

The Planning Board of the Village of Montebello held a meeting on Tuesday January 13, 2026 at the Dr. Jeffrey Oppenheim Community Center, 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
Marlo Dickman, Member
Nancy Doon, Member
Joan Materna, Member
Stan Shipley, Member
Rebecca Humphreys, Ad Hoc

OTHERS

Alyse Terhune, Asst. Village Attorney
Max Stach, Village Planner
Haris Aljovic, Village Engineer
Regina Rivera, Planning/Zoning Clerk

**Indian Rock Holdings
10 Indian Rock Shopping Plaza
Amended Site Plan**

Application of Jake Berdugo on behalf of Indian Rock Holdings, 16 Squadron Blvd., Suite 106, New City, NY 10954 for an amended site plan to install eight (8) level 3 EV Tesla chargers in the parking lot of Indian Rock Plaza. The Parcel is located on the north side of Route 59 at the intersection of Hemion Road, and is shown on the Ramapo Tax Map as Section 55.10 Block 1 Lot 5.1 in the NS Zone

Mr. Berdugo and his engineer, Sam Lee, were present. Mr. Berdugo explained that the Board and consultant comments were addressed, and that they were very happy to receive a rare GML review from the county that “approved” the project. We are here to present the changes, the landscaping and lighting plans, and to answer any questions, he said.

Mr. Stach reviewed his memo dated January 13, 2026 and asked if the application was circulated to the Rockland County Sewer District, given the easement, and was told that there has been no response from them.

Mr. Aljovic summarized Mr. Spence’s memo dated January 12, 2026 and noted that all major items have been addressed satisfactorily and only a few minor detailed engineering items remain.

Member Dickman made a motion to open the public hearing, and Member Materna seconded the motion. Chairman Caridi confirmed with the Planning Clerk that the application was properly posted, published and noticed. No one from the public was present, nor were any written comments submitted for the record. Member Dickman made a motion to close the public hearing, seconded by Member Materna and upon vote, all were in favor.

Member Stach noted that, in the twenty-seven years as a Planner, this is the first time he has seen an approval with no comments from the county. Member Dickman made a motion to approved the application for the installation of eight level 3 EV chargers. Member Doon seconded the motion and upon vote, the motion passed unanimously.

Resolution PB02 of 2026
Village of Montebello Planning Board
Granting Amended Site Plan Approval to 10 Indian Rock Plaza
SBL 55.10-1-5.1 and 55.10-3-1 and 2

WHEREAS, by letter dated October 7, 2025, the Village of Montebello Building Inspector denied Indian Rock Holdings LLC, an application for a building permit to relocate six (6) existing type 2 EV chargers and install eight (8) fast charging stations, and all associated work, in the parking lot of Indian Rock Plaza. The Building Inspector determined that a site plan amendment was required pursuant to Article IX of the Code of the Village of Montebello entitled “Site Development Plan Review.”

WHEREAS, on or about October 16, 2025, Indian Rock Holdings LLC, owner of 10 Indian Rock Plaza (the “Applicant”), applied to the Planning Board seeking an amendment to the Indian Rock Shopping Center site plan approval¹ to install eight (8) Tesla V4 DC fast charging stations in the parking lot of Indian Rock Plaza; and

WHEREAS, the proposed EV chargers are in the Indian Rock Plaza identified on the Tax Map as Section 55.10, Block 1, Lot 5.1 and Section 55.10, Block 3, Lots 1 and 2 (SBL 55.10-1-5.1 and 55.10-3-1 and 2), which is in the Neighborhood Shopping (“NS”) Zoning District; and

WHEREAS the Application was duly referred to the Rockland County Department of Planning (“RCDP”) pursuant to General Municipal Law § 239-m, which Agency responded by letter dated January 6, 2026, which contained no comments and “approved” the project; and

WHEREAS, the Application was referred to all necessary outside agencies, including the Village of Airmont, the Village of Suffern, the Unincorporated Town of Ramapo, and Rockland County Sewer District No. 1. No agencies responded except RCDP as noted above; and

WHEREAS, the Planning Board determined that the Application is a Type II Action pursuant to 6 NYCRR 617.5(c)(9) “construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities,” and, therefore, required no further action under the State Environmental Quality Review Act; and

WHEREAS, a duly noticed public hearing was convened on January 13, 2026, at which time the Board heard testimony from the Applicant and all those wishing to address the Board on the matter, and after providing an opportunity to be heard and receiving no written comments and no one appearing at the public hearing, closed the hearing on January 13, 2026; and

WHEREAS, the Planning Board has considered all relevant provisions of the Village of Montebello Zoning Law, all determinations made by the Village Building Inspector, and has been

¹ Final site plan approval for the Indian Rock Shopping Center was granted by Resolution PB-05 of 1995.

