

# Village of montebello review

Jeff Oppenheim, Mayor, Lance Millman, Deputy Mayor, Marc Citrin, Stacy Caridi, Steven A. Sorrillo, Trustees



## Greetings from the Mayor



### Mayor's Report March, 2008

One year has passed since a new administration was elected to lead our Village. It is

therefore fitting to review the highlights of what has been accomplished in this last year and to look forward to some of the challenges facing us in the coming year.

During the last year we have worked hard to improve communication between the government and the citizenry. We improved this newsletter, with timely delivery of relevant articles of interest. We also improved the website, [villageofmontebello.com](http://villageofmontebello.com), to provide a range of relevant information. We are using snail-mail to provide urgent alerts to important hearings (such as the FAA hearing). In addition, we initiated Cablevision broadcasts of our Board meetings (Sundays at 9PM on channel 78).

During the last year several important capital projects were completed. First among these was the purchase of the former Reform Temple site as the Montebello Community Center. Renovations of this building are currently underway. We also completed critical repairs to Village Hall, including a change in the organization to permit better customer service. We used grant money to install a photovoltaic system to help power Village Hall. We installed speed humps on Mayer Drive in an effort to calm traffic in a meaningful and effective manner.

We have taken meaningful actions to preserve our financial stability. This included requesting and obtaining

hundreds of thousands of dollars of grant money. We adopted a pay-go budget plan to deal with road paving. We initiated a conservative approach to the budgetary process in order to minimize the need for future bonds (please see my report in the December Newsletter available on our website).

Although much has been accomplished in the last year, much remains to be done. For example, we are hopeful that we will be able to begin the work on the Pines Park to make it available to the citizens of the Village. We anticipate repaving certain roads, such as Montebello Road, once local construction is completed. We will consider establishing an "adopt a road" program to keep our roads clean. We also hope to complete repairs to the Community Center which we plan to open up for use by the community.

On the legislative front, we anticipate strengthening the Tree Preservation Law to help preserve our green spaces while holding landscapers accountable for violating our laws. In the coming year we look forward to reviewing a report from the Montebello Economic Development Commission (please see Melanie Golden's article in this newsletter). We will also begin the process of reviewing our Comprehensive Plan. We hope to become a Certified Local Government with the NYS Historic Preservation Office in order to strengthen our historic preservation program. Because many people have complained about inadequately repaired road openings this winter we will review our local law to minimize the likelihood of unnecessary openings and inadequate repairs in the future.

The Village will also continue to serve as a vocal advocate on regional matters that affect our quality of life. We are

continuing legal actions to stop the Town's implementation of ASHD zoning. We recently advocated against a high density project on the border of Montebello that would adversely affect the viewshed of the Fant Farm. We will continue to speak out against the FAA's plans for redirected flight patterns over our skies. Your Village government is also taking a leading role in opposing plans for an elevated commuter rail line that could pass through our borders as part of the Tappan Zee Bridge/287 Corridor Project (please see Trustee Sorrillo's report).

Our goals for Montebello are straightforward: to keep our Village clean, green, and lean. Please feel free to contact me with your thoughts, questions, comments and complaints.

Jeffrey S. Oppenheim  
Mayor



**SAVE  
THE DATE...**

**ANNUAL  
MEMORIAL DAY  
CEREMONY**

**May 25th - 9:30 AM  
at Village Hall**

## **PARKS COMMISSION UPDATES**

Montebello Clean Up Day will be on Saturday April 19th (Rain Date April 20th) and we are encouraging for everyone to join us. We will start at 9:30am at Village Hall where we will hand out Garbage bags, Gloves and Pick Up Sticks along with bottled water for the effort. A dumpster a Village Hall will be available for this event so that all the garbage collected during this clean up can be brought and accounted for here. We will be sending out a Postcard to the residents at the end of March, a banner will be visible on

Village Hall Grounds and our website will also have it posted. We look forward to a "Good Spring Cleaning"!

The Ponds Park will soon be part of our community however many are using this Park as a dumping ground for trash, grass clippings and we are also finding tree and tree stumps removed from properties in the surrounding area. I urge all those living in the Pines to report any of these activities to local authorities.

