

**Village of Airmont
Planning Board
December 14, 2015
Village Hall
8:00pm**

Members Present: Doug Whipple, Chairman
Tom Gulla
Helen Schwabacher
Anthony Santucci
Doug Hook, Ad Hoc
Jeffrey Kirby, Ad Hoc

Others Present: Dan Kraushaar, Deputy Village Attorney
Eve Mancuso, Village Engineer
Kristen O'Donnell, Village Planner
Suzanne Carley, Planning Board Clerk

The meeting was called to order at 8:00pm by Chairman Whipple which was followed by the Pledge of Allegiance and roll call.

Chairman Whipple appointed Jeff Kirby as a voting member.

Anthony Santucci made a motion to approve the October 22, 2015 meeting minutes. Tom Gulla seconded it. All in favor. Motion carried.

**Lubavitch of Monsey
25 South Monsey Road
Public Hearing**

Present for the meeting: Avraham Hayman–School President; Ira Emanuel –Attorney; Tom Skrable - Architect

Ira Emanuel – Previously appeared before the PB and they were granted approval to demolish one house, retain one house to build a school and put in a parking lot. The school has been in operation since 2012. The enrollment is increasing and they have found a need for 3 additional classrooms. The house that was retained was originally planned for a caretaker.

Avraham Hayman indicated that although they planned for a caretaker house it was never used for anything other than storage.

Ira Emanuel noted that they want to do accessory work and add 8 additional parking spaces along the south west side of the parking area. There currently is a small embankment area that would be used. Remaining on plan are the 15 net parking spots in accordance with original site plan which was triggered by the schools need or the Building Inspectors need for it to be there.

Eve Mancuso reviewed her letter dated December 14, 2015 from Brooker Engineering. There were questions on the increase in staff anticipation. Avraham Hayman responded that three classrooms and three teachers are necessary. Eve Mancuso noted that a new striped crosswalk is proposed to direct the students to the new classrooms. She also noted that the new parking stalls will need to be paved. She asked if they anticipate further additional parking requirements as there was a discussion of crossover with teacher staff and parking area space. The applicant responded that they are comfortable with eight spaces. Testimony on the issues with the pervious pavement previously used was requested. Tom Skrable noted that the sharp turning movements were the initial issues then the combination of mix and workmanship. They will be using a different contractor.

Kristen O'Donnell –noted that the parking table on the original approved site plan and the new proposed 9 required, but adding 8, raised a concern as to what was in reserve. The future spots shown assume a loss of 5 of the 8. Looks like some of the spaces get shorter. She would like to see all the spaces the same size and ensure that they are not blocking traffic circulation. Tom Skrable noted that the reserve shows a net loss of 6 or almost all and that 55 future spots are shown. Eve Mancuso noted that 9 x19 with an overhang is the standard on parking spaces. She also advised that they need to ensure the back-up isle is a sufficient depth of 19 ft.

Kristen O'Donnell- No zoning implications. This is a Type II Action of SEQR, the short EAF form is fine that was submitted nothing else needs to be done.

Chairman Whipple – any mention of sprinklers. Eve Mancuso noted it will be built to code.

Tony Santucci – asked if there will be any additional lighting. Tom Skrable noted just a light at the door for safety purposes.

Dan Kraushaar asked if the garage doors will be changed. Ira Emanuel indicated that they will be. Dan also noted that the GML was not received yet so the PB can't act.

Chairman Whipple opened the Public Hearing at 8:15pm Tony Santucci seconded it. All in favor. Motion carried. Public Hearing opened:

Pamela DaRosa, 25 Fawn Hill Drive – owns the property directly behind the school and the caretakers building with parking. She mentioned that there was a lot of run off of water in rain storms from the initial paving. She inquired as to how much more there would be if there more parking spaces added. Trees are down from the storm in addition to the ones proposed to come down so now she can see everything. Her yard is used as a cut through area. She noted that every Saturday and every single night except Sunday and Friday evening the school is being used. The school is being used more than just the proposed school hours. She was at the initial PB meeting when the school was proposed and the hours are not what they said they would be. She's very concerned on the issue of how much run-off and drainage there will be on her property. She's also concerned with the safety factor of men walking through her property as she does not want to be liable

for injuries. She also wants the walking through her yard stopped. She plans on putting her property up for sale after the new year.

Tom Gulla asked if her property is level with theirs. Mrs. DaRosa responded that her property is lower a good drop below and they did put a drainage easement in with a retaining wall when the school was built. In terms of the landscaping, in the summer it's not as much of a big deal, however in the winter when the tree leaves are off it is. She can see everything going on at the school as well as the people cutting through. Tom Gulla suggested that additional landscaping would help, perhaps pine trees. Mrs. DaRosa noted that she has baby pines that need to grow, most of the huge trees were taken down and she wants to keep the trespassing from continuing. She has put signs up as well. Again her two concerns are liability with her property being used as a cut through and more water coming in.

Ira Emanuel indicated they will address the issue of the run off. Tom Skrable indicated that as far as he knows the system has never backed up and it would be noted in the catch basin. It's a substantial retention system built under the playground that is functioning as it's supposed to. If there are issues along the stream they could be due to a number of things. He believes it is working properly and does not know of any run off issues due to this project. Mrs. Da Rosa indicated that she has lived there for 25 years and there was never an issue until the school was built. Tom Gulla asked that the engineer look at this for the next rain storm. Ira noted that they will have an internal meeting.

