

The Planning Board of the Village of Montebello held a meeting on Tuesday, July 14, 2009 at the Montebello Community Center, 350 Haverstraw Road, Montebello, New York. Chairman Rubin called the meeting to order at 7:17 p.m. and led everyone in the Pledge of Allegiance.

PRESENT

Al Rubin, Chairman  
Jane Burke  
Tom Campbell  
Anthony Caridi  
Jonathan DeGraw  
Michael Iatropoulos

OTHERS

Brian Brooker, Village Engineer (7:40 p.m.)  
Ira Emanuel, Assistant Village Attorney  
Robert Geneslaw, Village Planner  
Martin K. Spence, Village Engineer (8:05pm.)  
Gloria Scalisi, Planning & Zoning Clerk

Member Iatropoulos made a motion to approve the minutes of June 9, 2009, seconded by Member Campbell. Upon vote, the motion carried unanimously.

**Weinberger Subdivision –  
Final Subdivision**

Application of George Weinberger, 1757 East 23<sup>rd</sup> Street, Brooklyn, New York 11229 for an approval of a final Plat for a subdivision entitled “Weinberger Subdivision” consisting of 84.25 acres of which approximately 17.62 are wetlands. The subject is located on the south side of Grandview Avenue approximately 900 feet east of Spook Rock Road and west of Martha Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 41.13 Block 2, Lots 5 and 6 and Section 41.17 Block 1, Lots 5 and 6 in a RR-50 Zone. The Applicant had previously received preliminary subdivision approval for 48 building lots, plus one lot for open space. Since that time, the plan has been revised to eliminate two of those lots, leaving 46 proposed building lots, plus one lot for open space.

Burt Dorfman, the Applicant’s Attorney, is requesting Final Subdivision Approval and explained that the Applicant has provided the Board with all the documents that the Planning Board requested including the release of Land Rule Rights that was signed this evening by Mr. George Weinberger and notarized by the Assistant Village Attorney, Ira Emanuel.

Member Burke questioned the Applicant on having surveys for initial individual lot purchases to show location of wetland boundaries and wetland markers as they appear in the plan set and a note to this effect shall be added to the plat. Dennis Rocks, the Applicant’s attorney, stated that plat note number forty indicates that.

Mr. Emanuel briefly discussed some of the changes that were already agreed and resolved.

Chairman Rubin noted that after many years the Planning Board's views and thoughts have been incorporated into the final resolution.

Mr. Ira Emanuel, Assistant Village Attorney, read the Resolution into the record:

RESOLUTION PB- 04 OF 2009  
Granting Approval of a Subdivision Entitled "Weinberger"

WHEREAS, an application has been made by George Weinberger for final approval of a subdivision plat entitled "Weinberger", affecting premises designated as Section 41.13, Block 2, Lot 5 and 6, and Section 41.17, Block 1, Lots 5 and 6 on the Tax Map of the Town of Ramapo; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, this Board, as lead agency, issued a positive declaration, and, based upon the Environmental Impact Statement prepared in this matter, issued findings which are on file in the office of the Clerk to this Board; and

WHEREAS, pursuant to the said findings, and as authorized by a resolution of the Village Board to apply cluster techniques to the proposed plat, this Board processed, as the proposed preliminary subdivision plat, the preferred alternative arising from this Board's findings; and

WHEREAS, in connection with the authorization to use cluster techniques, the applicant has offered to dedicate the wetlands areas noted on the maps in the westerly portion of the site, and areas contiguous to said wetlands, to the Village in order to protect the wetlands resource, and has further recognized that such dedicated areas are not suitable for parks and recreation uses, and will not be counted toward the applicant's contribution for parks and recreation lands; and

WHEREAS, the Village Board has indicated that it will accept such offer of dedication at the appropriate time; and

WHEREAS, preliminary approval was granted by this Board on June 12, 2007; and

WHEREAS, on June 12, 2007, the Rockland County Planning Department recommended modifications to the proposed final plat; and

WHEREAS, additional modifications to the proposed final plat were required as a result of requirements of the New York State Department of Environmental Conservation, which modifications required the deletion of two residential lots and the relocation of certain drainage structures; and

WHEREAS, a public hearing was held with respect to the final plat application, said public hearing having been closed on June 9, 2009; and