advised by its consulting engineer and planner as regards all materials submitted by the Applicant; and,

WHEREAS, the Planning Board and its consultants reviewed the following submissions by the Applicant's representative:

1. Denial letter prepared by the Village of Montebello Building Inspector, dated October 7, 2025.
2. Project Narrative, prepared and signed by Jake Berdugo, Applicant, dated October 16, 2025.
3. Response narrative to Spence Engineering's October 27, 2025, review, prepared by Dunamis Engineering, dated November 21, 2025.
4. Parking Evaluation Memorandum, prepared and signed by Ronald P. Rieman, Senior Project Manager Colliers Engineering and Design, dated November 21, 2025.
5. Project Site Plan, prepared and signed by Samuel Lee, P.E., of Dunamis Engineering and Consulting, dated August 22, 2025, last revised December 19, 2025:
 - a) Sheet NO: C-001 / Drawing Title: Cover sheet
 - b) Sheet NO: C-002 / Drawing Title: General Notes & Symbols
 - c) Sheet NO: C-003 / Drawing Title: Parking and Development Coverage Calculations
 - d) Sheet NO: C-100 / Drawing Title: Existing Site Plan
 - e) Sheet NO: C-101 / Drawing Title: Overall Site Plan
 - f) Sheet NO: C-102 / Drawing Title: Enlarged Site Plan
 - g) Sheet NO: C-103 / Drawing Title: Parking Plan
 - h) Sheet NO: C-104 / Drawing Title: Construction Sequencing Plan
 - i) Sheet NO: C-200 / Drawing Title: Details
 - j) Sheet NO: C-201 / Drawing Title: Details II
 - k) Sheet NO: E-001 / Drawing Title: One-line Diagram
 - l) Sheet NO: E-002 / Drawing Title: Electrical Panel Schedule
 - m) Sheet NO: E-200 / Drawing Title: Electrical Details
 - n) Sheet NO: E-201 / Drawing Title: Electrical Details II
 - o) Sheet NO: E-202 / Drawing Title: Electrical Details III
 - p) Sheet NO: E-203 / Drawing Title: Electrical Details IV.
6. Planting Plan, prepared by Yost Design, dated December 17, 2025.
7. Lighting Plan, unsigned, dated December 21, 2025.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby grants an amendment to the site plan approval for the purpose of install eight (8) Tesla V4 DC Fast Charging Stations in the parking lot of Indian Rock Plaza as shown on:

1. Project Site Plan, prepared and signed by Samuel Lee, P.E., of Dunamis Engineering and Consulting, dated August 22, 2025, last revised December 19, 2025; and
2. Planting Plan, prepared by Yost Design, dated December 17, 2025; and
3. Lighting Plan, unsigned, dated December 21, 2025.

BE IT FURTHER RESOLVED, that this amendment to site plan approval is granted subject to the following conditions:

1. The above "**WHEREAS**" paragraphs are incorporated herein by reference.

2. The Applicant shall comply with technical comments noted in the memorandum of Martin K. Spence, P.E., Village Engineer, dated January 12, 2026.

3. Payment of all fees due and owing to the Village of Montebello in connection with this application and approval.

Upon a motion by Member Dickman, seconded by Member Doon, the Planning Board voted as follows:

<u>MEMBERS PRESENT:</u>	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Anthony Caridi, Chairman	-√-	—	—
Stan Shipley, Member	-√-	—	—
Marlo Dickman, Member	-√-	—	—
Joan Materna, Member	-√-	—	—
Nancy Doon, Member	-√-	—	—

Filben Montebello Propco, LLC

6-Month Extension request for use of temporary access

Application of Filben Montebello Propco, LLC (The Braemar) for a six-month extension of the temporary use of the Hemion Road Access until such time that the road to Route 59 is built. The Property is located on the north side of Lafayette Avenue, 1000 feet west of the intersection of Hemion Road in the Village of Montebello which is known and designated on the Ramapo Tax Map as Section 55.10-1-2.1 in the RTE59DD zone.

No one was present on behalf of the Applicant. Ms. Terhune explained that the Village Engineer sent an email detailing the progress of the construction of the road to Route 59. Mr. Aljovic said that the project is on-going and that the improvements should be completed by mid to early April, and recommended granting another six-month extension of the TCO.

Mr. Stach asked if the Applicant was aware that they are responsible for the additional improvements on the site of the Braemar. Ms. Terhune said that they have already completed substantial work on the road from their lot up to ten feet of Route 59 and Mr. Aljovic added that they are aware of the improvements to be made on their own lot.

