

**THE LAW OFFICE OF AMY MELE
100 DUTCH HILL ROAD
SUITE 330
ORANGEBURG NY 10962
Amy@AmyMeleLaw.com
(845) 596-8260**

**PLANNING BOARD AND ZONING BOARD OF APPEALS
VILLAGE OF MONTEBELLO**

NARRATIVE SUMMARY

30 VIOLA ROAD, SUFFERN, NEW YORK 10901

Tax Lot 48.08-1-12.1

This is an application for six (6) area variances required in order to legalize and build a deck addition and extended kitchen. New variances are: 1) Side Yard; 2) Side Yard Pool/Spa; 3) Rear Setback; 4) Rear Yard; 5) Development Coverage; and 6) FAR. The Applicant previously extended the deck surrounding the northwest corner of her home, and is proposing a kitchen addition.

Existing Conditions

The site is located on the north side of Viola Road 70 feet northeast of Mile Road. A copy of the Rockland County GIS map is attached hereto as Exhibit A. The property is located in the RR-50 zoning district. The following variances are required:

| <u>Dimension</u> | <u>Required</u> | <u>Proposed</u> |
|-------------------------|------------------------|------------------------|
| Side Yard | 25 feet | 5.7 feet |
| Side Yard Pool/Spa | 35 feet | 37.4/12.2 feet |
| Rear Setback | 50 feet | 49.7 feet |
| Rear Yard | 25 feet | 3.6 feet |
| Development Coverage | 20% | 35.4% |
| FAR | .15 | .204 (See * below) |

The lot is located in a neighborhood with varying home styles – mid-century modern, colonials, split levels, high ranches – throughout the neighborhood. Google Earth photos of the property as well as the neighboring lots and examples of neighborhood styles, are attached hereto as Exhibit B.

The lot is also an oddly shaped “flag” lot. As such, a significant portion of the lot size is the driveway, which gives access to the lot. It is bounded to the west by a body of water.

*Finally, the property was granted a FAR variance from .15 to .19 by ZBA decision 1051 in 1998. Among the Board’s findings, which are equally relevant here, are that houses in the immediate area are similar in size to that proposed by applicant; a large pond adjoins the property to the west, minimizing the impact on that property to the neighbor; and that the house (yet to be built at that time) will set back from, and screened from, the road.

Criteria for Variance

One of the purposes of a zoning board of appeals, and of the ability to grant variances, is to provide a “safety valve” where the strict application of a zoning code cannot allow an otherwise appropriate use of property because of the peculiar circumstances applicable to that property. For this reason, any municipality that adopts a zoning code must also establish a board of appeals. *See*, 2 Salkin, *New York Zoning Law and Practice* (3d ed.), §§27:07 – 27:10; *McKinney’s Town Law*, Practice Commentary to § 267-a; Town L. § 267.2; *McKinney’s Village Law*, Practice Commentary to § 7-712-a; Village L. § 7-712(2).

In making a determination to grant an area variance, a board of appeals “shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.” Town L. § 267-b.3(b); Village L. § 7-712-b.3(b). The board must also consider five questions when engaging in this balancing test. The questions, and the applicant’s responses, are set forth below:

(1) “whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance”:

Granting the requested variances will not result in an undesirable change in the neighborhood. As the Board noted in the previous variance application, the proposed additions will be screened from the road and the neighbors.

(2) “whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance”:

The plans were designed to keep the number and extent of the variances to a minimum.

(3) “whether the requested area variance is substantial”:

Whether a requested variance is “substantial” is more than simple arithmetic. It requires an understanding of the general area and of the existing conditions. *See*, 2 New York Zoning Law and Practice, § 29:15.

The requested variances are appropriate for the site, especially considering the shape of the lot.

(4) “whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district”:

There will be no impact on the physical or environmental conditions in the area.

(5) “whether the alleged difficulty was self-created”:

While it is true that the applicant purchased a slightly undersized lot with some physical restrictions, it was approved as such when it was built.

On balance, therefore, the requested variances are beneficial to both the applicant and the community.

