

The Planning Board of the Village of Montebello held a meeting on Tuesday, January 10, 2023, at the 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
Stan Shipley, Vice Chair/Member
Marlo Dickman, Member
Joan Materna, Member
Ariel Aufgang, Member

OTHERS

Alyse Terhune, Asst. Village Attorney
Jonathan Lockman, Village Planner
Bryon Rose, Assoc. Village Engineer

ABSENT

Regina Rivera, Planning/Zoning Clerk
Martin Spence, Village Engineer

Meeting Minutes Approval

Member Shipley made a motion to approve the minutes of the December 13, 2022, Planning Board meeting seconded by Member Materna and upon vote, all were in favor. Chairman Caridi and Member Aufgang abstained because they were not present at that meeting.

CDRC Update

Mr. Lockman summarized the three applicants that appeared before the CDRC on December 28, 2022:

- Chabad of Suffern, 56 Mayer Drive: Application for a residential gathering place was cleared to advance to the Planning Board.
- Stonehedge Heights (Marsel Amona), 220 Spook Rock Road: Application for two buildings to house a Yeshiva. Application is not ready for the Planning Board and will return to CDRC.
- H. Hellman/Fresenius Kidney Care: Present at this meeting for an amended site plan to install a generator for the renal care facility.

Rella Warehouse—Site Plan, Subdivision—PUBLIC HEARING continued

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 199,00 square foot warehouse with 6,000 square feet of office space, and a separate four-story 25,360 square foot retail self-storage building on 18.52 acres 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.

Presenting for the Applicant were his engineers Joseph Nyitray and Brian Brooker of Brooker Engineering.

Mr. Nyitray gave a brief report of recent progress in the application and, regarding the intersection at Rella Boulevard and North Airmont Road, stated that the Rockland County Highway Department had several comments about shrinking the median for tractor-trailer turns and relocating the fire hydrant on that median (copy of October 2022 letter on file).

Mr. Lockman summarized his memo dated December 28th in which he noted the pervious pavers for emergency parking and engineering details still needing attention. He Inquired how they wished to

address the Architectural Review Board, and Mr. Brooker said that the submission will be ready for the next meeting and should be concurrently addressed with site plan approval.

Mr. Rose summarized Mr. Spence's memo dated January 10, 2023 and stated that from an engineering standpoint, the impervious coverage with the pervious pavers for emergency access is a fair approach to the development coverage issue. He explained that the sound report shows sufficient mitigation and asked the Applicant to submit a rendering or material samples of the exterior finish of the sound wall to ensure it is architecturally and aesthetically appropriate.

Chairman Caridi wanted to be sure the Applicant was working with the Rockland County Highway Department as per comment S-9 of the memo which reads:

The plan shows some modifications to the intersection of N. Airmont Road and Rella Boulevard, however it should be noted that these modifications provide the minimum room needed for a WB-67 to enter and exit Rella Boulevard. These curbs and sidewalk may be subject to truck traffic if the truck approach differs from the turning template shown on the plan. The proposed condition may be less than optimal and further revisions may be required. Review the hydrant location and the possibility of relocating it to allow the curbed island to be further reconfigured and provide more clearance for trucks. Rockland County Highway Department shall review / comment on the proposed changes.

Mr. Nyitray said he was expecting a new memo from that department regarding the intersection issue imminently and that he planned on reaching out to the Fire Department about the fire hydrant relocations.

Member Materna asked how many trailers could fit in the emergency/temporary parking area, to which Mr. Nyitray answered twenty. Chairman Caridi felt that it would be occupied regularly and mentioned that other similar warehouses use a vehicle called a "horse" to move and position trucks not in service. These horses do not have the same sound-mitigating apparatuses of the over-road tractor trailers, he cautioned, and said that any such vehicles, if utilized, should be outfitted to mitigate noise.

Member Aufgang said that pervious pavers lose their porousness if not properly maintained and asked if the Planning Board could compel the tenant or Applicant to regularly maintain the area. Ms. Terhune said that the plans include maintenance guidelines.

Chairman Caridi asked about Architectural review. Mr. Brooker reminded the Board that exterior renderings, in two different color schemes, were submitted very early in the process, one mimicking the colors of the Sentinel, and one with gray tones. The Board preferred the latter, he recalled. Chairman Caridi advised him to submit a samples board as part of that review. Mr. Brooker said that his client wanted to concentrate for now on site plan approval and then come back for Architectural Review. After some discussion, it was determined that the Board did indeed favor the gray color scheme submitted in April of 2021. Chairman Caridi asked the applicant to formalize that ARB submission, prepare a samples board, and submit them together when they are ready.

Chairman Caridi opened the public hearing, but no one from the public was present. The Chairman then asked the Board for additional comments. Member Shipley said that he worried about trucks arriving outside of the hours of operation and idling until the warehouse opens and asked if there was a designated waiting area for such cases. Chairman Caridi said that if such, or any, activity took place outside of the approved hours of operation, the Applicant risks losing any possibility of Special Permit renewal. All conditions are in place to prevent any overnight intrusive noise from tractor-trailers, he added.

No one having further comments, Member Shipley made a motion to close the public hearing. Member Dickman seconded the motion and upon vote, the motion passed unanimously.

Chairman Caridi instructed Ms. Terhune to draft an approval resolution for Board review so the members will be prepared to make a decision at the next meeting.

**Howard Hellman/Fresenius Kidney Care—Amended Site Plan
30 Route 59, Montebello, NY**

Application of Howard Hellman, President of All Bright Electric, 100 Snake Hill Road, West Nyack, NY 10994 on behalf of Fresenius Kidney Care for approval of an amended site plan to install a stand-by generator. The parcel is located at 30 Route 59, on the north side of Route 59 at the intersection of Hemion Road in the Village of Montebello, which is designated on the Ramapo Tax Map as 55.10 Block 1 Lot 3 in the NS Zone.

Howard Hellman explained that, as the electrical contractor for Fresenius Kidney Care, he applied for a building permit for generator over a year ago but was told that, as this is part of a commercial property, an amended site plan approval was necessary. Once he applied, he was told to wait for the amended site plan approval for Hemion Holdings to be completed. That project was finally approved and the plan submitted tonight is that site plan with the addition of the location of the generator.

Mr. Lockman summarized his review dated January 10, 2023, in which he found no problems with the location of the generator at the rear of the establishment and no interference with pedestrian or vehicular circulation. He recommended that a public hearing be set for the next Planning Board meeting and stated that a GML review is required due to the property's proximity to a county road, a New York State road and two municipalities. The Application is categorized as a SEQR Type II and therefore requires no environmental review.

Mr. Rose said that he had no issue with the proposed sound attenuation, that the enclosures is the industry standard, but asked for details regarding the chain link fence.

Member Materna asked if there were any safety concerns, such as Carbon Monoxide poisoning. Mr. Helman said that the generator must be set far away from any openings to the building. Mr. Bryon added that the Village code addresses this as well.

Chairman Caridi asked if the owner of the strip mall authorized the generator and Planning Board application for the tenant. Mr. Hellman said that the owner has full knowledge of the project as evidenced by the signed and notarized Ownership Affidavit in the application.

No one else wishing to comment, Chairman Caridi noted for the record that a GML review is required and set the public hearing for the February Planning Board meeting.

New Business

Chairman Caridi announced that David Levine submitted his resignation and that Mr. Ariel Aufgang is now a full Planning Board member.

Member Shipley made a motion to adjourn the meeting at 7:52 p.m., seconded by Member Materna and upon vote, all were in favor.