**Our Family Camp-Out and Concerts will resume this year. Please take note of the dates below and save the dates. We have very good Bands this year for all ages!**

I am sure many of you reading our quarterly newsletter find that we repeatedly have the same notice regarding Storm Drain emblems added to every newsletter, the reason for this is to raise awareness about pollutants entering our Storm Drains and the effects it has on our environment. Please contact Amy Rapoport from our Parks Commission if you wish to participate in tagging your neighborhood Storm Drains and she will be happy to send you the kit necessary to label the drains.

### **SAVE THE DATES:**

- **Family Camp-Out 2008: June 14th and 15th**
- **Summer Concerts: Tuesday June 24th 7:00pm  
Tuesday July 29th 7:00pm**

We would just like to remind you emblems that attach to the storm drains that read "NO DUMPING-DRAINS TO STREAM are available at Rockland County Division of Environmental Resource, Mary Hegarty at 845 364-2669 at the Rockland County office or Amy Rapoport at 845 357-5929.

The Parks Commission meetings are held the first Thursday of every month, all are welcome to attend. Share your ideas and thoughts with us.

**Please keep our Village Clean.**

*Submitted by*  
Bob Congiotti, Parks Commissioner

## **LANDMARK TREE TO BE REMOVED**



We were recently notified by the Town of Ramapo Department of Highways that the large Ash tree located on the west shoulder of Mile Road, at #37, is diseased and rotting, and needs to be cut down. This large tree, located just north of Nottingham, is very old and is a distinctive landmark on the road. Needless to say, this was sad news.

The Village asked John Wickes, our Village arborist, to independently evaluate this tree and determine whether it was possible to remediate the problem in another way. Unfortunately he confirmed that this tree cannot be saved and that it represents a real danger of causing harm if it is not removed entirely.

Although we tried to find a way to save the tree, it is simply not possible to do so while reasonably minimizing the risk of a serious injury. We anticipate that the tree will be removed shortly. Craig Long, our Historian, was asked to photograph the tree prior to its removal in order to preserve a record of its impressive existence. We will continue to work to save our trees and preserve the green spaces in our Village.

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## **PLANNING & ZONING UPDATES**

### **Empire Executive IX - Public Hearing Continued Revised Site Plan ARB**

Application of Executive Associates North IX LLC, 4 Executive Boulevard, Suite 200, Suffern, New York 10901 for approval of a revised site plan and ARB review entitled Empire Executive IX Village of Montebello consisting of 5.59 acres +/- located on the south side of Executive Boulevard approximately 1,500 feet west of North Airmont

**Planning & Zoning Updates**

*Continued from page 2*

Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 55.07 Block 1, Lot 9 in a LO Zone.

Currently the Board is reviewing the Part III of the environmental process and the Architectural Review Board is waiting for samples of the glass block that will be used on the building.

**Weinberger Subdivision - Public Hearing Continued Final Subdivision**

Application of George Weinberger, 1757 East 23rd Street, Brooklyn, NY 11229 for an approval of a Wetlands & Stream Permit and Final Plat for a subdivision entitled "Weinberger Subdivision" consisting of 84.25 acres of which approximately 17.62 are wetlands. The subject property is located on the south side of Grandview Avenue approximately 900 feet east of Spook Rock Road and west of Martha Road and is known and designated on the Ramapo Tax Map as Section 41.13 Block 2, Lots 5 and 6 and Section 41.17, Block 1, Lots 5 and 6 in a RR-50 Zone

The applicant is waiting for a response from the NYS DEC regarding their permit and the project is being reviewed for any outstanding items.

**Info USA - Public Hearing Continued Site Plan ARB**

Application of Info USA, Inc., 5711 South 86th Circle, PO Box 27347, Omaha, Nebraska 68127 for approval of a Site Plan entitled "Preliminary Site Plan for Info USA" consisting of 1 lot from 6.3620 +/- acres located on the south side of Rella Boulevard and the east side of North Airmont Road in the Village of Montebello, which is known and designated on the Ramapo Tax Map as Section 55.08 Block 1, Lot 9 in a LOC Zone.

Preliminary/Final Site Plan approval is being considered for the march 11, 2008 meeting.

