

The 2024 Comprehensive Plan of the Village of Montebello held a meeting on Wednesday, August 28, 2024 at Village Hall, One Montebello Road, Montebello, NY. Chair Golden called the meeting to order at 3:30 p.m.

**PRESENT**

Melanie Golden, Chairperson  
Ariel Aufgang, Committee Member  
Debra Munitz, Committee Member  
Matthew Moetzinger, Committee Member

**OTHERS**

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

**ABSENT**

Ezra Bryan, Committee Member

**Meeting Minutes Approval**

Member Munitz made a motion to approve the July 10, 2024 comp plan meeting minutes. Member Aufgang seconded the motion and upon vote, all were in favor.

Before the rest of the agenda items were addressed, Mr. Eliezer Fried of 20 Golf Course Drive, who was in attendance, was given permission by Chair Golden to speak. Mr. Fried explained that he is a resident of the Village and advocate of many religious residents and stated that he wanted to address the village code regarding Residential Gathering Places, specifically that the required parking for such is too restrictive, especially since the code does not allow parking in the front and side yards. He explained further that he has recently been advocating for two such applications, one before ZBA and one before the CDRC and both discussions were all about parking.

Chair Golden noted Mr. Fried's comments and encouraged him to attend future comp plan Committee meetings, and to consider raising the issue with the Village Board at one of its public meetings.

**Chairperson Update/Housekeeping**

Ms. Terhune, at the last meeting, was asked to research whether there are any issues with the religious gathering laws that were adopted from the 2017 comp plan. Ms. Terhune said she consulted the Village expert in RLUIPA and religious uses who advised that there are no new case laws and that the current law is sound and requires no changes.

**Planning Board, ZBA, HPPC and Building Department Updates**

Planning Board:

Member Aufgang presented the three major concerns of the Planning Board:

1. Direct Planner and Lawyer to propose changes to codes for commonly variance-ed issues (e.g., driveway in a side yard) to limit the number of rubber stamp approvals.
2. Direct building inspector to increase enforcement of violations of short term rentals.
3. Develop design standard for the ARB to use as a rubric for approvals.

Regarding item #1, Mr. Lockman recommended streamlining standards of zoning by loosening some regulations so that waivers and variances aren't necessary, such as a loading berth requirement for commercial buildings.

Item #2 is a code enforcement and zoning issue, not a comp plan issue, he said. Regarding item #3, Mr. Lockman said that Architectural standards may need its own section since community design and commercial appearances are not in the Historic Section of the comp plan. Ms. Terhune stated that visual aspects are not necessarily land use items. Mr. Lockman added that most

community standards are vague. Chair Golden asked both to recommend language and placement in the plan on aesthetics for both commercial and residential zones.

### **Natural Resources Element Discussion**

Member Aufgang was asked by fellow Planning Board Member Marlo Dickman to address natural lawns to promote less intensive vegetation, but in direct conflict with Sec. 132-13 of the village code. Mr. Lockman said he would research organic lawns, adding that there is nothing in the code that prohibits replacing lawns with pollinators and other natural ground covers.

Discussion turned to regulated wetlands (page 41 of 2017 comp plan). Mr. Lockman stated that the new state regulations on wetlands are complicated and controversial, and enforcement is difficult. Chair Golden stated she did not want to rewrite the wetlands law but that she did not want to be in violation of the state regulations, and asked if any of the 2017 wetlands maps should be pulled from the new plan. Mr. Lockman said the village will respect the state's regulations, watch their progress and amend local laws as needed. As for critical and significant species, Mr. Lockman said he would update that as well.

Greenprint: After a short discussion, the committee agreed that the 2017 Greenprint showing EPODS and critical environmental areas will not be changed and will instead feature an updated addendum for 2024.

Acquifers: Mr. Lockman explained that the state is being lobbied by NYSERDA, and that state laws are being developed which municipalities can follow.

Tree law: Member Munitz recommended the law be tweaked to preserve more trees in side yards to maintain healthy buffers. After a lengthy discussion on the Village Tree laws, Member Munitz was asked to submit possible amendments to the code.

Energy Code: The committee discussed offering bonuses such as FAR allowances for energy efficiency on new constructions, but this idea has more faults, and in any case, the homeowner will save on utilities. Member Aufgang will write a stretch energy proposal for the next meeting.

Building Report: A report on variances applied for in the past ten years was submitted by the building department and the committee was surprised to learn that overall, the number of applications was much lower than expected. The report was supposed to highlight the most commonly sought-after relief which could prompt the village to lessen that standard, but nothing stood out as needing reconsideration. Mr. Fried said that the Village has very strict FAR standards. It was noted that the ZBA had not yet offered its concerns and recommendations for the comp plan.

### **New Business**

The following issues will be discussed at the September meeting:

- Economic Development element
- Streetlights
- Traffic circulation
- Home Occupation standards

Member Munitz to submit crash reports occurring in major intersections in the Village.

**THE NEXT MEETING WILL TAKE PLACE ON WEDNESDAY, SEPTEMBER 25, 2024 AT 3:30 P.M.** Ms. Terhune will not be in attendance.