

The Planning Board of the Village of Montebello held a meeting on Tuesday, August 10, 2021 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
Howard Hochberg, Member
David Levine, Member
Stan Shipley, Member
Thomas Ternquist, Member
Marlo Dickman, Ad Hoc Member

OTHERS

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

ABSENT

Martin Spence, Village Engineer

Meeting Minutes Approval

Member Ternquist made a motion to approve the July 13, 2021 Planning Board meeting minutes, seconded by Member Levine and upon vote, all were in favor.

CDRC Update

There were no applications for the July 28, 2021 CDRC meeting.

**Howard Hellman/84 Viola Road, LLC—Public Hearing
Site Plan, 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 subject property is located on the north side of Viola Road, approximately 500 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 the RR-50 Zone.

The Applicant requested an adjournment to the October meeting. Member Ternquist made a motion to adjourn the application and the public hearing to the October 12, 2021 Planning Board meeting, seconded by Member Levine and upon vote all were in favor.

**Rella Warehouse—Site Plan, Subdivision
100-300 Rella Blvd., Montebello, NY**

Application of ACG Acquisitions LLC, 95 Chestnut Ridge Road, Montvale, NJ 07645. The Applicant is proposing the construction of a 291,820 square foot warehouse with supporting office space at 100-300 Rella Boulevard. The parcel is located on the north side of Rella Boulevard at the intersection of Airmont Road in the Village of Montebello, which is designated on the Ramapo Tax Map as Section 55.08, Block 1, Lots 5 and 6 in the LO-C Zone.

The applicant requested an adjournment to the September meeting. Member Tom made a motion to adjourn the application to the September 14, 2021 meeting, seconded by Member Levine and upon vote all were in favor.

Montebello Crossing-- Site Plan/ Subdivision, Amended Site Plan, 250 Lafayette Avenue, Montebello, NY

Application of Montebello Crossing, LLC, 100 Dutch Hill Road, Suite 340 Orangeburg, New York, for 250 Lafayette Avenue, Montebello, New York. The Applicant is proposing a mixed-use development consisting of a 132-unit, 200 bed assisted living facility, a 14,600 square foot pharmacy with drive-through, and a 10,000 square foot office building. The project will also consist of amending the site plan for Hemion Holdings shopping center to the east of the site. The property is located at 250 Lafayette Avenue, on the North side of Route 59, approximately 350 feet west of the intersection of Hemion Road in the Village of Montebello, which is designated on the Ramapo Tax Map as Section 55.10, Block 1, Lot 2 in the R59 DD Zone.

Present for the Applicant was his attorney Paul Baum who explained that the Planning Board granted conditional final subdivision plat approval on February 9, 2021 and the final resolution of approval was adopted on March 9, 2021. As the Applicant is still resolving some issues, a 90-day extension of the subdivision approval is being requested ahead of the September 5, 2021 expiration date as per Sec. 163-12D of the Village code. He noted that he sent a copy of the reciprocal easement agreement to Ms. Terhune for the proposed assisted residential facility and awaits her comments. Mr. Ternquist wanted to know if there were any involved agencies that need to sign off and Mr. Baum said that other than the NYS DOT, everything has been addressed and assured the Board that any post-approval outstanding issues will be addressed in the ensuing 90 days. Ms. Terhune clarified that the Applicant was requesting an extension effective September 5th. No one having any comments, Member Ternquist made a motion to approve the 90-day extension as requested, seconded by Member Hochberg. Upon vote, the motion passed unanimously.

**Montebello Gateway LLC—Site Plan, Special Permit—Public hearing continued.
34 North Airmont Road, Montebello, NY**

Application of Montebello Gateway, LLC, PO 782, Monsey, NY 10952. The Applicant is proposing the construction of a 3.5 -story, 46,400 square-foot office building with 227 parking spaces. The parcel is located at 34 North Airmont Road, on the northwest side of Airmont Road at the intersection of Montebello Road in the Village of Montebello, which is designated on the Ramapo Tax Map as Section 55.07 Block 1 Lot 3 in the LO-C Zone.

Present were the applicant's attorney, Paul Baum, his engineer Joseph Nyitray of Brooker Engineering and Blythe Yost of Yost Design Landscape Architecture.

Mr. Baum stated that revisions were submitted to this board in July which included a revised landscaping plan and a memo directly responding to the concerns voiced by the homeowner of the abutting property at 1 Finnegan Lane during several public hearings. All the landscape screening will be installed at the residential border as soon as possible as dictated by the construction sequencing and grading, he said, adding that [Village Engineer] Mr. Spence will oversee and advise

on the installation. Architectural renderings and layouts were submitted in anticipation of an Architectural Review as well, he said.

Chairman Caridi said that no materials samples were submitted to the Board for ARB consideration. Mr. Baum explained that the tinted glass comprising much of the façade will be delivered shortly by the architect and that all materials and colors were identified in the ARB submission.

