

The Planning Board of the Village of Montebello held a meeting on Tuesday December 9, 2025 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
Joan Materna, Member
Stan Shipley, Member

OTHERS

Alyse Terhune, Asst. Village Attorney
Bonnie Franson, Village Planner
Bryon Rose, Village Engineer
Gerard Chesterman, Asst. Village Planner
Regina Rivera, Planning/Zoning Clerk

ABSENT

Nancy Doon, Member
Marlo Dickman, Member
Rebecca Humphreys, Ad Hoc

Joseph Brachfeld, Rella Owner LLC—PUBLIC HEARING continued
300 Rella Boulevard, Montebello, NY
Site Plan/Special Permit

Application of Rella Owner LLC, 95 Chestnut Ridge Road, Montvale, NJ 07645 for a Site Plan/Special Permit to construct a combination of standard warehouse space and smaller warehouses on an 18.5 acre commercial lot. The Parcel is located on the north side of Rella Boulevard at the intersection of North Airmont Avenue, and is shown on the Ramapo Tax Map as Section 55.08 Block 1 Lot 6 in the LO-C Zone.

Present: The Applicants' attorney Ira Emanuel, Engineer Joseph Nyitray of Weston & Sampson, and several principals of Rella Owner LLC.

Mr. Emanuel explained that they were hoping for a final approval since the Board adopted the EAF Part III and issued a Neg Dec. There were several open items in Mr. Stach's memo dated December 5, 2025 and the letter from the Tallman FD dated November 21, 2025, both to which we responded, he said. Mr. Nyitray explained that the site plan coverage, parking and layout remain the same and that the sidewalks were added to the property on North Airmont Road as requested.

After a brief discussion regarding the scope of the sidewalk, Ms. Franson said that the substance of her comments had to do with the Fire Department letter, which have been addressed by the Applicant, and Ms. Terhune established that the rest of the Board was satisfied with the response to the Fire Department's concerns.

Chairman Caridi requested that the details on the projected tenants and hours operation be submitted during the check print process, along with the specifics on prohibited storage materials. Mr. Emanuel said that the Village code already dictates what is classified as hazardous, and Ms. Terhune said standard leases include language on local regulations. Mr. Emanuel assured the Chairman that they will include prohibited activities and storage items in all lease agreements.

No one having further comments, Member Materna made a motion to approve the site plan and special permit. Member Shipley seconded the motion and upon vote, all were in favor.

**RESOLUTION PB08 OF 2025
SUBDIVISION, SPECIAL PERMIT, SITE PLAN APPROVAL
100-300 RELLA BOULEVARD
SECTION 55.08, BLOCK 1, LOT 6**

The property location and zoning law. The subject property is located at 100-300 Rella Blvd., at the northeast corner of Rella Boulevard and North Airmont Road. They are identified on the Tax Map as Section 55.08, Block 1, Lots 5 and 6 (together, the “Property”). The Planning Board granted subdivision approval in 2023, and the subdivision plat to merge the lots was filed with Rockland County in 2024. The Property consists of 18.52 acres, which are currently vacant. The Property is situated in the LO-C zoning district, which permits distribution/warehousing use by special permit approval issued by the Planning Board.

Prior approvals. The property is currently approved for the construction of a large warehouse and a separate smaller self-storage facility containing a total of 331,800 sq. ft. See Resolution PB03 of 2023, as reapproved in 2024 and extended. The prior approval allows internal operations of the warehouse 24 hours 7 days a week but limits external operations to between 6:00 am and 9:00 pm on weekdays.

The application. By application dated February 12, 2025, the property owner, Rella Partners, LLC, (the “Applicant”) applied for special permit and site plan approval to construct a six-building “flex warehouse” space and “warehouse” containing 220,840 sq. ft., a (the “Project”). The 2025 application represents a decrease of 110,960 sq. ft. from the previously approved Project. In addition, the individual warehouse flex spaces are smaller and, therefore, are anticipated to be used by 2-axel box trucks and vans, not tractor-trailer three axel-plus trucks. Therefore, the Applicant proposes to allow unlimited smaller truck activity on the site, but limit movement of trucks having three or more axles and all outdoor mechanized loading and unloading to between 6 am to 9 pm, Monday through Friday. The placement of the buildings on the site is also intended to enhance sound mitigation. All truck access, loading and unloading will be between the buildings. The plan also incorporates two 15-foot-high sound walls, 200 and 260 feet long, located along the northeastern property line. The walls are placed opposite the parking and loading areas of the buildings at the center of site. Four shorter walls are located along the northeastern building lines (as an extension to the rear building walls), adjacent to the parking and loading area.

