

The Planning Board of the Village of Montebello held a meeting on Tuesday, October 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 Chairman/Member
Marlo Dickman, Member
Joan Materna, Member
Ariel Aufgang, Member
Nancy Doone, Ad Hoc

OTHERS

Alyse Terhune, Asst. Village Attorney
Martin Spence, Village Engineer
Sam Justiniano, Assoc. Village Planner

ABSENT

Jonathan Lockman, Village Planner
Regina Rivera, Planning/Zoning Clerk

Meeting Minutes Approval

Member Materna made a motion to approve the minutes of the September 12, 2023, Planning Board meeting, seconded by Member Dickman, and upon vote, all were in favor. Member Aufgang abstained from voting because he was not present at that meeting.

Hemion Land Lease LLC

Site Plan and ARB—5 Hemion Road, Montebello, NY

Application of Hemion Land Lease, LLC, 102 Norben Road, Monsey, NY 10952. The Applicant is proposing the construction of a 16,357 square foot, two-story raised office building with parking underneath and outside on 1.57 acres. The parcel is located at 5 Hemion Road on the west side of Hemion Road north of the intersection of Route 59 in the Village of Montebello, which is designated on the Ramapo Tax Map as Section 55.10 Block 1 Lot 5.2 in the NS Zone.

Present was Engineer Dennis Rocks of Brooker Engineering on behalf of the Applicant, who gave an overview of the project to date, and asked if the Village Board had any issues with the minor encroachment into the conservation easement. Ms. Terhune stated that the Board of Trustees had no issues with any minor incursion and that no formal action by that Board is needed. Mr. Rocks asked if the Planning Board was willing to waive the parking requirement of 75 parking spaces and approve the 68 parking spaces proposed, which is a 9.3% reduction and noted that the Village Traffic Consultant identified a need for 44 spaces. Additionally, we are requesting one override of the county GML based upon a setback variance and the building inspector recommended an override prior to this meeting, he said.

Ms. Justiniano said that her associate, Traffic Consultant Osman Barrie, sent a revised review of the Traffic Impact Study (TIS) that noted some outstanding comments, specifically that the access road between Montebello Crossing and this project were not addressed, that there are two inconsistencies related to some traffic rates, and that a crash analysis from the last three years is required. She added that Mr. Barrie's memo only arrived the day before.

Mr. Spence summarized his last review of August 7, 2023 that contained some minor engineering comments. We are still waiting for the sewer capacity confirmation from the Town of Ramapo and documentation of the force main agreements. Mr. Rocks said the Sewer Capacity was approved by the Town of Ramapo.

Chairman Caridi asked if the absence of a force main approval could hamper this review process. Mr. Spence said there would be an easement going across the subject property that would be reviewed as part of the completeness check. Ms. Terhune added that any site plan approval would be negated if that easement were not granted.

Ms. Justiniano said that the EAF Part II could be approved at this meeting. Ms. Terhune recommended delaying the Part II approval until Mr. Barrie has a chance to study submitted revisions and accepts or offers means of mitigation. Member Aufgang wondered if there would be any traffic impact if the building were sized according to the required parking with no waiver. Ms. Justiniano said that any impact is related directly to the size of the building. It's an empty lot with no cars, and a large building will be added to the lot adding cars and traffic and therefore the impact is significant. Ms. Doon noted that the new area projects, the medical office parking, the lack of a traffic signal and the terrible access to Indian Rock Shopping Plaza adds to the impacts on traffic. Member Dickman said she was interested in Sunday Traffic as well as Saturday traffic due to the recent influx of people who do not drive on Saturdays.

Mr. Rocks said that Part II is intended to identify impacts, that it is not definitive, and that the purpose of Part III is to discuss what was flagged in Part II. It's something that needs to be looked at but it's not insurmountable, he said. Ms. Terhune said she didn't think Part II would change after Mr. Barrie's review and added that it is up to this Board if they feel they have enough information to adopt it tonight. Member Aufgang asked if traffic was an issue with the first and former application for a building on the site. Ms. Terhune said it wasn't because it was a smaller building with less impact, and there were no pending projects in the area at the time.

The Chairman was firm on waiting for the next traffic study review, adding that, while he had no problems with the project and any impacts to be mitigated, the foremost issue is traffic. Mr. Rocks said that a new traffic study with Saturday analyses could take over a month and asked to be adjourned to the December meeting. Chairman Caridi agreed and then suggested to the Board that they may hold a workshop to head off any problems mitigating traffic and other issues.

Chairman Caridi opened the public hearing, but no one from the public wished to speak.

Ms. Justiniano asked the Board if she should prepare a draft Part III. Chairman Caridi said yes and that they can vote on both Parts II and III at the next meeting.

Member Aufgang made a motion to adjourn the public hearing to the December meeting. The motion was seconded by Member Materna and upon vote, all were in favor.

Member Dickman made a motion to adjourn the application to the December meeting, seconded by member Materna and upon vote, the motion passed unanimously.

CDRC Update

Montebello Crossing, Site Plan/Subdivision

Ms. Terhune gave an overview of the application for the property at 250 Lafayette, site of the approved site plan for Montebello Crossing, on which the Braemar Assisted Living Facility is currently under construction. She explained that the project that was approved in 2021 was for a three-lot subdivision/site plan, and an amended site plan for Hemion Holdings, the existing adjacent strip mall. Lots two and three were to contain a 10,000 square foot medical office building and a 14,000 square foot retail pharmacy respectively. The current CDRC application proposes a lot line dissolution between lots two and three and

the elimination of the retail pharmacy to make room for a 55,000 square foot medical office building and parking lot. She explained further that because of the zone, the next stop for the application is the Board of Trustees who will assume Lead Agency for SEQR and who will approve the bulk requirements.

A lengthy discussion ensued regarding the SEQR process, the improvements to the Hemion Holdings property, the potential hurdles the application must overcome, and the many ways in which the Board of Trustees and the Planning Board must work together on SEQR and site plan review. All the Board members and consultants shared their concerns about making any mistakes and avoiding the pitfalls of the first iteration of the project in 2017.

No one having further comments, Member Shipley made a motion to adjourn the meeting at 7:58 p.m. seconded by Member Dickman and upon vote, all were in favor.