NOW, THEREFORE, be it

RESOLVED, that the plat entitled “Weinberger”, consisting of 54 sheets (hereinafter “the Plan Set”), as identified in Schedule A annexed hereto, affecting premises designated as Section 41.13, Block 2, Lot 5 and 6, and Section 41.17, Block 1, Lots 5 and 6 on the Tax Map of the Town of Ramapo, be and hereby is approved, and the Chairman is hereby authorized to sign same and to permit same to be filed in the office of the Rockland County Clerk, upon payment of any and all outstanding fees to the Village of Montebello, subject to the following:

1. The approval granted herein is based upon the Plan Set, and there shall be no deviations from the Plan Set except as specifically set forth herein or as expressly permitted by the subdivision regulations of the Village of Montebello without the express prior permission and approval of this Board. This condition, and all other conditions hereof, shall be binding upon the applicant, its successors and assigns, including, without limitation, the subsequent owners of individual lots in the subdivision. A note to this effect shall be endorsed upon the plat to be filed in the Office of the Rockland County Clerk, or, if the plat is to be filed in sections, upon each section of the plat to be filed.

2. Rockland County Planning Department conditions as stated in its memorandum dated June 12, 2007, except to the extent that said conditions relate to the approval of the Rockland County Highway Department. Said approval is dealt with below.

3. Conditions of the Rockland County Highway Department letter dated June 4, 2007, provided, however, that (a) the dedication referred to in item 1 of said letter shall be offered to the Village of Montebello; and (b) this Board has fully considered pedestrian traffic, and has determined that a pedestrian crossing count analysis is not needed, and that no sidewalks shall be built anywhere in the subdivision, including along Grandview Avenue. To the extent that the foregoing is considered a recommended modification of the Rockland County Planning Department, they are to be deemed overridden.

4. All conditions and findings of the Findings Statement issued as a result of the Environmental Impact Statement completed herein.

5. All conditions of the Preliminary Approval dated June 12, 2007.

6. All items contained in the memoranda of Brooker Engineering, PLLC, the Village’s engineering consultant, dated June 9, and June 30, 2009.

7. All items contained in the letter of Robert Geneslaw, the Village’s planning consultant, dated June 8, 2009.

8. As agreed to by the applicant, the litigation commenced by the applicant against the Village of Montebello in the Supreme Court of the State of New York, County of Rockland, under Index No. 2004-5589, shall be formally discontinued in all respects, without award to applicant, prior to the signing of the plat by the Chairman of this Board.

9. This Board reaffirms its finding that, based upon studies previously conducted, there is a need for additional park and recreation land within the Village, that this need shall be increased as a result of the increase in population which will result from the proposed project, and that there is insufficient land available in the premises to be subdivided to warrant setting aside a portion thereof for parks or recreation, and therefore directs that money be paid to the Village in lieu of land in the amount set forth in the Village's Schedule of Fees.

10. If plans submitted for a building permit or certificate of occupancy for any individual home show a deviation of any finished floor elevations of  $\sqrt{2}$  feet, as compared with the finished floor elevations shown on the Plan Set approved by this Board herein, then such lot shall return to this Board for individual site plan review prior to the issuance of a building permit, certificate of occupancy or subsequent inspection. It shall be a condition of this approval, binding upon the applicant, its successors and assigns that the Building Inspector may issue a stop work order on construction on any lot where such a deviation exists without the approval of this Board.

11. Houses shown on the plans in the Plan Set without basement floor elevations (denominated "B.F.") shall not have basements or below grade stories.

12. The applicant has requested permission to file the approved plat in the Office of the Rockland County Clerk in four sections, pursuant to the provisions of section 7-728.7(b) of the Village Law. A plan for sectional filing is included in the Plan Set upon which this Board has granted this approval. The applicant is hereby granted permission to file the approved plat in four sections, as set forth in the Plan Set drawings dated January 22, 2008, last revised June 17, 2009, and designated sheets SPSEC A, B, C and D, respectively, provided, however, that Section A thereof shall be filed first; Section B thereof may be filed after Section A is filed, but not before Section A is filed; Sections C and D thereof may be filed at any time after Sections A and B are filed, but not before Sections A and B are filed. Nothing herein shall be deemed to compel the filing of any of said Sections.

13. Plat note 34 shall be deleted from the plat. The existing easement to Home Gas Company, running generally through proposed lots 1, 2, 3, 4, 5, 6, 7, and 47 in the southerly portion of the premises, shall be extinguished of record in the Office of the Rockland County Clerk, and the notation of said easement shall be removed from the Plan Set prior to the signing of the plat by the Chairman.