**Minetto - Public Hearing Continued Wetlands & Stream Permit**

Application of Scott Minetto, 220 Spook Rock Road, Suffern, New York 10901 for approval of a Wetlands & Stream Permit entitled "Plot Plan for Minetto" consisting of 1 lot from 1.54 +/- acres located on the east side of Spook Rock Road approximately 2000 feet from the intersection of Carlton Road in the Village of Montebello, which is known and designated on the Ramapo tax Map as Section 49.13, Block 1, Lot 14 in a RR-50 Zone

The house and footprint have been revised in order to eliminate encroachment into the 100 ft. regulated area and discussion continues regarding the Wetland Permit.

**Stonehedge Farms - Public Hearing Preliminary Plat**

Application of Joon Management, 130 East Route 59, Spring Valley, New York 10977 for approval of a Preliminary Plat entitled "Stonehedge Farm" consisting of 11 lots from 16.68 +/- acres 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.

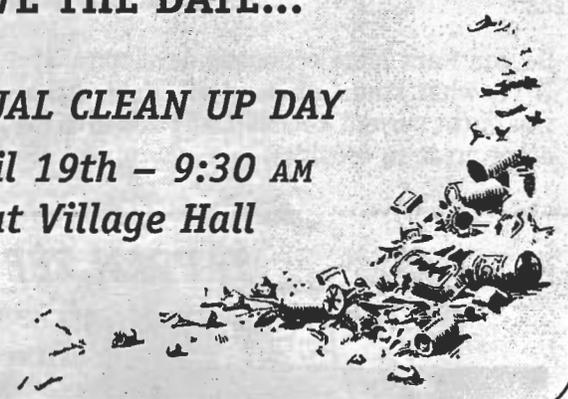
They will be appearing before the Planning Board for the first time at the March 11, 2008 meeting.

**SAVE THE DATE...**

**ANNUAL CLEAN UP DAY**

**April 19th - 9:30 AM**

**at Village Hall**



**AN UPDATE FROM MONTEBELLO'S ECONOMIC DEVELOPMENT COMMISSION**

I wanted to take the opportunity to familiarize you with an important ongoing project in our community. Last year, Montebello formed an Economic Development Commission (EDC) in order to (i) identify undeveloped and under-developed commercial properties in the Village; and (ii) suggest appropriate methods to encourage economic development in order to improve the economy, employment opportunities and the tax base in Montebello.

The EDC has been given the task of preparing a report to address three key initiatives:

1. Identifying key real estate properties and suggesting policies and land-use regulations to foster economic growth;
2. Identifying strategic public investments that would promote and strengthen the economic activity of Montebello; and
3. Proposing appropriate tax incentives, credits and fee reductions to leverage quality developments and attract future development.

## An Update from Montebello's Economic Development Commission

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Your input is important to our task. We will be holding a public hearing on Monday, April 7, 2008 at 7:30 pm at the Senior Meeting room at Montebello Village Hall. In addition, you can submit written comments through April 14, 2008, which will become part of EDC's record, by emailing me at [melanie@emlweb.com](mailto:melanie@emlweb.com) or mailing them to my attention at Village of Montebello, One Montebello Road, Montebello, New York 10901.

While you are welcome to submit all ideas and relevant comments, we are particularly interested in the following areas:

1. Do you want more economic development?
2. If so, what kind (office, retail, light industry, etc.) and where (in current commercially zoned areas or are there other areas to consider)?