Accordingly, the applicant requests the following relief:

| <u>Dimension</u> | <u>Required</u> | <u>Proposed</u> |
|----------------------|-----------------|-----------------|
| Side Yard | 25 feet | 5.7 feet |
| Side Yard Pool/Spa | 35 feet | 37.4/12.2 feet |
| Rear Setback | 50 feet | 49.7 feet |
| Rear Yard | 25 feet | 3.6 feet |
| Development Coverage | 20% | 35.4% |
| FAR | .15 | .204 |

Dated: October 7, 2025
Orangeburg, New York

/s/ Amy Mele

Amy Mele, Esq.
Attorney for applicant

APPLICATION REVIEW FORM

PART I

VILLAGE OF MONTEBELLO

Date

10/16/25

Please check all that apply:

| | |
|--|---|
| <input type="checkbox"/> Planning Board | <input type="checkbox"/> Village Board |
| <input checked="" type="checkbox"/> Zoning Board of Appeals* | <input type="checkbox"/> Historic Preserv. Comm. |
| *(Fill out Part II of this form) | |
| <input type="checkbox"/> CDRC | <input type="checkbox"/> Architectural Review Board |
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Number of Lots |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Informal |
| <input type="checkbox"/> Architectural Review | <input type="checkbox"/> Preliminary |
| <input type="checkbox"/> Stream and Wetlands Permit | <input type="checkbox"/> Final |
| <input type="checkbox"/> Special Permit | <input type="checkbox"/> Cert. of Appropriateness |
| <input type="checkbox"/> Zoning Code Amendment | <input type="checkbox"/> Zone Change |
| <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Other _____ |

Project Information

Project Name: 30 Viola Road

Tax Map Designation:

Section 48.08 Block 1 Lot(s) 12.1

Section _____ Block _____ Lot(s) _____

Location: On the North side of Viola Road,
70 feet NorthEast of Mile Road in the
Village of Montebello.

Street Address: 30 Viola Road

Acreage of Parcel 1.12 Zoning District RR-50

School District SUFFERN CENTRAL S.D. Postal District SUFFERN 10901

Fire District TALLMAN F.D. Ambulance District RAMAPO VALLEY

Water District VEOLIA WATER Sewer District ROCKLAND #1

APPLICATION REVIEW FORM

Project Description: *(If additional space required, please attach a narrative summary.)*

See attached Narrative Summary

If subdivision:

- 1) Is any variance from the subdivision regulations requested? _____
- 2) Is any open space being offered? ____ If so, what amount? _____
- 3) Is this a standard or average density subdivision? _____

If site plan:

- 1) Total size of building(s) in square feet _____
- 2) Proposed addition _____

If special permit, list special permit use and what the property is proposed to be used for.

Environmental Constraints:

Are there **slopes greater than 15%**? _____

Are there **streams, flood plains, lakes, or other land under water** on the site? _____

If yes, please provide the names. _____

Are there **wetlands** on the site? Yes

If yes, please provide the names and type. _____

If yes to any of the above, please indicate the amount and show the gross and net area per section 195-14.A. _____

****SHOW ENVIRONMENTAL CONSTRAINTS ON SEPARATE DRAWINGS.****

Project History: Has this project or property ever been reviewed before? Yes

If so, provide a narrative, including the list case number, name, date, and the board(s) that reviewed it, together with the status of any previous approvals.

See Attached VBA decision dated
June 24, 1998.

APPLICATION REVIEW FORM

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

N/A

General Municipal Law Review:

This property is within 500 feet of *(Check all that apply)*:

| | |
|--|---|
| <input checked="" type="checkbox"/> State or County Road | <input type="checkbox"/> State or County Park |
| <input type="checkbox"/> New York State Thruway | <input type="checkbox"/> County Stream |
| <input type="checkbox"/> Municipal Boundary | <input type="checkbox"/> County Facility |

List name(s) and/or numbers of facility(ies) checked above. _____

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 K, L, M, AND N.

