

The Planning Board of the Village of Montebello held a meeting on Tuesday, March 10, 2020 Village Hall, One Montebello 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
Michael Iatropoulos, Member
Thomas Ternquist, Member
Don Wanamaker, 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

Jane Burke, Vice Chairperson, Member
Howard Hochberg, Ad Hoc Member

Meeting Minutes Approval

Member Iatropoulos made a motion to approve the Planning Board Minutes of February 11, 2020, seconded by Member Ternquist and upon vote, the motion carried unanimously.

CDRC Report

Village Planner Jonathan Lockman briefly presented the three applications that appeared before the February 25, 2020 CDRC.

5 Hemion Road proposed two-story office building: CDRC advised applicant to return to CDRC in March after which they may advance to the April Planning Board.

34 N. Airmont Road proposed three-story medical office building: Applicant returned with building redesign as per CDRC recommendation to aesthetically compliment the surrounding neighborhood; Other issues remain, including the proposed access points from Executive Boulevard and Montebello Road. CDRC advised that Executive Boulevard should be the primary entrance, with just an emergency access road from Montebello Road. It will be several months before the application is ready for Planning Board.

19 Hemion Road proposed 503,333 s.f. manufacturing/warehouse/administrative office: Building is proposed for the wooded 36-acres along Hemion Road in this Village and will house operations for YesPac, a company that makes and distributes clam shell packaging and paper cups for major retail chains like Starbucks. The use meets the village code definition of light industry. Any foreseeable issues, however, will be due to the sheer size of the building as well as access via Dunnigan Drive across Hemion Road. It will be at least six months before the application will be ready for Planning Board.

**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 requested an adjournment to the April meeting. Member Iatropoulos made a motion to adjourn the application and the public hearing to the April 14, 2020 Planning Board meeting, seconded by member Ternquist. Upon vote, the motion passed unanimously.

**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).

The Applicant has requested a third extension of the conditional subdivision approval. Present for the Applicant was his daughter, Danielle Amona, who explained that her father is still waiting for approval from the Rockland County Department of Health to access the water main. She stated also that she was aware that this was the final extension this Board will be able to grant, and that if more time was needed, Mr. Amona will need to make a new Subdivision application.

Member Iatropoulos moved to grant a third extension of the conditional final approval of the Stonehedge Farm Subdivision, seconded by Member Ternquist. Upon vote, all were in favor.

**Resolution PB01 of 2020
Village of Montebello Planning Board
Granting Third and Final 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 Farm” 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, the Planning Board granted the second 90-day extension of the Conditional Final Subdivision Approval to March 10, 2020, after determining good cause shown; and

WHEREAS, the Applicant appeared before the Planning Board on March 10, 2020, seeking a third 90-day extension for the purpose of receiving Rockland County Department of Health (“RCDOH”) approval to connect to the water main extension, which approval is not yet received; 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; and

WHEREAS, the Board determined that RCDOH and not the Applicant is responsible for the delay and, therefore decided that one (1) additional delay is justified under the circumstances.

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 Approval and hereby grants a third 90-day extension from March 10, 2020 to June 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 Farm” subdivision.

BE IT FURTHER RESOLVED, that the Board is not authorized to grant any additional extension of the Approval and will require re-submission of the application if any conditions remain unmet as of June 10, 2020.

BE IT FURTHER RESOLVED, that a copy of this Resolution be provided to the Applicant.

MOTION: Member Iatropoulos

SECOND: Member Ternquist

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

Upon vote, the Resolution carried.

**Manhattan Beer Distributors, c/o Andrew Berger AIA
Subdivision/Amended Site Plan, 10-20 Dunnigan Drive, Montebello, NY**

Applicant proposes a lot line merge, the construction of an addition to the two existing buildings, the relocation of the railroad track at the south property line, and the construction of a loading deck with canopy and a parking deck on the north side of the parcel. The property is located on the north side of Dunnigan Drive, approximately 1000 feet west of the intersection of Airmont Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 55.07, Block 1, Lots 11 and 12.

Present were Andrew Berger, principal with di Domenico & Partners, LLP, Simon Bergson, President and CEO of Manhattan Beer and Mike McCarthy, Vice President of Operations, Manhattan Beer. Mr. Berger noted that several Board members were absent from the February 11th meeting and gave an overview of the project.

After a brief discussion of outside agency reviews, Chairman Caridi stated that the SWPP must be submitted before this Board can make an SEQR declaration. Mr. Spence agreed, adding that a drainage analysis must be submitted in order to demonstrate there is no environmental impact. Andrew assured them that he has already begun the SWPPP. Chairman Caridi asked if they made their application to the ZBA for the front setback and side yard variances. Mr. Berger said he is on the agenda for the March 19th ZBA meeting.

Mr. Lockman stated that he prepared and circulated the EAF Part 2, and that once the variances are granted, the Applicant may return to the Planning Board with a refined submission for a public hearing. Ms. Terhune noted that this is a coordinated review under SEQR and that the ZBA can review the application but cannot grant any variances until this Board issues a Neg Dec.

Mr. Lockman expressed some concern that the site plan still needed changes, to wit, the drainage was not done, and that he wanted everyone to be comfortable with the plan before allowing the public to comment. Mr. Spence said that any modifications to the drainage would not affect the site overall as the layout is fixed. Chairman Caridi stated that he was satisfied that the site plan will not be radically altered and recommended that the public hearing be set for the April meeting. Mr.

Spence asked when the drainage will be completed, and Mr. Berger said in a week to ten days. Mr. Spence said he was fine with that time frame.

Mr. Berger then acknowledged that they were looking to potentially make a third variance request, for height, explaining that while working with the ASRS Engineers, they discovered that the maximum building height of the proposed middle building of 45 feet may not be high enough. Ms. Terhune, noting that the Applicant was not yet sure if they would make that request, cautioned that they will have to amend their application to the ZBA and recommended they show the building elevations to that Board. Mr. Berger said they were leaning heavily toward requesting the height variance of five or six extra feet.

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

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

New Business:

Member Iatropoulos made a motion to allow the Board to open an executive session, seconded by Member Ternquist. All were in favor.

Member Iatropoulos made a motion to close the executive session, seconded by Member Ternquist. All were in favor.

Member Ternquist made a motion to adjourn the meeting at 8:15 p.m. seconded by Member Iatropoulos. Upon vote, the motion carried unanimously.