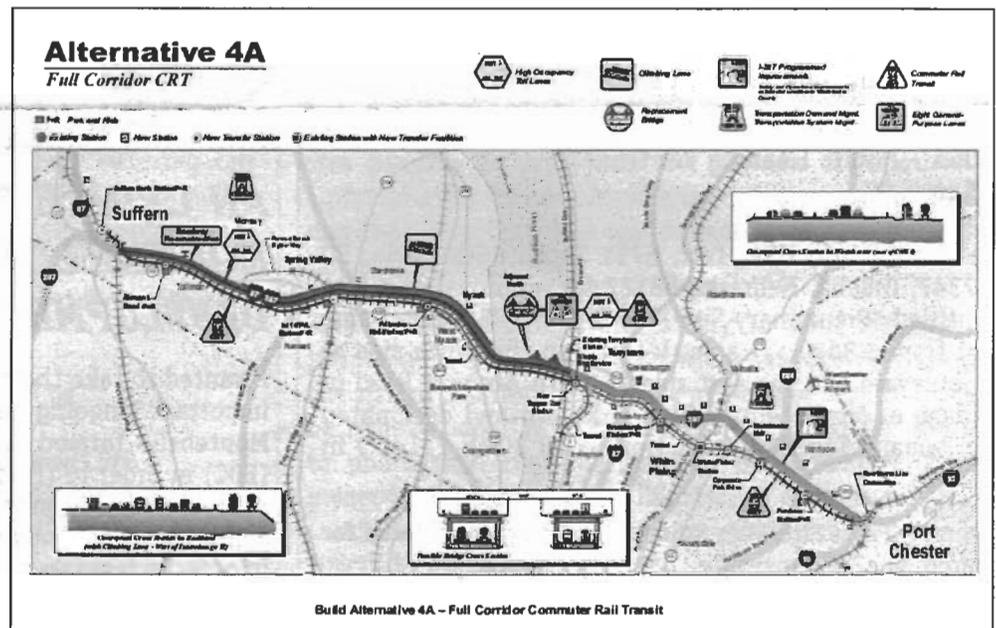
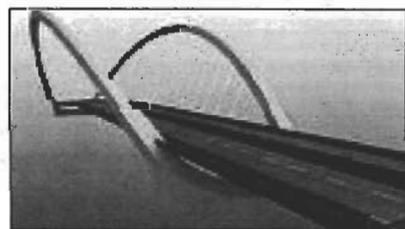
3. Are you familiar with any economic development tools that could be used by our Village to attract desirable businesses?
4. What is your opinion of suggested plans for local mass transit stations (e.g. commuter rail and/or rapid bus transit and related parking) located at Hemion Road or Airmont Road in connection with the Tappan Zee Bridge/Suffern to PortChester corridor project?
5. Are you a resource that may be used in the future if the Village wants input concerning Village economic development?

If you have any questions, you may email me or call me at 845-357-5261.

I look forward to hearing from you,

Melanie Golden,  
EDC Chair

## TAPPAN ZEE BRIDGE / I87/287 OPTIONS



Plans to replace the Tappan Zee Bridge will likely include a mass transit passage that will extend all the way to Montebello. New York State recently announced plans to fast-track this project utilizing a new Federal law (SAFETEA-LU) that permits stream-lining of large public transportation projects. As a consequence we anticipate a decision regarding the mass transit option that will impact our Village before summer arrives. The Village of Montebello is committed to being a vocal and relevant participant in this project.

Currently there are two mass transit options being examined. The first is a Bus-Rapid Transit (BRT) system that would likely utilize a dedicated lane adjacent to the current Thruway lanes. The second is a Commuter Rail transit (CRT) that would also run adjacent to the south side of the Thruway. In either scenario we anticipate that a station will be proposed in Montebello next to the 14B Exit ramp. A Commuter rail line would likely require an elevated train platform in Montebello and would increase noise, air and visual pollution. The BRT would have a lesser impact in this regard.

Your Village Government is engaged in the planning process. We participated in the review conducted by the Regional Plan Association (see [rpa.org/pdf/RPATZCorridorFinal.pdf](http://rpa.org/pdf/RPATZCorridorFinal.pdf)). We participated in organizational meetings with local leaders and

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recently attended a private meeting with NYSDOT Commissioner Astrid Glynn to relate our opinions. Montebello has formally requested status as a "Participating Agency" in the formal process of public involvement. In addition, we are offering formal written comments during the planning period.

During our meeting with the Commissioner, Mayor Oppenheim explained that there was little enthusiasm for a CRT in our community. Statistical evidence of likely ridership does not support CRT as the most cost effective mass transit option. A bus system would have a far less detrimental impact on Montebello. We were assured by the Commissioner that she is concerned about the impact of the choice of mass transit options on local communities.