Tom Gulla mentioned that indoor sprinklers may be required and if so to show it on the site plan. Ira Manuel noted they would build it into the plan.

Chairman Whipple made a motion to continue the public hearing to January 28, 2016 at 8:00pm at Village Hall. Tom Gulla seconded all in favor. Motion carried.

**Saddle River Road LLC
424-426 Saddle River Road
Amended Site Plan
Continued Public Hearing**

Ryan Karben, Attorney for the applicant formally requested an adjournment to the January 28, 2016 meeting. Chairman Whipple made a motion to continue the Public Hearing until January 28, 2016 at 8:00pm at Village Hall. Tony Santucci seconded it. All in favor. Motion carried unanimously.

**Water Wheel West
260 Route 59
Informal Session
Signage & Amended Site Plan**

Present for the meeting are the applicants Joe and Valerie Rinaldi, Zudd Wishnow and Attorney Ken Moran. They are appearing before the PB as an informal application to get an idea if the signage would be something that the PB would approve.

The site plan originally approved for the Dunkin Donuts is all developed. They are only proposing the items on the plan that are noted by a cloud so that you can differentiate them. The bank that is located on the site plan is now vacant and they have a potential tenant. This is a VC Zone with 2+ acres and a separate area for Dunkin Donuts.

Ken Moran indicated that they would like to use the vacant Bank building next to the Waterwheel and convert it into a Taco Bell. It has enough parking as it currently has 51 existing spaces. The requirement for a Dunkin Donuts/Taco Bell based on the Village code would be 42 spaces. They are proposing 55 spaces – adding 4 new spaces on the western corner.

They are proposing a few minimal changes to adapt the Taco Bell:

- Four new parking spaces; don't necessary need but can't hurt to have
- A loading zone
- A clearance bar on the drive-thru
- In the front proposing a different sign. Currently there is a monument sign that was approved as a Dunkin Donuts/Baskin Robins but because of the location of the site it is very difficult to see which is not good for business or cars.

They propose to move the sign closer to the road off the right away within the Village code requirements otherwise you pass it when driving.

Zudd Wishnow – owners for the Dunkin Donuts and planned the Taco Bell. Want to show the lack of visibility when driving by the property. Googled from Google maps a photo of what it looks like and what the size of the proposed sign would be which he handed out to everyone. It demonstrates the proposal for the monument sign - what it would look like from road, the size, etc. The second print out shows 2 different options that were discussed at CDRC.

Ken Moran – the only other item is a menu board that would be in the rear of building as the cars go around stop, place order and go to the window. Everything meets regulations other than the sign. The normal monument is 40 sq. ft. this sign is bigger as it is a sign for two buildings and they are proposing a 2 sided sign with a total of 76 sq. ft.

This new sign would be approximately 2 ft. higher than the current sign. The sign is currently obscured by the traffic pole. People pass the property and it don't realize

what's there until they have driven by so they changing it for both visibility and public safety

Chairman Whipple asked them to confirm that the sign is bigger than what is allowed and closer to the side walk but within the regulations. Kristen O'Donnell mentioned that 15ft. outside of pavement. Ken Moran confirmed that it is within the code.

Ken Moran also advised that there is a provision in the code which allows the PB to waive/make adjustments for special circumstances of a particular site.

Eve Mancuso – noted more visible signage may be a safety concern. In this instance it is important to have and ensure sight lines are shown as matter of formality.

Kristen O'Donnell – don't have all dimensions of the signs yet. Talked about at CDRC to put together a formal chart like a comparison table proposed vs. regulations vs. what needed and square footage. There are no provisions in the code for a menu board but it has been done in other instances and they have been approved. It's less of an issue with less visible conditions. She does agree visibility is a concern as the bank is set back very far. Will need to review all signs on the building as well.

Dan Kraushaar asked why didn't submit the sign plan with the brick. Ken Moran indicated that they aren't going for the same sign. Zudd Wishnow noted that he only brought one sample to the meeting. Chairman Whipple indicated that he would like to see all the options.

Zudd Wishnow noted he wanted to get a sense from the PB if this adjustment would be something that the board would be willing to do. They probably wouldn't do this project unless this adjustment would be approved.

Chairman Whipple asked other Board members if they had any concerns. No one noted any concerns.

Dan Kraushaar asked if it is the consensus of the Board that this something that you would entertain and not automatically be adverse to? Boards response:

- Helen Schwabacher, Jeff Kirby and Anthony Santucci are fine with it.
- Tom Gulla needs more information
- Chairman Whipple agreed with Tom Gulla but noted that it seems viable

Ken Moran - the main concern is the sign but they will submit a preliminary site plan and meeting package. No variances are required. They are using an existing building and not changing much on the outside, only the inside.

Dan Kraushaar – This will require a GML and DOT Review. Both Kristen O'Donnell and Dan Kraushaar reminded them that they need to submit a site plan and the next step is to go back to CDRC with a proposed site plan before going back to PB. They might get changes and feedback from CDRC before going back to the PB.

Eve Mancuso suggested for them to use the as built plan as a base map not the proposed or there will be a lot of confusion.

New Business – Clerk asked if there are any comments from the other counties GML that was sent out, in particular to the Springmeyer & Lerner. No one on the PB had any concerns.

Tony Santucci made a motion to adjourn the meeting at 9:05pm. Jeff Kirby seconded it. All in favor. Motion carried. Meeting adjourned.