

The Planning Board of the Village of Montebello held a meeting on Tuesday, April 9, 2024 at the Dr. Jeffrey Oppenheim Community Center, 350 Haverstraw Road, Montebello, NY. 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, Member  
Joan Materna, Member  
Ari Aufgang, Member  
Marlo Dickman, Member

**OTHERS**

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

**ABSENT**

Nancy Doon, Ad Hoc Member

**Meeting Minutes Approval**

Member Dickman made a motion to approve the March 12, 2024 Planning Board meeting minutes, seconded by Member Materna and upon vote all were in favor.

**Yosef Emuna**

**Two-Lot Subdivision—96 Viola Road, Montebello, NY**

Application of Yosef Emuna, 129 Grandview Avenue, Monsey, NY 10952 for a two-lot subdivision on 2.22 acres. The Parcel is located at 96 Viola Road, on the north side of Viola Road at the intersection of Spook Rock Road in the RR-50 Zone.

The Applicant, Yosef Emuna, and his attorney Barry Haberman were present. Mr. Haberman said that he and his client have no issues with any of the comments received by the Village or outside agencies, adding all comments from the last meeting were addresses and outlined in his and in [engineer] Mr. Gdanski's narratives. He then reminded the Board that, should they grant the subdivision, the structure for Lot 15.2 will need a Certificate of Appropriateness (COA) from the Historic Preservation and Parks Commission (HPPC), and that a COA was already issued for the new construction on Lot 15.1. Mr. Haberman then addressed an issue with a side-yard on Lot 15.1, where the requirement is 25 feet, and 19.7 is provided. This difference does not require a return to the ZBA, he continued, because the Planning Board has the authority to waive this nonconformity pursuant to Section 196-16 of the Village Code.

After some confusion about which map was the latest, it was established that the engineer, Mr. Gdanski, never changed the revision date of 1/27/24 which was received and stamped by the Village Planning Clerk on March 25<sup>th</sup>. Mr. Spence and Mr. Lockman concurred that they were reviewing the correct site plan.

Chairman Caridi asked if all issues were addressed by the Applicant. Mr. Lockman summarized his memo dated April 8, 2024 and said there remained small and simple things to correct, such as the revision date of the map, and clarification about how the landscaping plan complies with the COA pursuant to Sec. 196-10. He added that the County GML was received and that the Applicant should submit in writing any requests for overrides. Mr. Spence concurred that there are only small items to be addressed, and that the SWPP was received.

Mr. Haberman said that he and his client took no issue with any comments from Mr. Lockman, Mr. Spence or the County.

Mr. Lockman said that according to Village code, parking in the side yard is prohibited, but if the driveway comes up along the side of the house, there is no need for a variance. This application already went before the ZBA for lot sizes, he added. Ms. Terhune stated that the issue was that the owner applied for and received a building permit for the whole lot before applying for a subdivision, yet the setback was not marked on the plans that the ZBA reviewed nor was that side yard mentioned, she said. Mr. Lockman said in that case, the Building Inspector should make a formal determination on whether the 19.7' side yard requires a variance.

After further discussion, Ms. Terhune asked if the driveway was already built. Mr. Emuna said this it was and that the only issue is the turnaround area of the driveway, adding that there are many houses in the Village with the same undersized side yards. Ms. Terhune said that if Mr. Emuna had not put the cart before the horse, he wouldn't be in this pickle. Mr. Haberman said that no one even addressed this issue during CDRC. Chairman Caridi stated that the Board wishes the Building Inspector to review further and to issue his determination.

No one having further comments, Member Aufgang made a motion to set the public hearing for the next Planning Board meeting on May 14, 2024, which was seconded by Member Dickman and upon vote, all were in favor.

### **Hemion Land Lease LLC**

#### **Architectural Review Board—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 for the Applicant was attorney Amy Mele and architect Shragi Einhorn of AB Design. Ms. Mele gave a quick overview of the architectural presentation and then ceded the floor to Mr. Einhorn, who presented the renderings, elevations and materials. He pointed out that there will be a parapet around the parameter of the roof top that will obscure the mechanicals, the baffled and recessed lighting on and around the building, the energy-efficient and eco-friendly Low-E coated glass and the white quartz and metal composite façade materials.

Member Aufgang said that removing the large "FIVE" address sign makes a world of difference and that it is an attractive building. Chairman Caridi also thought the building was attractive and reminded Mr. Einhorn to submit physical samples of the building materials to the Village Engineer. He asked if the Board had any issues with colors or lighting, and no one had any comments. Member Shipley worried that the lights would disturb the residents at [assisted living facility] The Braemar behind them and suggested the lighting should be regulated so that it is not on 24/7. Mr. Einhorn said the lighting could easily be regulated be turned off at certain times after nightfall, depending on the time of year. Member Materna was glad that the pylon sign showing the address was lit up enough to be visible from the street, and that she liked the aesthetic harmony of this building with Braemar. The Board was very much in favor of the style of the building. Member Dickman made a motion to grant Architectural Board approval of the building. Member Materna seconded the motion and upon vote, the motion passed unanimously.

Member Aufgang made a motion to adjourn the meeting at 7:37 p.m. seconded by Member Materna and upon vote, all were in favor.