The final decision on this matter will be made by the NYS-DOT, Metro-North and the NYS Thruway Authority. SAFETEA-LU establishes a brisk environmental review process and a very limited statute of limitations for challenges. Therefore it is essential that our voice is heard now, before the final decision is made.

You can review the Tappan Zee Bridge/ I-287 Corridor Scoping Update Packet and offer your comments. The report can be found at: [www.tzbsite.com/publicinvolvement/pdf/TZB\\_Scoping\\_Update\\_Packet\\_200802.pdf](http://www.tzbsite.com/publicinvolvement/pdf/TZB_Scoping_Update_Packet_200802.pdf)

Comment must be mailed before March 31 to: Mr. Michael P. Anderson  
 NYSDOT  
 Tappan Zee Bridge/I-287 Corridor Project Director  
 660 White Plains Road, Suite 340  
 Tarrytown, NY 10591

Submitted by  
 Steven Sorrillo, Trustee

**SAVE THE DATE...**  
**FAMILY CAMP OUT**  
**June 14th & 15th**  
**Village Hall Grounds**



**From the Desk of the Village Attorney**

Anticipating the harbinger crocus first breaking through winter weary soil, the very hint of spring sets our legislative juices flowing. How apropos, then, that I can report on a pending amended Tree Preservation Law. Also pending is an amendment tightening up our Street Excavation Law, and another tailoring our Historic Preservation Law to facilitate the Village obtaining Certified Local Government ("CLG") status, which may be a first in Rockland, other than the County, itself.

I caution that the laws as they currently exist continue in full force and effect until and unless amendments are adopted after a public hearing, and the filing with the Secretary of State. Thus, it would be unwise to ignore the present laws in anticipation of the amendments which are still evolving.

In order of the public hearings, an amendment to the Historic Preservation Law, § 195-60 of the Village Code, will be presented at a public hearing at the next Regular

Meeting of the Village Board which has been rescheduled for March 26th. The amendment results from the Mayor and I having conferred with the CLG Coordinator of the New York State Office of Parks, Recreation and Historic Preservation regarding the Village's application for CLG status. The amendment aligns our law more fully with the Model Law favored by the State. In particular, the following changes are under consideration:

1. Adding more qualifications for the members of our Historic Preservation Commission ("HPC");
2. Eliminating the alternative of the Planning Board acting as the HPC;
3. Adding contribution to the character of the historic district as a factor in issuing a Certificate of Appropriateness;
4. Adding Violations and Appeals sections; and
5. Requiring that the HPC meet at least monthly.

Next up to be scheduled, hopefully in time for the April 16th Regular Meeting of the Village Board, will be an amendment to our Tree Preservation Law, Chapter 176 of the Village Code. The pending changes result from the deliberations of the Village's Tree Law Committee, a spirited dialogue between the Village's professionals and the Mayor,

**From the Desk of the Village Attorney**

*Continued from page 5*

and a workshop on February 27th held in public before the Regular Meeting of the Village Board. One of the most significant changes is adding provisions requiring that tree removal contractors be licensed by the Village. This adds teeth to the law because contractors who violate same can be fined as well have their licenses suspended or revoked. Landowner violators will also find the fine structure to have been stiffened.

The present law permits the removal of up to four trees per two year period per lot separate from trees that present an imminent danger, or trees in the way of construction for which a building permit has been issued. Instead of the above two year removal rights, the proposed amendment permits the removal of one tree per each 10,000 square feet of lot size per two year period, up to a maximum of eight trees, but with a separate cap of twelve trees over a six year period. The definition of "tree" is to be changed from a five inch to a four inch caliper, four feet above the ground. The amended law may require the compensatory planting of replacement trees for those removed in most circumstances other than trees that are in imminent danger, but this is still under review. There are other details being refined which should be reviewed when the proposed law becomes available.

With recent scarification of our roads staring us in the face and rattling our fillings, the impetus to adopt the third pending law tightening the Street Excavation Law, Chapter 160, Article II of the Village Code, is apparent. Newly constructed, reconstructed or repaved roads, meaning in the past five

years, will not be subject to openings except for good cause shown, and except if the entire width of the road is repaved for the impacted section. In addition, the fee and application and oversight procedures will be strengthened. The draft law is still evolving, but we hope to be able to also present this Law at the April 16th Regular Meeting of the Village Board.