Submissions. A full list of the materials submitted to the Planning Board by the Applicant are set forth in memoranda prepared by the Planning Board's consulting planners, Nelson Pope Voorhis, last updated December 5, 2025, and consulting engineer, Spence Engineering, last updated November 26, 2025. All materials submitted to the Planning Board are included by reference as if set forth fully herein. It is expressly stated that the Planning Board relied upon the Applicant's submissions and representations during its deliberations. A partial submission list includes:

1. Planning Board Application for Rella Boulevard, Site Plan and Preliminary, prepared and signed by Joseph Brachfeld, dated February 12, 2025.
2. Planning Board Narrative Summary prepared and signed by Ira M. Emanuel, Emanuel Law, P.C., dated February 19, 2025, revised May 8, 2025, and August 14, 2025.
3. Sound Impact Review. Proposed Warehouse Operation. Interior Loading - Flex Space Plan Prepared by B. Laing Associates, dated January 2025, last revised April 14, 2025.
4. Full Environmental Assessment Form. Prepared and signed by Joseph Nyitray Jr., dated February 13, 2025, revised April 17, 2025/
5. Engineering Plans, prepared by Weston & Sampson, PE., LS, LA, Architects, PC., last revised 11/11/2025
 - a. Title Sheet, dwg. no. T
 - b. Existing Conditions Plan, dwg. no. 1
 - c. Final Layout Plan, dwg. no. 2
 - d. Final Grading and Utility Plan, dwg. no. 3
 - e. Final Erosion and Sediment Control Plan, dwg. no. 4
 - f. Erosion and Sediment Control Details, dwg. no. 5
 - g. Driveway Profiles (1 of 2), dwg. no. 6
 - h. Driveway Profiles (2 of 2), dwg. no. 7
 - i. Construction Details (1 of 3), dwg. no. 8
 - j. Construction Details (2 of 3), dwg. no. 9
 - k. Construction Details (3 of 3), dwg. no. 10
 - l. Sanitary Sewer Profiles, dwg. no. 11
 - m. Drainage Profiles (1 of 2), dwg. no. 12
 - n. Lighting Plan, dwg. no. 13
 - o. Tree Plan, dwg. no. 14
 - p. Sound Barrier Wall Profile and Details, dwg. no. 15A
 - q. Sound Barrier Structural Support Details I, dwg. no. 15B
 - r. Sound Barrier Structural Support Details II, dwg. no. 15C
 - s. Fire Truck Maneuver Plan, dwg. no. TM-1
 - t. Truck Maneuver Plan, dwg. no. TM-2
6. Preliminary Subdivision for AG Acquisitions LLC, prepared by Jay A. Greenwell, PLS, LLC, dated 05/11/2021
7. Landscape Plan, sheet no. L701, prepared by Yost Design Landscape Architecture, last revised 11/15/2025
8. Details Sheet, sheet no. L801, prepared by Yost Design Landscape Architecture, last revised 11/15/2025

9. Pylon Details, drawing no. A-306-PB, prepared by ADG Architects, dated 08/12/2025
10. Pylon Material Selection, drawing no. A-902-PB, prepared by ADG Architects, dated 11/11/2025
11. Stormwater Pollution Prevention Plan, prepared by Brooker Engineering, last revised 11/13/2025
12. Drainage Analysis, prepared by Brooker Engineering, PLLC, revised 11/13/2025
13. Market Study, prepared by Rand Commercial, dated 12/13/2024
14. Response to Comment Letters, prepared by Brooker Engineering, PLLC, dated 11/13/2025
15. Sound Impact Review, prepared by B. Laing Associates, last revised 04/14/2025, additional memo dated 07/17/2025, revised submission dated 09/18/2025
16. Acoustic Review, prepared by Lewis S. Goodfriend & Associates, dated 08/04/2025
17. Operations Memorandum dated 07/16/2025.

General Municipal Law § 239-l, m, n. The application was duly referred to the Rockland County Department of Planning (“RCDP”). By letter dated June 3, 2025, RCDP submitted 22 comments related to the Project. The Planning Board and the Applicant acknowledged and considered the recommendations suggested by RCDP. No overrides were requested or issued. The Planning Board notes that comment 19 suggested that the use of on-site renewable energy be “evaluated and strongly considered.” The Applicant responded by listing the energy conservation measures that will be included during construction. Similarly, comment 20 “urged” the inclusion of EV charging stations. The Applicant noted the comment and agreed to do so when tenants requested EV charging stations to be placed on site.

Agency referrals. The Appeal was referred to Rockland County Sewer District No.1 (“RCSD-1”), the Tallman Fire Department (“TFD”), Rockland County Highway Department (“RCHD”), Rockland County Center for Environmental Health (“DOH”), and the Town of Ramapo Department of Public Works (“DPW”). By letter dated June 11, 2025, the DPW issued five comments, which shall be addressed by the Applicant. The TFD responded by letters dated March 12, 2025, June 20, 2025, August 27, 2025, and November 21, 2025. The Applicant agreed to each request contained therein.