Referral Agencies:

| | |
|---|--|
| <input checked="" type="checkbox"/> RC Highway Department | <input type="checkbox"/> RC Division of Environmental Resources |
| <input type="checkbox"/> RC Drainage Agency | <input type="checkbox"/> RC Dept. of Health |
| <input type="checkbox"/> NYS Dept. of Transportation | <input type="checkbox"/> NYS Dept. of Environmental Conservation |
| <input type="checkbox"/> NYS Thruway Authority | <input type="checkbox"/> Palisades Interstate Park Comm. |
| <input type="checkbox"/> Adjacent Municipality _____ | |

Contact Information

Applicant: Rifky Mehrel Goldstein Phone # _____

Address 30 Viola Road, Suffern, New York 10901 Email: 8095852@gmail.com

Street Name & Number (Post Office) State Zip code

Property Owner: Rifky Mehrel Goldstein Phone # _____

Address 30 Viola Road, Suffern, New York 10901 Email: 8095852@gmail.com

Street Name & Number (Post Office) State Zip code

Engineer: _____ Phone # _____

Address _____ Email: _____

Street Name & Number (Post Office) State Zip code

APPLICATION REVIEW FORM

Surveyor: Paul Gdanski, P.E., PLLC Phone # 917-418-0999
Address 3512 Whittier Court, Mahwah, New Jersey 07430 Email: pgski@earthlink.net
Street Name & Number (Post Office) State Zip code

Architect: _____ Phone # _____
Address _____ Email: _____
Street Name & Number (Post Office) State Zip code

Attorney: Amy Mele, Esq. Phone # 845-596-8260
Address 100 Dutch Hill Road, Suite 330, Orangeburg, NY 10962 Email: amy@amymelelaw.com
Street Name & Number (Post Office) State Zip code

Contact Person: Amy Mele, Esq. Phone # 845-596-8260
Address 100 Dutch Hill Road, Suite 330, Orangeburg, NY 10962 Email: amy@amymelelaw.com
Street Name & Number (Post Office) State Zip code

TO ALL APPLICANTS - YOU MUST SEND COPIES OF APPLICATIONS AND PLANS TO:

Regional Manager
Orange and Rockland
75 West Route 59
Spring Valley, NY 10977

I have informed the above checked agencies and Orange and Rockland on _____.

APPLICATION REVIEW FORM

Owners of Nearby Properties

The following are all of the owners of property within five hundred (500) feet of the subject premises (you may attach a list):

[illegible]

APPLICATION REVIEW FORM

Applicant's Combined Affidavit and Certification

State of New York)
County of Rockland) ss.:

Rifky Mehrel Goldstein, being duly sworn, deposes and says:

Applicant's Name

I am the applicant in this matter. I make these statements to induce the Village of Montebello, its boards, commissions, officers, employees, and consultants, to entertain my application, knowing that the Village will rely upon the statements made herein.

1. Verification of Facts. All statements contained in this application and in all documents, drawings, writings, and other communications submitted in connection with this application are true.

2. Consent to Enter. I hereby give permission to members of said boards and/or supporting staff to visit the property in question at a reasonable time during the day.

3. Affidavit Pursuant to General Municipal Law Section 809. All the following statements and the statements contained in the papers submitted herewith are true and the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

A. I certify that I am the owner, officer, member or agent of owner, of all that certain lot, piece or parcel of land and/or building described in this application **and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner** in connection with this application for the relief below set forth:

B. There is no state officer, Rockland County officer or employee or village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New

APPLICATION REVIEW FORM

York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

C. To the extent that the same is known to your applicant, and to the owner of the subject premises **there is disclosed herewith** the interest of the following officer or employee of the State of New York or the County of Rockland or of the Village of Montebello in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee None
- b. Nature of interest None
- c. If stockholder, number of shares None
- d. If officer or partner, nature of office and name of partnership None
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of

these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. None

f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Village of Montebello.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

APPLICATION REVIEW FORM

4. Reimbursement for Professional Consulting Services. I understand that the Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the Village and each such consultant for the cost of such consultant services upon receipt of the bill.

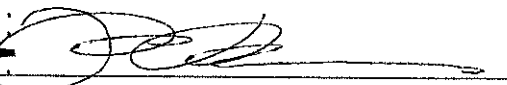
I agree to establish an escrow account with the Village of Montebello from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Village. Any additional sums needed to pay the Village's consultants shall be paid prior to final action on the application. The Village may suspend processing of the application if there is a deficiency in the escrow account.

Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Village.

