

The Planning Board of the Village of Montebello held a meeting on Tuesday, December 10, 2019 at The Jeffrey Oppenheim Community Center, 350 Haverstraw Road, Montebello, New York. Vice Chair Burke called the meeting to order at **7:07 p.m.** and led everyone in the Pledge of Allegiance.

PRESENT

Jane Burke, Vice Chairperson
Michael Iatropoulos, Member
Thomas Ternquist, Member
Don Wanamaker, Member
Howard Hochberg, Ad Hoc Member
Stan Shipley, Ad Hoc Member

OTHERS

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

ABSENT

Anthony Caridi, Chairman

Vice Chair Burke opened the meeting by welcoming the newest Ad Hoc Planning Board Member, Howard Hochberg.

Stonehedge Farm Subdivision

220 Spook Rock Road, Montebello, NY

Request by Marsel Amona of Stonehedge Heights Corporation, 130 East Route 59, Spring Valley, New York, for an extension of the final approval for the subdivision “Stonehedge Farm.” The property consisting of 11 lots on 16.68 acres, is located on the east side of Spook Rock Road approximately 500 feet south of Topaz Court in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 49.13, Block 1, Lot 13 in an ER-80 Zone (Rural Preservation Overlay District).

Mr. Amona explained that he was awaiting approvals and permits from the Rockland County Sewer District and Town of Ramapo DPW for sewer main and sanitary sewer extensions, and from the Rockland County Department of Health of Mosquito Code compliance. These approvals took longer than anticipated and he just submitted the second round of check prints for approval by the Village Planner, Attorney and Engineer. Mr. Spence concurred, and stated that once all these agencies are satisfied, he will send a completeness letter to the Planning Clerk, and then Mr. Amona will have to submit all security and inspection fees and money in-lieu-of land.

Member Ternquist made a motion to grant a second 90-day extension, seconded by member Iatropoulos. Upon vote, all were in favor.

Resolution PB14 of 2019
Village of Montebello Planning Board
Granting Second 90-Day Extension of Final Subdivision Approval to
220 Spook Rock Road
SBL 49.13-1-13

WHEREAS, on March 12, 2019, after a duly noticed public hearing and compliance with SEQRA, the Village of Montebello Planning Board granted conditional preliminary and final subdivision approval (“Approval”) to Stonehedge Heights Corporation, owners of the property located at 220 Spook Rock Road, identified on the Town of Ramapo Tax Map as SBL 49.13-1-13, (“Applicant”), known as the “Stonehedge” subdivision; and

WHEREAS, pursuant to the Village of Montebello Subdivision Regulations, § 163-12D, a conditional approval of a final subdivision approval expires 180 days after the date of the resolution granting conditional approval unless the conditions set forth in the approval have been completed; and

WHEREAS, the conditions of the Approval have not been met and, therefore, the Chairman of the Planning Board is not authorized to sign the subdivision plat; and

WHEREAS, the Applicant appeared before the Planning Board on September 10, 2019, and requested a 90-day extension of the Conditional Final Subdivision Approval in order to secure financing; and

WHEREAS, the Planning Board granted one 90-day extension of the Conditional Final Subdivision Approval after determining good cause; and

WHEREAS, the Applicant appeared before the Planning Board on December 10, 2019, seeking a second 90-day extension for the purpose of completing the sewer connection, which was just approved, and to provide the Village consultants time to review the “final check-print” for full compliance with the conditional approval; and

WHEREAS, in the absence of the Chairman’s signature, the Applicant is prohibited from filing the subdivision plat with the County of Rockland; and

WHEREAS, Section 163-12D of the Village of Montebello Subdivision Regulations authorize the Planning Board, upon written request of the applicant, to extend the time of conditional approval for two additional periods of 90 days each if, in its opinion, such extension is warranted by the particular circumstances thereof.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby finds and determines that the Applicant has stated reasonable grounds for requesting an extension of the subdivision Approval and hereby grants a second 90-day extension from December 10, 2019 to March 10, 2020 or as soon thereafter as the Planning Board meets, to 220 Spook Rock Road,

identified on the Town of Ramapo Tax Map as SBL 49.13-1-13, known as the “Stonehedge” subdivision.