14. Landscaping and screening surrounding the storm water management facilities located between proposed lots 14 and 15 shall be reviewed and approved by the Village's said Engineering Consultant and the Village's Planning Consultant, Robert Geneslaw.

15. Signature of the Chairman of the Rockland County Drainage Agency pursuant to the requirements of section 13-A of the Rockland County Stream Control Act (L. 1975, Ch. 846, as amended).

[See Schedule "A" Attached]

**SCHEDULE "A" - WEINBERGER SUBDIVISION  
LIST OF DRAWINGS**

<b>NO.</b>	<b>DESCRIPTION</b>	<b>ORIGINAL DATE</b>	<b>LATEST REVISION DATE</b>
1	TITLE SHEET	5/16/2007	6/17/09
2	FINAL SUBDIVISION PLAT	8/9/2007	6/17/09
3	KEYMAP & SITE OVERVIEW PLAN	5/16/2007	5/4/09
4	LAYOUT PLAN (1 OF 4)	8/9/2007	6/17/09
5	LAYOUT PLAN (2 OF 4)	8/9/2007	6/17/09
6	LAYOUT PLAN (3 OF 4)	8/9/2007	6/17/09
7	LAYOUT PLAN (4 OF 4)	8/9/2007	6/17/09
8	GRADING AND DRAINAGE PLAN ( 1 OF 4)	5/16/2007	6/17/09
9	GRADING AND DRAINAGE PLAN ( 2 OF 4)	5/16/2007	6/17/09
10	GRADING AND DRAINAGE PLAN ( 3 OF 4)	5/16/2007	6/17/09
11	GRADING AND DRAINAGE PLAN ( 4 OF 4)	5/16/2007	6/17/09
12	UTILITY PLAN ( 1 OF 4 )	5/16/2007	6/17/09
13	UTILITY PLAN ( 2 OF 4 )	5/16/2007	6/17/09
14	UTILITY PLAN ( 3 OF 4 )	5/16/2007	6/17/09
15	UTILITY PLAN ( 4 OF 4 )	5/16/2007	6/17/09
16	EROSION CONTROL PLAN ( 1 OF 4 )	5/16/2007	6/17/09
17	EROSION CONTROL PLAN ( 2 OF 4 )	5/16/2007	6/17/09
18	EROSION CONTROL PLAN ( 3 OF 4 )	5/16/2007	6/17/09
19	EROSION CONTROL PLAN ( 4 OF 4 )	5/16/2007	6/17/09
20	ROAD PROFILES ( 1 OF 4)	5/16/2007	6/17/09
21	ROAD PROFILES ( 2 OF 4)	5/16/2007	6/17/09
22	ROAD PROFILES ( 3 OF 4)	5/16/2007	6/17/09
23	ROAD PROFILES ( 4 OF 4)	5/16/2007	6/17/09
24	STORM PROFILES ( 1 OF 4)	5/16/2007	5/4/09
25	STORM PROFILES (2 OF 4)	5/16/2007	5/4/09
26	STORM PROFILES ( 3 OF 4)	5/16/2007	5/4/09
27	STORM PROFILES ( 4 OF 4)	5/16/2007	5/4/09
28	SANITARY PROFILES ( 1 OF 2)	5/16/2007	5/4/09
29	SANITARY PROFILES ( 2 OF 2)	5/16/2007	5/4/09
30	WATER MAIN PROFILES ( 1 OF 2)	5/16/2007	5/4/09
31	WATER MAIN PROFILES ( 2 OF 2)	5/16/2007	5/4/09
32	WATER CONSTRUCTION DETAILS	5/16/2007	5/4/09
33	CONSTRUCTION DETAILS ( 1 OF 4)	5/16/2007	6/17/09
34	CONSTRUCTION DETAILS ( 2 OF 4)	5/16/2007	5/4/09

