

The Planning Board of the Village of Montebello held a meeting on Thursday, October 10, 2019 at the Dr. Jeffrey Oppenheim Community Center, 350 Haverstraw Road, Montebello, New York. Chairman Caridi called the meeting to order at **7:00 p.m.** and led everyone in the Pledge of Allegiance.

PRESENT

Anthony Caridi, Chairman
Jane Burke, Vice Chairperson
Michael Iatropoulos, Member
Thomas Ternquist, Member

OTHERS

Alyse Terhune, Asst. Village Attorney
Jonathan Lockman, Village Planner
Martin Spence, Village Engineer
Regina Rivera, Planning/Zoning Clerk

ABSENT

Don Wanamaker, Member
Stan Shipley, Ad Hoc Member

Report CDRC activities

No CDRC activity to report for September.

September Meeting Minutes

Member Iatropoulos made a motion to approve the minutes from the September 10, 2019 Planning Board meetings, seconded by Member Ternquist and upon vote, all were in favor.

**Howard Hellman/84 Viola Road, LLC—Public Hearing
House of Worship, 84 Viola Road, Montebello, NY**

Application of 84 Viola Road, LLC, c/o Howard Hellman, 100 Snake Hill Road, West Nyack, New York, 10994 for approval of a Site Plan entitled “84 Viola Road, LLC” proposing the construction of a house of worship.

The applicant has requested an adjournment to the November meeting. Member Ternquist made a motion to adjourn the application and public hearing to the November 12, 2019 Planning Board meeting, seconded by Member Iatropoulos and upon vote, the motion carried unanimously.

**Indian Rock Holdings, LLC
30 Indian Rock Plaza, Montebello, NY**

Application of Gabe Alexander of Indian Rock Holdings, LLC, 16 Squadron Boulevard, New City, New York, 10956 for an amended site plan. The applicant proposes the gut renovation of the former Outback Steakhouse building to accommodate up to four existing tenants from the main shopping plaza. The property is located at 30 Indian Rock Plaza, on the north side of Route 59 approximately 500 feet east of the intersection with Hemion Road, which is designated in the Ramapo tax map as Section 55.10, Block 1, Lot 5.1 in the NS zone.

Present were the owner of Indian Rock Holdings, Gabe Alexander, his attorney Amy Mele, Engineer Bill Johnson, Parking consultant Harry Baker and Architect Todd Rosenblum.

Ms. Mele reminded the board that the original proposal to tear down the building and replace it with a two-story medical building was abandoned in favor of this simpler plan. Noting that the floor plans have changed slightly from their last submission, she explained that they decided to create three suites instead of four, foregoing a salon and giving the extra square footage to the physical therapy office. One less suite reduces the parking requirement by two spaces, she added. Because this Board prefers the aesthetic uniformity of the mall, she said there will be no changes to the exterior of the building other than additional doorways providing access to the suites.

Regarding the October 7, 2019 memo from Village Planner Jonathan Lockman (copy on file), Ms. Mele said she wanted to clear up any outstanding issues. To his comments on signage, she said they will comply with all village sign standards, especially regarding signage size, placement and color.

The issue of parking, according to Mr. Lockman's memo, has not been addressed. Ms. Mele said that there are 323 parking spaces at the site, with 308 in the village of Montebello and 15 located in the Village of Airmont. The total required parking for this site for all the existing uses, including the restaurant Overseas [which will not renew its lease] is 305, and the bulk table has been revised to reflect this. More important, she continued, utilization of these spaces varies at different times during the day. [Traffic consultant] Mr. Baker conducted a new study that took place on May 4th, 7th and 8th of this year and discovered that peak occupancy on Saturday was 11 a.m. while peak times for Tuesday and Wednesday were 1 p.m. and 4 p.m. Given those varied peak times, the proposal is well within the accepted parking requirement, she said.

Ms. Mele then wondered why a landscaping plan and Architectural Review Board (ARB) is required as outlined in Mr. Lockman's memo since there will be no landscaping changes nor changes to the elevations or siding, and that they are merely adding some doors.

Discussion turned to the Rockland County Planning's October 10, 2019 GML review (copy on file), and Ms. Mele said that all comments had merit and that they will comply, with one exception. Comment 2 stated

As per the September 17, 2019 letter from the Rockland County Highway Department, the applicant must consider providing a small section of sidewalk along Route 59 to connect existing sidewalks.

Everyone acknowledged that the section of sidewalk the county is advocating would be in the right-of-way and is not even in the Village of Montebello. Ms. Mele said she felt an override was not necessary since Rockland County Planning suggested the applicant "*shall consider,*" it. If the County wants to extend the sidewalk, they could simply coordinate with the New York State DOT, she added. The Board agreed with this assessment.

