

**Village of Airmont  
Planning Board  
February 25, 2016  
Village Hall  
8:00pm**

**Members Present:** Doug Whipple, Chairman  
Tom Gulla  
Anthony Santucci  
Helen Schwabacher  
Jeffrey Kirby  
Donald Hook, Ad Hoc  
Jaime Harsha Troy, Ad Hoc

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

The meeting was called to order at 8:05pm by Chairman Whipple which was followed by the Pledge of Allegiance and roll call. Jaime Harsha Troy was introduced as the new ad hoc Planning Board Member.

Continued Public Hearing on **Saddle River Road LLC** which was requested to have an adjournment. Motion made by Anthony Santucci to continue the public hearing on Saddle River Road LLC to the March 1, 2016 PB Meeting at Airmont Village Hall. Helen Schwabacher seconded the motion. All in favor. Motion carries.

Continued Public Hearing on **Interstate Toyota** which was requested to have an adjournment. Motion made by Anthony Santucci to continue the public hearing to the March 1, 2016 PB Meeting at Airmont Village Hall. Tom Gulla seconded the motion. All in favor. Motion carries.

Continued Public Hearing on **Congregation Echo Ridge** which was also requested to have an adjournment. Motion made by Anthony Santucci to continue the public hearing on Congregation Echo Ridge to the March 1, 2016 PB Meeting at Airmont Village Hall. Helen Schwabacher seconded the motion. All in favor. Motion carries.

**Waterwheel/Taco Bell  
260 Route 59  
Fast Food Restaurant  
Amended Site Plan**

Ken Moran, Attorney for the applicant and Bill Johnson of Sparaco Engineering were present for the applicant.

Ken Moran – advised they were at PB for the conversion of the Bank Building to a drive-thru Taco Bell. Applicant plans to put a Taco Bell in the empty former Citizens Bank building which is next to Dunkin Donuts.

On the site plans the colored area was added from the original site plan to visually see what was added.

The revised amended site plan now shows the following from comments at CDRC:

- Snow storage
- Trash receptacles (11)
- Dumpster enclosures in the rear parking area in rear of building
- Sign dimensions
- Bulk table added for monument signs

Shows the proposed sign on Route 59. Coming from Suffern going East you can't see the building until after you pass it. They are proposing a sign 17 ft. off the road although 15 ft. is required. The only modification is the size that the PB has the authority to waive and they are requesting. The total is 72 sq. ft. while the regulation states 40 ft. on both sides. They are asking for a 72 sq. ft. sign for purposes of helping the public safety and to benefit those driving by to see it prior to passing it by.

Kristen O'Donnell – the distance between the pavement and sign is shown as 8 ½ ft.

Ken Moran – No its 17 ft. Kristen O'Donnell asks what is the height?

Ken Moran- Overall height with base is 10 ft.

Kristen O'Donnell advised that the maximum height for monuments is 4 ft. Therefore its more than just a waiver for square footage, it is also for height which are two separate issues and two separate regulations.

Ken Moran – Dunkin Donuts and Taco Bell are in 2 different buildings so we are proposing 1 sign rather than 2. In theory it would be 2 signs of 40 sq. each however putting it into one.

Ken Moran – You had asked for the elevations of the Taco Bell. They are shown on map in color only difference is that it has a Taco Bell sign with a bell. They already have a drive through proposing it for food.

Anthony Santucci – the site has 3 entrances are you keeping them all?

Ken Moran - Have additional parking, one for the drive through.

Bill Johnson shows the parking vs. drive-thru area.

Ken Moran – menu board in the rear of the building would be similar to that of Wendy's and have all the changes discussed at the informal PB and CDRC meetings. Asking for a Taco Bell which is a permitted use

Kristen O'Donnell – the sign code says 15 ft. from edge of pavement and is not, it's from the right of way. The 17.8 ft. is not clearly from where it was measured from. It is not the edge of the pavement. Definition of Monument sign does not permit more than one business to be listed in a plaza. However currently all three- the Bank, Dunkin Donuts and Baskin Robbins currently exist. You could do two signs or a directory sign but either are not a better option either. She believes the current sign was a compromise to reduce the size of it. The number of business identifications if the Board approves, has a better option over 2 monument signs. Additionally, the other waivers are the height of sign - 4ft. is code they are asking for 10ft. The front and back are counted for total height and number of businesses. The code counts square footage on both signs, exceeds number of businesses, total height and total square feet. On the illumination of signage is it internally illuminated? There are no hours provided. Is this on 24 hours or will there be set hours?

Bill Johnson indicated that the hours would be until 11 pm.

Kristen O'Donnell – Noted that that's the standard time that signs are turned off even on the NS side of the street. She recommended that it be put on the plan. Another issue to be waived – total number of signs on the building. Village Code permits one sign per façade and they are proposing three. There are no regulations for a drive through or a menu board. Only viewed as a sign. A total number of signs that they would need, needs to be waived by the Board. Not visible off property so it's not something that will be an issue or a concern. Will we need to put a waiver in the resolution. She also indicated that the parking is calculated different than the narrative and is inconsistent than what is noted on the plan. The code is 1 space for every 40 sq. ft. and 2 seats capacity. Plans need to be consistent with zoning regulations.

Matt Ryan – 65 spaces required per queuing area. Narrative states 25% which is 53 spots. May need a parking waiver. Need to see the calculation. Would like to see calculation on the plan to see if the warranted. Needs to say 1 per 2 seats and queuing area.

Ken Moran- I believe they meant area on the inside not parking.

Kristen O'Donnell – how did you get to this number and ensure you put it on the plan?

Kristen O'Donnell – Need for it to say customer service area and 1 per 2 seats. (200 sq. ft.) Require 42 have 53 spaces on the latest site plan parking calculations. Narrative and plans do not match.

