

MANHATTAN BEER DISTRIBUTORS (M-80J)

5 The Village of Airmont is one of the reasons this proposal was referred to this department for review. The municipal boundary is along Dunnigan Drive, opposite the southern side of the site. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and county-wide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner which is supportive of the goals and objectives of the general area.

The Village of Airmont must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Village of Airmont must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

6 The enlarged warehouse building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

7 A review of the July 16, 2020 Truck Routing Plan (C-500) must be completed by the Rockland County Office of Fire and Emergency Services or the Village of Montebello Fire Inspector to ensure that there is sufficient maneuverability on site for fire trucks, in the event an emergency arises. They must also be satisfied that the relocated hydrants are adequately situated in relation to the proposed building addition.

8 The applicant must satisfactorily address the comments and concerns raised in the Tallman Fire Department's letter of July 24, 2020.

9 The site plan must illustrate the applicable measurements from the bulk table.

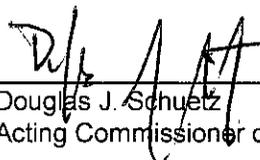
10 Retaining walls that are over four (4) feet in vertical height shall be designed by a licensed New York State Professional Engineer and be in compliance with the NYS Fire Prevention and Building Code. Design plans shall be signed and sealed by the licensed NYS Professional Engineer.

11 One existing monitoring well and two abandoned monitoring wells located on the site are proposed to be removed. The NYS DEC must confirm that these wells are no longer required. If they can be removed, the monitoring wells must be properly decommissioned prior to their removal. The Rockland County Department of Health must be notified of the intent to decommission the wells, and monitor the process to ensure that it is done in compliance with the specifications of Article II of the Rockland County Sanitary Code. All required permits must be obtained from them.

12 Additional information must be provided about the proposed parking deck design. It is unclear if the car parking deck is a covered structure. This must be clarified. While the Truck Routing Plan includes a Parking Deck Detail, it is primarily for the purpose of illustrating the pumper fire truck path. Neither level provides numbering for the spaces, the location of the columns, staircases, exits/access locations or elevator (if proposed). How will employees get from the car parking deck to the building? In addition, the northeastern car parking space will be difficult to maneuver out of since no turnaround area is provided. Visibility is also a concern for the northeastern parking spaces since they are recessed further back in the circulation of the parking structure - especially for the first two or three spaces. This information shall be indicated for each level and the safety concerns addressed. It must be demonstrated that vehicles can safely maneuver in to and out of all parking spaces.

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- 13 Snow removal and the resultant snow piles are a critical maintenance consideration for commercial facilities during the winter months. We recommend that specific areas be designated for removed snow. This will ensure that large piles of snow are not deposited at the end of parking aisles impeding visibility nor occupying needed parking spaces.
- 14 A dumpster enclosure must be shown on the site plan. Access to the dumpster must be unimpeded, and it must be demonstrated that its location will not impact yard requirements, total parking spaces, and parking maneuverability for the site.
- 15 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line. Sheet A-502 does not extend to the property line; the candle lumens numbers are cut off on Sheet A-203.
- 16 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
- 17 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 18 A stormwater pollution prevention plan (SWPPP) was not provided. The SWPPP, if required, shall conform to the current regulations, including the New York State Stormwater Management and Design Manual (January 2015) and local ordinances.
- 19 The GML Referral Form incorrectly specifies that one of the tax parcels associated with this proposal is 55.07-1-13. This must be changed to 55.07-1-11. If the public hearing notice contained incorrect information, it must be corrected and reissued.
- 20 If the Zoning Board of Appeals granted the required variances, Map Note 15 on Drawing S-001 must include the actual date and case number.
- 21 The application form indicates the property receives water service from United Water. The form must be corrected to specify Suez.
- 22 Question D.1.c. is answered affirmatively but no additional information is provided. The approximate percentage of the proposed expansion must be specified in D.1.c.i.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Lance Millman, Montebello
New York State Thruway Authority
Rockland County Department of Health
Rockland County Sewer District #1
New York State Department of State
Rockland County Office of Fire and Emergency Services
Tallman Fire District

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**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.