Chairman Caridi noted for the record that the owners of Lots 2 and 3 were responsible for building the road to the right of way but refused, leaving the Applicant in a tricky spot. The Village called in the LOC, however, and is now completing the road and other improvements on their behalf. The Applicant installed the waring surface, curbing and other improvements at their own expense, which incentivized the Village to come to their aid.

Member Dickman noted that the request for the extension by the Applicant's attorney erroneously states that they are seeking to an extension until August 2025.

No one having any comments, Member Dickman made a motion to grant the six-month extension of the TCO, seconded by Member Materna, and upon vote, all in favor.

Resolution PB 01 of 2026
Village of Montebello Planning Board
Granting Second Six Month Extension of Approval to Filben Montebello Propco, LLC., to use Hemion Road for Temporary Ingress/Egress to the Braemar Assisted Living Facility

WHEREAS, On March 9, 2021, the Planning Board granted Final Conditional Subdivision and Site Plan Approval to Montebello Crossing, LLC, to subdivide the property identified as SBL 55.1-1-2 on the tax map into three (3) separate lots and construct a mixed-use development consisting of a 200-bed assisted living facility on Lot 1 ("Braemar"); and

WHEREAS, FilBen Montebello Propco, LLC ("Filben") purchased Lot 1 from Montebello Crossing, and began constructing Braemar, including the ingress/egress to Hemion Road and a construction driveway from Route 59 to Lot 1, which work was undertaken exclusively by FilBen to facilitate the construction of Braemar; and

WHEREAS, on July 2023, Montebello Crossing LLC sold Lot 2 and Lot 3 to Montebello Development, LLC.; and

WHEREAS, neither Montebello Crossing nor its successor in interest undertook any approved infrastructure work on Lot 2 or Lot 3 during the construction of Braemar or at any time thereafter up and to the date of this Resolution, including any work on the internal access driveway to and improvements of Route 59; and

WHEREAS, the Applicant completed the construction of Braemar, including all but approximately 20 feet of the internal driveway through lots 2 and 3 connecting Braemar to Route 59; and

WHEREAS, the Montebello Building Inspector determined that Braemar requires two access points for public safety without which, and in the absence of approval from the Planning Board to use Hemion Road as temporary primary access, no certificate of occupancy ("CO"), not even a temporary CO, could be issued; and

WHEREAS, Filben applied to the Planning Board for approval to use Hemion Road as the temporary primary ingress/egress to Braemar with access to Route 59 provided for construction vehicles and emergency responders only via the internal driveway shown on Lot 3; and

WHEREAS, on September 10, 2024, the Planning Board granted approval to Filben to use Hemion Road as the temporary primary ingress/egress to Braemar and said approval was for a term of one year with two 6-month extensions upon application to the Planning Board; and

WHEREAS, thereafter, the Village of Montebello called the Letter of Credit securing the subdivision improvements required pursuant to the March 9, 2021, Final Conditional Subdivision and Site Plan Approval and intends to use the proceeds to complete the Route 59 improvements; and

WHEREAS, by letter dated August 8, 2025, Filben applied to the Planning Board seeking a six-month extension of the temporary ingress/egress approval granted on September 10, 2025, from August 10, 2025, to February 10, 2026, which extension was granted; and

WHEREAS, by letter dated December 17, 2025, Filben applied to the Planning Board seeking a second six-month extension of the temporary ingress/egress approval granted on September 10, 2025, from February 10, 2026, to August 10, 2026; and

WHEREAS, the Planning Board received an update from the Village Engineer stating that the Route 59 improvements should be complete by April or May 2026 and recommended granting the requested extension.

NOW, THEREFORE, BE IT RESOLVED, the Planning Board hereby grants a second six-month extension of the September 10, 2025, approval granting temporary primary ingress/egress from Hemion Road to Filben Montebello Propcos, LLC, from February 10, 2026, to August 10, 2026, or as soon thereafter as the Planning Board meets.

BE IT FURTHER RESOLVED, that the September 10, 2024, approval is incorporated by reference as if set forth fully herein.

BE IT FURTHER RESOLVED, that a copy of this Resolution be provided to Filben Montebello Propcos, LLC.

On the Motion of Member Dickman, seconded by Member Materna, the Planning Board granted final subdivision approval on a roll-call vote of 5 yeas and 0 nays as set forth below:

<u>MEMBERS PRESENT:</u>	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>
Anthony Caridi, Chairman	-√-	—	—
Stan Shipley, Member	-√-	—	—
Marlo Dickman, Member	-√-	—	—
Joan Materna, Member	-√-	—	—
Nancy Doon, Member	-√-	—	—

December Minutes Approval

Member Dickman made motions to approve the meeting minutes of December 9, 2025.

Member Materna seconded the motions and upon vote, all were in favor.

Member Materna made a motion to adjourn the meeting at 7:20 p.m. Member Doon seconded the motion and all were in favor.