If you have any comments or ideas about these laws, please submit them in writing via the Village Clerk. Of course, you are always welcome and encouraged to voice your opinion at the public hearings.

While on the subject of public hearings, sooner or later a public hearing will be scheduled with respect to granting Verizon a cable television franchise. The Mayor and I spent much of the summer and fall negotiating with Verizon, hoping to be prepared for a public hearing in November or December. Of some 45 changes sought by us versus the proposed agreement, about half were informally accepted by Verizon. To date, a complete tentative agreement has not been reached, nor has a formal application been made. Once this occurs a hearing must be held within two months, and a decision rendered within six months. Hopefully, the logjam will be broken and this will move more quickly than the rigid regulatory scheme.

I don't know about the rest of you, but I can't wait for the Spring to arrive so I can get outside, and away from the American Idol and the presidential race. But, the Giants did win the Super Bowl, so the winter wasn't so bleak after all.

Respectively,  
Warren E. Berbit, Village Attorney



***It's Always the Right Time.....***

*By Lance N. Millman, Deputy Mayor*

With the deadlines of tax time, the tension in preparing your tax returns and the selected few who have to fill out their children's FAFSA forms for college,

we need to get outside and take our mind off these financial taxing problems.

What a great time to get some fresh air and to look around your yard and survey your property.

It's that time of year that all garbage and twigs blow across our yards and onto the streets and surrounding properties. What better time than now to take some time and clean up this trash and debris. But, do not forget your surrounding property. If you have a fence on your property or are across from an empty lot or watershed, make that extra effort to help clean up on both sides of your fence and across from your house and help keep our area beautiful.

If we get a jump on it now, our properties will look great when spring jumps upon us.

Our Parks Commission is once again leading the way with our Village Cleanup Day. See the other sections of our newsletter for when and how you can help. But please, do not wait until that day, help clean up today!

Now that this little chore is done, we can go for a nice healthy walk around our village and continue to be proud of our area and have some fun.



**SAVE THE DATE...**  
**SUMMER CONCERT**  
**June 24th – 7:00 PM**  
**Village Hall Gazebo**

**April 2008**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 <i>Planning Board Workshop 7:00 P.M.</i>	2	3 <i>Parks Commission 7:30 P.M.</i>	4	5
6	7 <i>Economic Development Committee Public Hearing 7:30 P.M.</i>	8 <i>Planning Board 7:15 P.M.</i>	9	10	11	12
13	14	15	16 <i>Board of Trustees 8:00 P.M.</i>	17 <i>Zoning Board of Appeals 7:45 P.M.</i>	18	19 <i>Annual Clean Up Day 9:30 A.M.</i>
20	21	22	23	24	25	26
27	28	29 <i>CDRC 9:30 A.M.</i>	30 <i>Historic Preservation Comm. 7:00 P.M.</i>			

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		<i>Planning Board Workshop 7:00 P.M.</i>		1 <i>Parks Commission 7:30 P.M.</i>	2	3
4	5 <i>Economic Development Committee 7:30 P.M.</i>	6 <i>Planning Board Workshop 7:00 P.M.</i>	7	8	9	10
11	12	13 <i>Planning Board 7:15 P.M.</i>	14	15 <i>Zoning Board of Appeals 7:45 P.M.</i>	16	17
18	19	20	21 <i>Board of Trustees 8:00 P.M.</i>	22	23	24
25 <i>Memorial Day Ceremony 9:30 A.M.</i>	26 <i>Closed Memorial Day</i>	27 <i>CDRC 9:30 A.M.</i>	28 <i>Historic Preservation Comm. 7:00 P.M.</i>	29	30	31

**May 2008**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 <i>Economic Development Committee 7:30 P.M.</i>	3 <i>Planning Board Workshop 7:00 P.M.</i>	4	5 <i>Parks Commission 7:30 P.M.</i>	6	7
8	9	10 <i>Planning Board 7:15 P.M.</i>	11	12	13	14 <i>Family Camp Out</i>
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29	30					

**June 2008**