Applicant's Signature

Print Applicant's Name Rifky Mehrel Goldstein

NOTARIZE

SWORN to before me this
3rd day of October, 2025

Notary Public

REGINA RIVERA
Notary Public, State of New York
Reg No. 01RI6378536
Qualified in Rockland County
Commission Expires July 30, 2026

SIGN
HERE

APPLICATION REVIEW FORM

Affidavit of Ownership/Owner's Consent

State of New York)

County of Rockland) SS.:

I, Rifky Mehrel Goldstein being duly sworn, hereby
depose and say that I reside at: 30 Viola Road, Suffern, New York 10901

in the county of Rockland in the state of New York

I am the (*) owner in fee simple of premises located at:
30 Viola Road

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber _____ of conveyances, page _____ or as Instrument ID# 2023-00008336

Said premises have been in my/its possession since 2023. Said premises are also
known and designated on the Town of Ramapo Tax Map as:
section 48.08 block 1 lot(s) 12.1

I hereby authorize the within application on my behalf, and that the statements of fact
contained in said application are true, and agree to be bound by the determination of the
board.

Owner's Signature

Mailing Address

30 Viola Road, Suffern, New York 10901

SWORN to before me this
3rd day of Oct, 2025

Notary Public

ANA RIVERA
Notary Public, State of New York
Reg. No. 01RJ6378536
Qualified in Rockland County
Expires July 30, 2026

**If owner is a corporation or LLC, fill in the office held by deponent and name of corporation or LLC, and provide a list of all directors, officers and stockholders owning more than 5% of any class of stock and all members having greater than 5% beneficial interest.*

APPLICATION REVIEW FORM

PART II

Application before the Zoning Board of Appeals

Application, petition or request is hereby submitted for:

- ☐ Use Variance from the requirement of Section _____
- ☒ Area Variance from the requirement of the Bulk Table (Section 195-13);
- ☐ Area Variance (other than Bulk Table) Section _____
- ☐ Review of an administrative decision of the Building Inspector;
- ☐ An interpretation of the Zoning Ordinance or Map;
- ☐ Certification of an existing non-conforming structure or use;
- ☐ Other (*explain*) _____

To permit construction, maintenance and use of

Sauna, deck, proposed kitchen addition

If an area variance is required, please fill out below:

This application seeks a variance from the provisions of:

- ☒ Bulk Table (Section 195-13) Use Group H
- ☐ Section(s) _____

Specifically, the applicant seeks variance from the requirements from:

| <u>Dimension*</u> | <u>Column</u> | <u>Required</u> | <u>Provided</u> |
|----------------------|---------------|-----------------|-----------------|
| Side Yard | 8 | 25' | 5.7' |
| Side Yard Pool/Spa | | 35' | 37.4'/12.2' |
| Rear Setback | 9 | 50' | 49.7' |
| Rear Yard | 10 | 25' | 3.6' |
| Development Coverage | 13 | 20% | 35.4% |
| Floor Area Ratio | 14 | 0.15 | 0.204 |

*e.g., front yard, side setback, FAR

See Bulk Table

Applicant's initials: _____

RG

APPLICATION REVIEW FORM

Previous Appeal:

- a. A previous appeal ☒ has, or ☐ has not, been made with respect to this property.
- b. Such appeal was in the form of:
- ☐ Interpretation of the Zoning Ordinance or Map; or
 - ☐ Appeal from decision of Village Official or Officer.
 - ☐ A USE Variance; or
 - ☒ An AREA Variance; or
- c. The previous appeal described above was appeal number 23A-1051,
dated June 24, 1998 and was Granted for .19 FAR (Granted/Denied).

TO ALL APPLICANTS: Complete all relevant information by the section or sections pertaining to your appeal ONLY. You may also include extra pages to supplement this form with a narrative explanation. At the time of the hearing you must present written documentation in support of all the statements made in this application. You must also substantiate all financial information supplied.

A. INTERPRETATION OF ZONING CODE

(This section to be completed for an interpretation, only. Use additional pages, if needed)

1. Section(s) to be interpreted: 195-_____
2. An interpretation of the Zoning Code is requested because:

B. APPEAL OF DECISION OF VILLAGE OFFICIAL

(This section to be completed for an appeal, only. Use additional pages, if needed)

1. Name and position of official making the decision:

2. Nature of decision:

3. The decision described above is hereby appealed because:

APPLICATION REVIEW FORM

C. USE VARIANCE

(This page to be completed only for a USE variance. Use additional pages, if needed).