Mr. Lockman reviewed his memo dated August 6, 2021 explaining that most of his previous comments and concerns of the neighbor at 1 Finnegan Lane were addressed, although the particulars relating to lighting and late-night dimming of the building still need to be discussed. He further noted that sheet four of the latest plan revision should clearly indicate with trees are to remain and which will be removed.

Member Levine asked if all the new landscaping vegetation will be indigenous to Rockland County. Ms. Yost said they are native to the region, not the county specifically. Chairman Caridi thanked the Applicant for the additional screening at the residential property and asked that the Applicant raise the berm on that side to 36 inches for additional screening. Mr. Nyitray and Ms. Yost obliged.

The Chairman asked if there will be a construction phasing plan and segmentation. Mr. Nyitray said they will not do segmentation and the Chairman therefore requested that an eight-foot solid fence be installed along the residential property line out of concern for the neighbor's quality of life and safety of their children during construction. Ms. Yost expressed her concern that the fence may negatively impact the new plantings because they will block the light. Chairman Caridi said that if they plant early then the solid fence will be an issue and that perhaps a silt fence or chain link fence will need to be temporarily employed. Ultimately, the Chairman said he would leave it up to the Applicant to arrive at a viable construction sequencing plan to accommodate the early plantings. Mr. Baum reiterated that the landscaping will be installed on that side as soon as viably possible, under the supervision and advice of the Village Engineer, and that they will not wait until the end of the job.

No other Board members having comments, the discussion turned to architectural review. Architect Gabriel Einhorn presented samples of the heavy non-reflective glass to be used on much of the façade, noting that the coloration will be tinted blue to blend in with the landscape and sky while preventing much of the interior light from escaping. Member Ternquist requested that the materials be read into the record. Ms. Terhune verified that the glass to be used will be Blue Star 212597 or the equivalent. Chairman Caridi advised Mr. Einhorn to leave the material samples at village Hall for better accessibility for the Board members.

Mr. Lockman asked Mr. Nyitray to elaborate on the lighting. Mr. Nyitray said that the plans show no lighting along the residential property line, and that any outside lighting will travel no more than 10 feet beyond the parking lot around the perimeter of the building. Options such as interior light dimming hours should be determined by this Board, he added.

Chairman Caridi said that light dispersion should be the purview of the Building Inspector and Village Engineer and can be one of the conditions of approval. Mr. Nyitray asked for guidance regarding the times at which the interior lights should be dimmed. Mr. Lockman offered that the lights should be dimmed by 9 p.m. year-round in deference to those who may be working late and medical office late hours. Chairman Caridi agreed and requested that those specs be submitted as part of the building permitting process.

The Chairman opened the public hearing.

Donna Cohen, 1 Finnegan, Montebello, NY said she hired her own landscape architect who sent the Board three pages of questions, most of which have not been answered. In terms of lighting, she stated that the Board should very carefully assess what the lighting should be in all seasons, especially since she can see straight through to North Airmont Road in the winter months and worried what the impact of the lights will have on her life. Chairman Caridi said the Building Inspector and Village Engineer will work to ensure the lighting strikes the right balance between public safety and preserving Ms. Cohen's quality of life. The Property is zoned for this use and consideration must be given to this Applicant as well, he said, and reminded her that additional screening and a higher berm will be employed. Ad Hoc Member Dickman noted that the Village needs to consider dimming times on weekends when the building will not be in full use.

Mr. Baum produced the Applicant's responses addressing all of Ms. Cohen's questions and handed them to her while stating that his client has no objections to working with her and will try their best to impact her quality of life as little as possible. Ms. Cohen said she had not received these answers prior. Mr. Baum said they will continue to work with Ms. Cohen should any problems arise or persist and that they want to be good neighbors.

No one having any more comments, Member Ternquist made a motion to close the public hearing, seconded by Member Hochberg. Upon vote, the motion passed unanimously.

Ms. Terhune noted for the record that the Applicant received the requested variances for height, FAR and distance of the driveway to a residential zone from the ZBA, a Certificate of Appropriateness from the Historic Preservation and Parks Commission, and the requested waivers from this Board, and clarified that the Planning Board will vote to approve the Final Site Plan and a Special Permit for this use in the LO-C Zone.

Member Ternquist made a motion to grant Site Plan approval for Montebello Gateway, LLC conditional upon landscape and lighting plan modifications as discussed and as outlined in Mr. Lockman's memo dated August 8, 2021. Member Levine seconded that motion and upon vote the motion passed unanimously.

Member Ternquist made a motion to grant a special permit to construct and operate an office/medical office building in the LO-C zone seconded by Member Levine and upon vote, all were in favor.

Member Ternquist made a motion to grant Architectural Review Board approval of the elevations and materials as discussed, seconded by Member Levine. Upon vote, the motion passed unanimously.

Mr. Baum thanked the Board, and Member Ternquist made a motion to adjourn the meeting at 7:59 p.m., seconded by Member Levine. Upon vote, all were in favor.