Ken Moran – are you looking at narrative with the new application. It's revised and does not have a date. That's why there is a difference. I believe you looking at the older narrative from 11/15/15. The new one is attached to the application in the back.

Kristen O'Donnell –Parking for trash receptacles - 4 divided by 53 and every 10 sets. Definitely no more garbage cans, however would want the numbers to be consistent. 1 per for 4 if you take 4 divided by 53 it doesn't add up.

Ken Moran- 53 total for the whole site. When you calculate Taco Bell and if you additional spaces for Dunkin Donuts.

Kristen O'Donnell – wants to see the numbers on the map to be consistent with the number of spaces per Taco Bell so it's clear.

Ken Moran – have 11 just for Taco Bell

Kristen O'Donnell – That is plenty.

Tom Gulla – Kristen can you confirm the percentage of waiver?

Kristen O'Donnell- For parking calculations required 42 and provided 53 with both uses together.

Eve Mancuso - wants to clarify of set up to sign. The purpose is not to block site distance. It reaches the edge of pavement. Sign is in a good position additional signage added to handle the connection. She also mentioned the letter from Kim Wepler, Fire Inspector which noted that over the course of the last few years the connection to the DD drive-thru to the Taco Bell should be addressed with additional signage to be added at the entrance drive so DD customers know how to get through to avoid congestion to the new Taco Bell on site. This can be done with pavement markings.

Ken Moran – pavement markings suggested will add in.

Eve Mancuso – suggested this be a condition of any approval shown on the site plan.

Ken Moran – we will indicate pavement markings with directional.

Dan Kraushaar – also show it on the site plan. Feels county will come up with the same comments.

Eve Mancuso – Engineering items have been addressed and discussed.

Dan Kraushaar – doubt when this site was first approved that it had a Storm Water Management Agreement. As it's an existing functioning site, it would be required and nothing is being added building wise. It does have existing storm water features. State changed law with security so we need to add this in as well.

Dan Kraushaar –Ensure we have a fire lane enforcement agreement as well. The comment in regards to a road widening from DOT. Read into the record letter from DOT dated 2/24/16. If needed we would need deeds, title report, conveyance documents, irrevocable of dedication, filing fees and a meets and bound description if this was not done previously. If done put filing information on first page with the County clerk. If not everything he described in his letter applies. For the record if done put the filing information on first page, items listed.

Dan Kraushaar read into the record:

- DOT letter dated 1/24/16,
- RC Sewer 2/17/16 – standard comments
- RC Environmental Health 2/22/16
- NY DOT 1/24/16
- Town of Ramapo 2/22/16

Plans were sent out the day they were received 2/12/15. Rockland County Planning has 30 days from receipt to comment therefore PB cannot take action on the application tonight. Subject to the opinion of Village Engineer and Village Planner recommend until we receive GML not take action under SEQRA a possibility that they could raise issues to Environmental Review which would impact on any SEQRA decision. However has no objection for PB declaring itself as lead agency for the Village of Airmont.

Anthony Santucci made a motion to declare Village of Airmont PB lead agency under SEQRA. Helen Schwabacher seconded it. All in favor. Aye.

Chairman Whipple opened the Public Hearing at 8:35pm, Anthony Santucci seconded it. All in favor. Motion carries. For the record no one spoke.

Bill Johnson Sparaco – explains response to Town of Ramapo DPW. For the record it's based on the letter dated from Steve Sparaco 2/25 in response to a letter from Mr. Gdanski dated 2/22/16.

Jeff Kirby – in terms of the sign, what determined the height of this sign?

Ken Moran -made different tests based on the visibility.

Tony Santucci – how big is the bell?

Ken Moran - 4 ft. wide

Zudd Winslow, franchise owners – no one can see the sign and building coming from West to East anything less than this would have no visibility. Cannot build a Taco Bell based on the current site conditions.

Anthony Santucci – if you have a 6 ft. sign if you knock off the 4 ft. bell or make it smaller to know that it is a Taco bell.

Zudd Winslow –more importantly need for it to be large enough for everyone to see it.

Bill Johnson – sign is down close to road level. Site is 4 ft. higher therefore sign is 6 ft. above the hump.

Chairman Whipple – indicated he was not happy with the sign. Asked them if they could provide a smaller sign as they are 50% over code. Disagree with not seeing a smaller sign, provide one larger than our code, but smaller than this one. Give us a rendering to see what it looks like.

Bill Johnson – would the Board be agree to a sign side by side vs. on top?

Chairman Whipple - Give us a rendering to see what it looks like.

Tom Gulla – its 2 ½ x the size, double the square ft. They need to go smaller to 8 feet.

Ken Moran- it's a very unique site the way it's located. Everyone wants a big sign but this site would require it. How do you determine average grade.

Ken Moran – asking PB to take a look at it for comments before the next PB meeting.

Chairman Whipple – advised them to submit several sign opportunities as alternatives with a smaller sign having the Taco Bell and bell smaller, one side by side or two signs to see the differences and what they look like. This would be done at the next PB Meeting.

Chairman Whipple made a motion to continue Waterwheel West/Taco Bell to the March 24, 2016 PB Meeting at 8pm at the Village of Airmont. Anthony Santucci seconded it. All in favor motion carries.

PB Clerk –submitting to the Village Clerk a request that the PB Meetings formally change to start at 7:30pm beginning May. Clerk also advised that she has received numerous requests for the 4/28 meeting to be changed due to Passover. Will email everyone some dates for week prior or after.

Anthony Santucci made a motion to adjourn the meeting at 9:52pm. Jeff Kirby seconded it. All in favor. Aye. Meeting Adjourned.