1. This property cannot be used for any uses currently permitted in this zone because:

2. The problem with this property is due to unique circumstances and not to the general conditions of the neighborhood in that:

3. The use requested by this variance will not alter the essential character of the neighborhood in that:

4. The amount paid for the entire parcel was: _____
5. The date of purchase of the property was: _____
6. The present value of the entire property is: _____
7. The monthly expenses attributed to normal and usual maintenance of the property are: _____
8. The annual taxes on the property are: _____
9. The current income from the property is: _____
10. The amount of mortgages and other encumbrances on the property in question are:
 - a. Date of mortgage: _____
 - b. Scheduled maturity (payoff) date: _____
 - c. Present monthly payment amount: _____
 - d. Current principal balance: _____
 - e. Current interest rate: _____
11. Other factors I/we wish the Board to consider in this case are:

ZBA - 1051 Application of Frank & Laura Ravenna

In Re: Calendar Case Number ZBA - 1051 before the Zoning Board of Appeals of the Village of Montebello, at a public hearing held at Village Hall, One Montebello Road, in the Village of Montebello, New York on the 21st day of May, 1998, for variances from the provisions of Article IV, Section 2, Use Group H, Column 14, of the Zoning Local Law of the Village of Montebello to permit the construction, maintenance and use of a single family dwelling with a Floor Area Ratio of .19.

The premises which are the subject of this application are located on the north side of Viola Road and 0 feet from the intersection of Mile Road in the Village of Montebello which is known and designated on the Ramapo Tax Map as Section 13, Lot 13B1 in a RR-50 Zone.

The Board, upon motion duly made by Richard Fried and seconded by Edward Bracken resolved:

WHEREAS, a public hearing was held on May 21, 1998, and the testimony of the following persons was duly considered:

1. Frank Ravenna
2. Laura Ravenna

WHEREAS, the applicant was represented by Barry Sturtz Esq. and the following documents were placed into the record and duly considered:

1. Letter of Robert Geneslaw Co. dated May 19, 1998.
2. Application
3. Survey, dated April 23, 1998, with proposed house modified by Fred Klenk, Architect.
4. Affidavit of Ownership.
5. Letter of denial dated May 1, 1998 from the Building Inspector.
6. Letter of Barry Sturtz dated April 29, 1998.
7. Final Subdivision Plat for Pappalardo and Tree Maps for Pappalardo Subdivision.

WHEREAS, all the evidence and testimony was carefully considered and the Zoning Board of Appeals has made the following findings of fact:

1. Living area is 5,430 square feet, with basement and garage, total is 9,300 square feet.

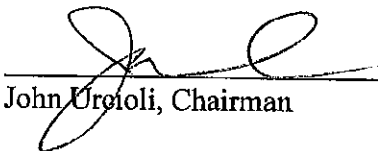
MEMBERS PRESENT:

John Urcioli, Chairman
Richard Fried
Edward Bracken
Tim Cronin
Fran Osei

MEMBERS ABSENT

None

The Chairman declared the resolution approved and the application approved.

 6/22/98

John Urcioli, Chairman

The Clerk is hereby directed to file this resolution and to notify the applicant accordingly.

FILED

JUN 24 1998

Dated: _____

Montebello, New York
VILLAGE CLERK



Parcel ROWs

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Map data © OpenStreetMap contributors, Microsoft, Facebook, Google, Esri Community Maps contributors, Map layer by Esri