MOTION: Member Ternquist

SECOND: Member Iatropoulos

<u>MEMBERS PRESENT:</u>	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Anthony Caridi, Chairman			X
Jane Burke, Member	X		
Michael Iatropoulos, Member	X		
Stan Shipley, Member	X		
Thomas Ternquist, Member	X		
Donald Wanamaker, Member	X		
Howard Hockberg, Ad Hoc Member	X		

Upon vote, the Resolution carried.

CDRC Report

Village Planner Jonathan Lockman gave a summary of the two applications made before the CDRC on November 26, 2019, Manhattan Beer and Montebello Crossing (CDCR minutes available on file).

Approval of November Meeting Minutes

Vice Chair Burke asked that the following sentence be added to the minutes, as she had stated as such during the last meeting while discussing an application for 84 Viola Road and its driveway.

Also, she questioned the driveway that spurs off the entrance road between the proposed building and Viola Road and stated that parking is not allowed in the front yard.

All agreed that Vice Chair Burke did make the statement and the Clerk added the line to the minutes. Member Iatropoulos made a motion to approve the minutes from the November 12, 2019 Planning Board meeting as amended, seconded by Member Ternquist. Upon vote, the motion passed unanimously.

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 January meeting. Member Iatropoulos made a motion to adjourn the public hearing and the application to the January 14, 2020 Planning Board meeting, seconded by Member Ternquist and upon vote, all were in favor.

New Business

Proposed Local Laws 9 and 10

Discussion of the proposed Local Laws 9 and 10 as recommended in the 2017 Village of Montebello Comprehensive Plan: Board members were given the proposed local laws the previous month for review. All comments and recommendations will be made to the Village Board for consideration for their public hearing on December 18, 2019.

LL 9: A local law amending Chapter 195, Zoning, to add uses and standards to the Laboratory Office and Laboratory Office-Campus districts. Mr. Lockman explained that this proposed law is designed to add permitted uses to the LO and LO-C zones as recommended by the 2017 Comp. Plan as these zones have not lived up to their potential.

After lengthy review and discussion, the Board agreed on the following:

1. Define “medical and dental clinics” and “health service complexes.” Check every use and add any additional definitions as needed. Ensure all use terms are defined.
2. Review definition of “Skilled Nursing Care,” and amend to align with State definitions used in licensing and ensure that Village goals and objectives for the district are met.
3. In both LO and LO-C, eliminate “Shopping Center” and “Distribution/Warehousing” as Uses by special Permit in section 2 and 6, and eliminate said uses from the parking requirements lists in sections 3 and 7. These uses are not compatible with the LO and LO-C and would potentially create undesirable truck traffic and traffic congestion.

4. The Planning Board understands that in the proposal, existing bulk standards for uses in these districts have not been altered and follow existing patterns of bulk and area requirements. In the near future, the Planning Board would request that the Village Board authorize the Village Planner to review and propose revisions to the bulk and area standards for these districts as well as other non-residential districts, as a follow-up to adoption of this local law.

LL 10: A Local Law amending Chapter 195, Zoning, to designate state critical environmental areas for timber rattlesnake habitat and historic and scenic roads. Mr. Lockman explained that this law is designed to provide extra control during the SEQR process by compelling applicants to do their due diligence. Once adopted it will be registered with the NYS DEC and will show up on the EAF mapper.

The Planning Board supported this proposed local law as written.

Discussion of Chapter 195-53 of the Village Code

Ms. Terhune tabled the discussion until she can bring issues to the attention of the Village Attorney.

Member Ternquist made a motion to adjourn the meeting at 9:37 p.m., seconded by Member Iatropoulos. Upon vote, all were in favor.