The October 9, 2019 memo from Village Engineer Martin Spence (copy on file) was then discussed. Engineer Bill Johnson said he will submit a lighting plan with all details clearly outlined. However, he said, the lighting changes are minimal. Mr. Spence asked if there will be new lighting installed, to which Mr. Johnson responded no. Mr. Spence asked if they were created new paved areas. Mr. Johnson said the site work is minimal and involves the repair of some existing paver sidewalk areas and some new concrete sidewalks. Mr. Spence advised Mr. Johnson to add a note on the plan that gives details of the addition concrete sidewalk, bedding and same materials for the paver repairs.

Chairman Caridi stated that the Board should respond to the county, on the record, to explain why the sidewalk will not be extended as per their suggestions and everyone agreed.

Mr. Lockman summarized his memo dated Oct. 7th and said that he wanted to be sure that the Planning Board agrees with all his recommendations regarding signage, particularly the placement of the words below the eave of the green mansard. Regarding the assertion that the landscaping and exterior work will be minimal, Mr. Lockman said they should at least show the elevations of the walls and the doors so the Board has a sense of scale.

A lengthy discussion about the number of parking spaces ensued, as Mr. Lockman pointed out that the number of striped spaces on the site map did not match the number in the parking study. Mr. Baker said he included the unofficial parking spaces in the rear of the main building in his overall existing space count. Mr. Lockman said that those spots are not striped nor approved and wondered if the Fire Department would be concerned. In any case, he continued, the issue is whether there is enough parking for the uses and said if the spaces in Airmont are not included, then there is a deficit of nine required spots. However, he continued, there is a provision in the village code for sharing parking spaces if there is varied peak demands, and the Board can consider that.

Mr. Baker presented his study and details of his methodology and explained that he counted the unofficial non-striped spaces behind the main building because they are being regularly used. Mr. Spence asked if those spots were ever striped. Mr. Lockman said they were not and offered several remedies for required parking. One remedy, he said, would be to give credit for the Airmont spaces, another would be to allow a reduction based on varied uses and peak parking times, and another still would be to stripe the spaces in the rear, which would require site plan re-submission. All agreed this last option would be the most difficult. Ms. Mele said she and her client prefer the 10% reduction in required parking, mainly because mall parking changes and varies and having the reduction on record will alleviate future issues as tenants move in and out.

Ms. Terhune said that if the Board is not willing to waive the required, they could consider just noting that there is additional parking within 400 feet of the building in the Village of Airmont. Those spots won't be part of the parking calculations nor will be they shown on the site plan, but the Board can recognize their existence and forgo waiving the parking requirement.

Member Burke was concerned that future uses may go over the required square footage. Mr. Lockman said that the square footage is listed on the floor plans for both buildings, and that if usage exceeds the required square footage, they will have to come back to this Board.

Chairman Caridi asked why this application even had to come to Planning Board given its simplicity. Mr. Lockman said it is a little more complicated than it appears because they are rearranging the uses in the whole center, there is some signage and architecture requiring approval and some engineering requirements with which they must comply. Ms. Mele said that they would like to establish a baseline of what is approved so they don't have to come back to the Board every time tenants change.

Member Burke said she just wanted to know how much Hudson Heart will expand into the current strip mall and was assured that it was a trade-off. She asked if the parking will therefore be adequate. Mr. Lockman said that the parking requirement is less because there will be less retail, which requires more parking, adding that the resolution could state that parking is not changing, with 308 lined spaces in existence on the site including those spaces in Airmont.

Chairman Caridi opened the public hearing:

Corinne Cohen, 53 Lackawanna Trail, Montebello, New York said she is the president of the Lackawanna Trail HOA and that her one concern is that the easement between Lackawanna Trail and Indian Rock Plaza will continue to be protected and will remain untouched. Ms. Cohen was assured that nothing will change, and that the easement will continue to be protected.

No one else wishing to speak, Chairman Caridi asked for all the requested revisions to be submitted by October 21, 2019 to be put to a vote at the next meeting. Mr. Spence summarized these revisions as discussed throughout the meeting, including the removal of note #8 regarding variances from the plans, revision of note #4 to reflect the multi-use of the mall, the darkening of the parking stripes and the submission of elevations and signage for ARB review. Ms. Terhune said she will draft a resolution consistent with comments made at this meeting.

Member Ternquist made a motion to close the public hearing, seconded by Member Iatropoulos. Upon vote, all were in favor.

Member Iatropoulos made a motion to adjourn the application to the November 12, 2019 Planning Board meeting, seconded by Member Ternquist and upon vote, all were in favor.

Member Ternquist made a motion to adjourn the meeting at 8:42 p.m. seconded by Member Iatropoulos. The motion passed unanimously.