Short Environmental Assessment Form

Part 1 - Project Information

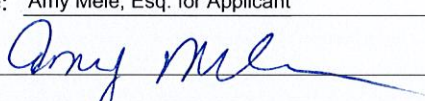
Instructions for Completing

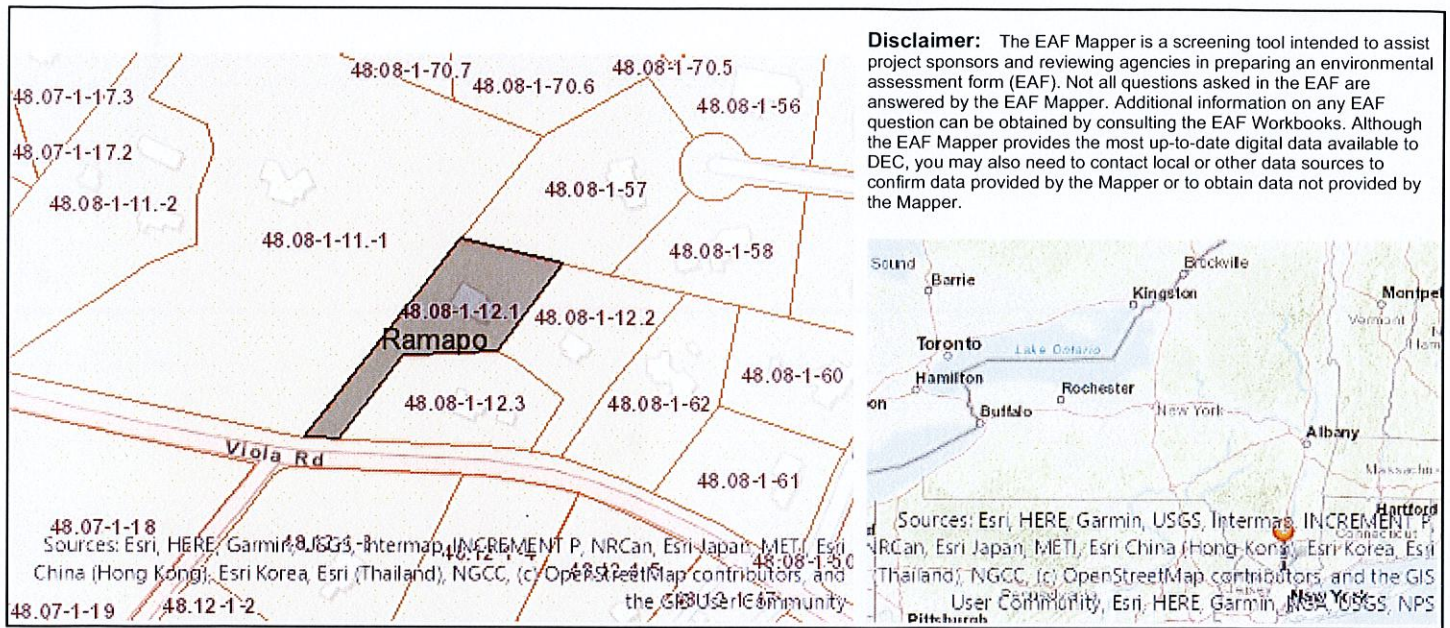
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| | | | |
|--|--|---|--|
| Part 1 – Project and Sponsor Information | | | |
| Name of Action or Project: 30 Viola Road | | | |
| Project Location (describe, and attach a location map): 30 Viola Road | | | |
| Brief Description of Proposed Action: deck addition and proposed kitchen addition | | | |
| Name of Applicant or Sponsor: Rifky Mehrel Goldstein | | Telephone: E-Mail: 8095852@gmail.com | |
| Address: 30 Viola Road | | | |
| City/PO: Suffern | | State: New York | Zip Code: 10901 |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | | NO <input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Village of Montebello, Building Permit | | | YES <input checked="" type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? _____ 1.12 acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres | | | |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: | | | |
| 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland | | | |

| | | | |
|--|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan? | NO | YES | N/A |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Reason:Exceptional & Unique environmental characteristics, Agency:Village of Montebello, Date:8-06-21 If Yes, identify: _____ | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Are public transportation services available at or near the site of the proposed action? | | | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | | | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____ | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____ | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | | | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? | | | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____ | | | |

| | | |
|--|-------------------------------------|-------------------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Timber Rattlesnake | NO | YES |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan? | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, | NO | YES |
| a. Will storm water discharges flow to adjacent properties? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? | <input type="checkbox"/> | <input type="checkbox"/> |
| If Yes, briefly describe: _____ _____ | | |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: | NO | YES |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: | NO | YES |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: | NO | YES |
| _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Amy Mele, Esq. for Applicant</u> Date: <u>10/3/21</u> Signature: <u></u> Title: <u>Attorney for Applicant</u> | | |



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|---|--|
| Part 1 / Question 7 [Critical Environmental Area] | Yes |
| Part 1 / Question 7 [Critical Environmental Area - Identify] | , Reason:Exceptional & Unique environmental characteristics, Agency:Village of Montebello, Date:8-06-21 |
| Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] | No |
| Part 1 / Question 12b [Archeological Sites] | No |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal] | Yes |
| Part 1 / Question 15 [Threatened or Endangered Animal - Name] | Timber Rattlesnake |
| Part 1 / Question 16 [100 Year Flood Plain] | No |
| Part 1 / Question 20 [Remediation Site] | No |