that you do not need a lot of fuel. There are compressors designed to produce about 7 gallons a minute.

A picture was shown of what the proposed fast fill station will look like and the envelope of where it will sit on site.

Member Burke questioned if there was enough room to manipulate pulling in and out from the loading bays if there are trucks in the area of the filling station. The Applicant explained how trucks will maneuver the site. Member Burke was concerned with accidents and fires if these trucks need to back up.

The Planning Board questioned the 60' turning radius. The Applicant stated there are heavy duty bollards placed all over the area.

Chairman Caridi questioned the Applicant about the frequency of usage and hours of operation. The Applicant stated there are approximately 30 trucks to start out, eventually there will be 75. The station is capable of handling about 7 trucks an hour the way it is set up. Hours of operation will be all throughout the day. He noted he does not see any expansion of this station in the future.

Mr. Emanuel questioned how often the trucks will have to re-fill. The Applicant responded by stating that “depending on how much they use, and which route they go will depend on how much fuel they need.” The average is about 55 gallons per truck, so it would be daily, but it would not fill up any more than it does now. A continuous line of trucks will be fueling throughout the day, but no additional trucks than there are now.

The Chairman questioned the Applicant on what will happen to the diesel storage unit “down the road” when the natural gas is fully converted over. The Applicant responded by stating more than likely the unit will be removed. The timeline for the process will be approximately 6-8 months from beginning to end. If approved now, the goal would be to be fully operational by the end of the year.

The propane tanks shown on the plan will be removed.

Chairman Caridi opened the public hearing.

Claire DeMaio, 63 Lackawanna Trail, Montebello, New York, suggested to the Board that they put a time frame for idling trucks on the site. Concerned with the amount of noise this will generate so close to the Lackawanna Trail neighbors. There is already a train that comes through at various hours.

Mr. Jerry Bergson, the Applicant’s representative, stated that the Manhattan Beer Dunnigan Drive property is used as a public lot.

Mr. Coakley noted the trucks run with spark plugs, making them significantly quieter than other trucks that run on diesel.

Discussion ensued regarding fueling hours of operations, and 70 decibels per truck of noise.

The Asst. Village Attorney stated that OSHA compares the level of 70 decibels to classroom chatter.

It was suggested to the attending public to make a formal complaint to the police department if village hall is closed, and there is excessive noise coming from the commercial properties that abut Lackawanna Trail.

Richard DiFalco, 18 Lackawanna Drive, Montebello, New York, commented on the amount of trucks refueling all day long, and also voiced concern at the noise this will create. He has lived in this town for 40+ years and has seen a major transformation. He is concerned of the wetlands that are being disturbed, flooding, and the traffic that this proposed project will create on Airmont Road exiting Dunnigan Drive.

Mr. Emanuel stated the village has a very strict standard with water runoff. The water cannot run off the site any faster after construction than it does before construction. This is the standard. There are new DEC regulations that require runoff slower after construction than before.

No one else wishing to comment, Member Iatropoulos made a motion to close the public hearing of the amended site plan and wetland permit for Manhattan Beer Distributors and was seconded by Member Ternquist. Upon vote, the motion carried unanimously.

Chairman Caridi stated that part of the conditional approval and prior to the issuance of a building department permit; the Applicant will have to submit comments from the local fire department.

Ira Emanuel read the resolution granting approval.

RESOLUTION NO. PB- 05 of 2015

Granting Approval of a Wetlands and Stream Protection Permit Application for "Manhattan Beer Distributors, 20 Dunnigan Drive"

WHEREAS, an application has been made by Manhattan Beer Distributors, LLC for approval of a Wetlands and Stream Protection Permit pursuant to Chapter 191 of the Montebello Code for the Manhattan Beer Distributors, 20 Dunnigan Drive, affecting premises designated on the tax map of the Town of Ramapo as Section 55.07, Block 1, Lot 12; and

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

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

WHEREAS, this is a Type II action pursuant to the New York State Environmental Quality Review Act; 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 June 9, 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 June 8, 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 55.07, Block 1, Lot 12, to allow the disturbance shown on a drawing entitled "Manhattan Beer

Distributors, LLC” prepared by Maser Consulting, P.A., dated January 5, 2015, last revised April 30, 2015, consisting of 5 sheet(s), subject to the following conditions:

1. This wetlands and stream disturbance permit is issued in conjunction with a site plan to be approved this date by this Board, and subject to the provisions and conditions thereof.

2. 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 Michael Iatropoulos

SECOND: Member Thomas Ternquist

<u>MEMBERS PRESENT:</u>	<u>YEA or NAY</u>
Anthony Caridi, Chairman	Aye
Jane Burke, Member, Aye	Aye
Michael Iatropoulos, Member	Aye
Thomas Ternquist, Member	Aye
Steven Beldock, Member	Aye
Donald Wanamaker, Member	Aye

Upon vote, the Resolution Carried unanimously.

Mr. Emanuel read the following resolution for Site Plan Approval.

Resolution PB- 06 of 2015

Granting Approval of a Revised Final Site Plan entitled
“Manhattan Beer Distributors, LLC”

WHEREAS, an application for approval of a Revised Final Site Plan entitled “Manhattan Beer Distributors, LLC,” consisting of 5 sheets, dated January 5, 2015, last revised April 30, 2015, has been presented by Manhattan Beer Distributors, LLC; and

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

WHEREAS, a public hearing was held, pursuant to due notice, on June 9, 2015; and

WHEREAS, on February 6, 2015, the Rockland County Planning Department recommended modifications the proposed site plan;

NOW, THEREFORE, be it

RESOLVED, that the Final Site Plan presented by Manhattan Beer Distributors, LLC, entitled "Manhattan Beer Distributors, LLC," dated January 5, 2015, last revised April 30, 2015, consisting of 5 sheets, 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. Rockland County Planning Department recommendations and conditions as stated in its memorandum dated February 6, 2015, it being noted that, although plans and materials were sent to the Village of Airmont by the Clerk to this Board on January 16, 2015, no comments have been received from that Village as of the date hereof.

2. Applicant shall comply with Comments S-1 through S-8 and Comments S-1 through S-4 of the memoranda of Village Engineer Martin Spence dated May 11, 2015 and June 8, 2015, respectively.

3. The compressed natural gas dispensing station may be used only for vehicles owned by the applicant or a related entity. No public dispensing is permitted. A note to that effect shall be added to the site plan.

4. All other site plan requirements set forth in the site plan regulations of the Village of Montebello, and all conditions of the existing site plan approval 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
Thomas Ternquist, Member	Aye
Steven Beldock, Member	Aye
Donald Wanamaker, Member	Aye

Upon vote, the Resolution Carried unanimously.

May 11th comments S-1 through S-8 of the June 11 memo from Martin Spence were added to the resolution.

Member Ternquist made a motion to adjourn the meeting to the July 14, 2015 Planning Board meeting, seconded by Member Beldock. Upon vote, the motion carried unanimously. The meeting adjourned at 8:35 p.m.

FILED

JUL 14 2015

VILLAGE OF MONTEBELLO