35	CONSTRUCTION DETAILS ( 3 OF 4)	5/16/2007	6/17/09
36	CONSTRUCTION DETAILS (4 OF 4)	10/17/2007	6/17/09
37	CULVERT DETAILS	5/16/2007	5/4/09
38	CULVERT & UTILITY PROFILES	1/14/2008	5/21/09
39	STORMWATER POLLUTION PREVENTION PLAN	5/16/2007	5/21/09
40	PLANTING PLAN	5/16/2007	6/17/09
41	TREE SURVEY (1 OF 4)	5/16/2007	5/21/09
42	TREE SURVEY (2 OF 4)	5/16/2007	5/4/09
43	TREE SURVEY (3 OF 4)	5/16/2007	5/4/09
44	TREE SURVEY (4 OF 4)	5/16/2007	6/17/09
45	EXISTING TREE SCHEDULE	5/16/2007	5/4/09
SEC-A	SECTION A PLAN	1/10/2008	6/17/09
SEC-B	SECTION B PLAN	1/10/2008	6/17/09
SEC-C	SECTION C PLAN	1/10/2008	6/17/09
SEC-D	SECTION D PLAN	1/10/2008	6/17/09
SPSEC-A	FINAL SUBDIVISION PLAT SECTION A	1/22/2008	6/17/09
SPSEC-B	FINAL SUBDIVISION PLAT SECTION B	1/22/2008	6/17/09
SPSEC-C	FINAL SUBDIVISION PLAT SECTION C	1/22/2008	6/17/09
SPSEC-D	FINAL SUBDIVISION PLAT SECTION D	1/22/2008	6/17/09
INFO	INFORMATION DRAWING - SITE SURVEY (SURVEY PREPARED BY WILLIAM D. YOUNGBLOOD DATED MARCH 7, 2007)		

Motion: Al Rubin, Chairman

Second: Michael Iatropoulos, Member

Upon vote, the Resolution carried unanimously.

**Emerald Pines – Public Hearing – Continued**  
**Final Subdivision**  
**Wetlands Permit**

Application of Rockland Estates Homes, LLC, 301 North Main Street, New City, New York 10956 for approval of a Final Subdivision Plat and Wetlands Permit entitled Emerald Pines consisting of 4 lots from 10.127 +/- acres located on the North side of Viola Road approximately 600 +/- feet West 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 17 in a RR-50 Zone.

The Applicant has submitted a request for an adjournment until the September 8<sup>th</sup> Planning Board meeting. Member Iatropoulos made a motion to adjourn the Public Hearing for Final Subdivision and Wetlands Permit

Approval of Emerald Pines, as per the Applicant's request, until the September meeting of the Planning Board on September 8, 2009, seconded by Member Campbell. Upon vote, the motion carried unanimously.

Chairman Rubin made a motion that Emerald Pines needs to formally notify the Public with the same formalities and procedures as if it were an initial notice of a Public Hearing, seconded by Member Campbell. Upon vote, the motion carried unanimously.

### **Congregation Shaarey Israel – Public Hearing – Continued Amended Final Site Plan Approval**

Application of Congregation Shaarey Israel, 18 Montebello Road, Montebello, New York 10901 for an Amended Final Site Plan Approval to permit the construction, maintenance and use of a playground and revision to Lighting of Monument Signs. The subject property is located on the West side of Montebello Road approximately 1000 feet North of Airmont Road and is known and designated on the Ramapo Tax Map as Section 55.07 Block 1, Lot 1 in a RR-50 Zone.

Barry Haberman, the Applicant's attorney stated that the Congregation submitted revised plans and revised planting plans and would like the Planning Boards comments.

Chairman Rubin asked the Applicant if they received Martin Spence's, Village Engineer, letter dated July 11, 2009 (copy attached). Chairman Rubin expressed his concern with the Applicant's lack of cooperation in mitigating the environmental impacts to the Village. The discussion for the Playground began in mid April with CDRC meetings and subsequent Planning Board meetings and it is July and the Application has not moved forward. The Chairman's concerns are that it is an Amended Site Plan and the location of the Playground at the entrance to the Village and adjacent to a resident. The Planning Board is interested in reducing the noise level and the site from being seen from Montebello Road. Chairman Rubin noted that the Planning Board has proposed trees and landscaping plans for the area. Chairman Rubin also noted that the Planning Board has commented extensively at previous Planning Board meetings with the Applicant and feels that the Applicant has discarded the advice and comments of the Planning Board. Chairman Rubin proposed to turn down the application.

Mr. Haberman stated that if the Planning Board feels strongly that they should turn down the application then they should do so.

Mrs. Sherri Newmark, 70 South Parker Drive, Monsey, New York questioned the number of children using the playground. Mrs. Newmark stated that the Congregation has an aging population. Chairman Rubin replied that the Playground is four thousand (4000) square feet and believes it is there to serve the Congregants children. Chairman Rubin expressed that it is possible the Congregation will grow and new younger families will become members. Chairman Rubin noted that the playground is not being built for today but for the future of the Congregation.

Mr. Haberman stated that the Congregation has planted 26 trees that will shield the neighbors view within time. The Congregation is not willing to completely surround the playground with trees so that when the children come out to play they are completely devoid of light. Mr. Haberman stated that if that is what the Planning Board wants then they should turn down the application. Mr. Haberman also stated that the way the property is configured now that is the only place to put the playground. Mr. Haberman declared that if it is the position of the Village that children should not be seen playing then the Planning Board should vote no.

Chairman Rubin stated that it is not the intention of the Village or Planning Board to deny applications. The Planning Board would like to work with Applicants. Chairman Rubin stated that the Planning Board had previously requested further screening for the neighbors and also placement of the higher taller equipment placed more northerly so it can't be seen from the road.

Mr. Peter Weiss, 4 Belvedere Path, Montebello, New York explained the reason for the placement of the higher equipment in the northerly side is because it would be outside of the secretaries office and therefore visible to them for supervision. Chairman Rubin replied that someone can step outside for supervision.

Member Jane Burke walked the property and would like to know what the rectangular piece with all the stones in it and its purpose. Mr. Stuart Strow, the applicant's engineer, stated that it is the playground. Member Burke replied that it is not on the original site plan maps and there is also a stone wall built around the rectangular piece. Member Burke also questioned the driveway placement of the Rabbi's house. Mr. Strow stated the rectangular area was leveled and then the Congregation was told that they need to appear before the Planning Board.

Mr. Haberman stated that after the synagogue was built the Congregation decided to put up a playground and started the work and then they were told to apply for building permits. Mr. Haberman argued that there is nothing in the Village Code that states one needs a permit for a playground.

Mr. Haberman stated that the Congregation planted an extra row of trees between the Congregation properties and their neighbor's property. There are now three rows of trees between the two properties.

Martin Spence, Village Engineer, suggested at the last meeting between the Village Engineer and the Congregation that they use more of a hedge type of tree such as a arborvitae around the playground. When planted it can be used and trimmed as a hedge and maintained at an appropriate height. Mr. Spence also recommended on the north-east corner of the playground to plant 2 evergreens to anchor the corner and about 7 evergreens on the west property line.

Mr. Peter Weiss replied that the Congregation would not be willing to put evergreens adjacent to the playground because they would in time be overgrown and take over the playground but the Congregation would be willing to agree to a hedge around the playground.

Mr. Haberman stated that the Congregation has no objections to replacing the flower beds around the playground with an evergreen hedge.

Member Iatropoulos expressed his appreciation for the landscaping plans discussed but would also like the Congregation to move the tallest equipment on the playground to the south-east side of the playground. Member Campbell would like to point out his irritation at Applicants continually adding to site plans. He would like to see an overall plan for the property.

Mr. Spence commented on the six evergreens on the north-west property line to be used as infill to the existing tree line and an evergreen hedge 6-8 feet at the time of planting to be maintained by the Applicant. Also, four spruce trees approximately 12-15 feet from the hedge to the west of the playground.

Member Burke questioned whether the 4 foot wrought iron fence would be on top of the stone wall surrounding the playground. Mr. Weiss replied that the fence would be on top of the stone wall. There will also be a 4 foot chain link fence surrounding the detention basin.

Mr. Spence briefly discussed the proposed lighting changes.

Mr. Ira Emanuel, Assistant Village Attorney, explained to the Board that the Congregation's parcel is composed of three lots and the lots should have been eliminated by re-subdivision at the time of site plan approval and it wasn't done. Mr. Emanuel is advising the Applicant that it needs to be done and suggests that Board make it as a condition of the approval.

Member Burke noted that the Congregation lights were on late one night and they were quite bright. Mr. Haberman will look into why the lights were on when the building is not being used. The lights should be on a timer.

Mr. Haberman requested a brief recess to discuss and review the requirements of the Planning Board. After a five minute recess Mr. Haberman stated that the Applicant agreed with the requirements of the Planning Board.

No one else wishing to comment, Member Iatropoulos made a motion to close the Public Hearing for Amended Final Site Plan Approval of Congregation Shaarey Israel, seconded by Member Campbell. Upon vote, the motion carried unanimously.

Mr. Emanuel, Assistant Village Attorney, read the Resolution into the record:

Resolution PB 05 of 2009  
Granting Approval of an Amendment to a Final Site Plan Entitled  
"Monsey Jewish Center, Playground Plan and Sign Revision Detail"

WHEREAS, an application for approval of an amendment to a Final Site Plan entitled "Monsey Jewish Center, Playground Plan and Sign Revision Detail," consisting of 1 sheet, dated April 15, 2009, last revised June 23, 2009, has been presented by Congregation Shaarey Israel; and

WHEREAS, said amendment shows the addition of an outdoor playground with equipment to the site, and modifies the lighting plan for the existing, approved signs; and

WHEREAS, the proposed action is a Type 2 action for purposes of the New York State Environmental Quality Review Act; and

WHEREAS, the Rockland County Planning Department has recommended certain modifications to the amended site plan; and

WHEREAS, a public hearing was held on May 12, June 9, and July 14, 2009.

NOW, THEREFORE, be it

RESOLVED, that the amendment to the approved Final Site Plan entitled "Monsey Jewish Center, Playground Plan and Sign Revision Detail," consisting of 1 sheet, dated April 15, 2009, last revised June 23, 2009, affecting premises known as Section 48.19, Block 1, Lot 48 and 49, and Section 55.07, Block 1, Lot 1 on the Tax Map of the Town of Ramapo, be and hereby is approved, subject to the following conditions:

1. No portion of the playground equipment shall be more than 12 feet above grade at the place of installation.

2. The playground equipment shall be manufactured in earth-toned hues, such as dark browns, dark greens, and the like, in order to blend with the surrounding landscape screening.

3. Because of the proximity of the playground area to the detention basin, a dark-hued vinyl coated chain link fence, at least four feet high, shall be installed around the entire perimeter of the detention basin, prior to the installation of any playground equipment. Said fence shall be maintained in good condition for so long as the playground equipment is in place. Said fence shall contain an access gate, eight feet wide, with a lock to allow for maintenance of the detention basin. The gate shall be constructed in a manner satisfactory to the fire department or other applicable emergency services to allow emergency entry to the area within the fence.

4. The applicant shall substitute an evergreen hedge for the proposed flower beds along the westerly and northerly sides of the playground to provide screening for the westerly neighbor and Montebello Road. Said hedge shall be approximately 6 to 8 feet in height (from grade) at the time of initial planting. Said hedge shall be maintained, at maturity, at a minimum of 8 feet in height above the grade of the playground. The six new trees shown on the plan between the playground and the westerly lot line shall be relocated further west to fill in gaps in the existing tree line. Four additional spruce trees shall be planted approximately 15 feet westerly of the hedge referred to above. Said four additional spruce trees to be planted approximately 25 feet on center apart from each other. Evergreen trees at time of planting shall be 8' – 10' high. Deciduous trees at time of planting shall have at least 4 inch caliper at breast height.

5. The Multipurpose/Climb/Walk/Slide (#3 on the playground detail plan) shall be relocated to the southerly end of the playground, in the approximate location of the swing set shown on said plan. The swing set (#1 on said plan), shall be relocated to the northerly end of the playground, in the approximate location of the said Multipurpose/Climb/Walk/Slide shown on the said plan.

6. Pursuant to the requirements of section 195-39.B (13) of the Zoning Code, the “illuminating source” of the sign may not be “visible to the public way or any property line”. To that end, the applicant shall provide landscape screening around the base of the signs to shield the view of the illuminating source(s). Such landscape screening shall be acceptable to the Village Engineer, and shall be maintained in good health so long as the sign illumination sources are in place. The illuminating source shall be a maximum of 15 inches above grade. Sign lighting shall be turned off after 11:00 pm, unless an event is occurring at the site which ends after 11:00 pm, in which case sign lighting shall be turned off not later than 30 minutes after the conclusion of said event.

7. The applicant shall comply with all recommended modifications of the Rockland County Planning Department as set forth in the Department’s memorandum dated May 7, 2009.

8. The applicant shall resubdivide the parcel to remove the internal lot lines.

9. All conditions of the final site plan approval, as amended, granted by this Board for the premises.

Motion: Al Rubin, Chairman

Second: Michael Iatropoulos

Upon vote, the Resolution carried unanimously.

### **New Business**

The Board briefly discussed the adoption of the Local Law regarding referral to the Rockland County Planning Department for GML review.

Member Iatropoulos made a motion to adjourn the meeting, seconded by Member Caridi. Upon vote, the motion carried unanimously. The meeting adjourned at 9:10 p.m.