Public Hearing. A duly noticed public hearing was convened on July 8, 2025, and continued through November 6, 2025. During the public hearing, the Planning Board heard testimony from the Applicant and its representatives and all those wishing to address the Board regarding the Project. After hearing all comments from the public, the hearing was closed on November 6, 2025.

State Environmental Quality Review Act (SEQRA). The previously approved plan was the subject of a Negative Declaration of Environmental. Although the revised Project has less floor area, the Board investigated three areas of concern involving traffic, noise, and emergency service access.

The Planning Board received analysis from the Village's traffic engineer and acoustic engineer stating the impact of each has been mitigated to the greatest extent practicable. The Board also received, and relied upon, correspondence from the Applicant agreeing to all requests of the Tallman Fire Department. Thereafter, the Planning Board issued a Negative Declaration on November 6, 2025, which is incorporated into and made a part of this Approval by reference as if fully set forth herein.

DECISION

The Planning Board considered all relevant provisions of the Village of Montebello Zoning Law, all determinations made by the Montebello Building Inspector, and has been advised by its consulting engineer and planner as regards to all materials submitted by the Applicant. The Planning Board has determined that, as proposed, the Project complies with the Village Zoning Law. The Board further finds and determines that the Project satisfies the guidelines for special permit approval set forth in Montebello Zoning Law § 195-87.3.

THEREFORE, BE IT RESOLVED that the Planning Board of the Village of Montebello hereby grants the following approvals for the construction of a six-building "flex warehouse" space and "warehouse" project containing 220,840 sq. ft. as shown on:

1. Special permit approval granted pursuant to Montebello Zoning Law § 195-87.3.
2. Site Plan approval as shown on the Engineering Plans, prepared by Weston & Sampson, PE., LS, LA, Architects, PC., last revised November 11, 2025, as referenced herein.

BE IT FURTHER RESOLVED that these approvals are granted subject to the following conditions:

1. Pursuant to the standards set forth in §195-87.3, subpart F, the Special Permit hereby prohibits the movement of and the mechanized outdoor loading and unloading of trucks having three axles or more to Monday through Friday from 6:00 a.m. to 9:00 p.m., with no external operations on Saturdays and Sundays. These limitations shall not apply to vehicles with only two axels.
2. There shall be no exterior storage, standing, loading or unloading vehicles or trailers of any kind, except in designated spaces and/or loading bays as shown on the approved site plan.
3. There shall be parking of vehicles or trailers only in designated spaces or loading bays as shown on the approved site plan.
4. There shall be no idling of trucks or other vehicles in excess of maximum time periods as set by New York State law.
5. All rental and/or lease agreements between the owner of the property and tenants shall include language prohibiting the storage of hazardous materials as defined by Village of Montebello local law and the NYS Department of Environmental Conservation.

6. All rental and/or lease agreements between the owner of the property and tenants shall include language prohibiting three or more axel vehicles from operation except Monday through Friday from 6:00 a.m. to 9:00 p.m., with no external operations on Saturdays and Sunday.
7. Compliance with comments S-1 through S-7 of the Spence Engineering memorandum to the Planning Board dated November 26, 2025.
8. Letter, dated November 18, 2025, signed by Joseph Brachfeld, Authorized Signatory for Rella Owner, LLC., agreeing to add to the proposed site plan (a) a sidewalk along the North Airmont Road frontage of the project side and (b) a site plan note that, in the event the County of Rockland created a formal bus stop at the project site in the future, an additional sidewalk would be built along its Rella Boulevard frontage from North Airmont Road to the location of the formal bus stop.
9. Payment of all fees due and owing to the Village of Montebello in connection with this application and approval.

BE IT FURTHER RESOLVED that this approval supersedes and extinguishes Resolution PB03 of 2023, as reapproved in 2024 and extended thereafter.

BE IT FURTHER RESOLVED that pursuant to Section 195-69C of the Zoning Law, a special permit located in a district other than a residential zoning district shall be for an indefinite term, unless otherwise specified in the approval. Therefore, the Planning Board imposes the following limitation: The special permit approved hereby shall expire five years from the date of this approval if the Project is not substantially complete, as determined by the Village Engineer. In addition, pursuant to Section 195-71E, the special permit is conditioned upon right of entry for inspection with reasonable notice for the building inspector to determine compliance with the conditions of said permit. Further, pursuant to Section 195-71G, the Planning Board may as a condition of special permit approval include standards, conditions and requirements, as it may deem necessary or appropriate to promote the public health, safety and welfare and to otherwise implement the intent of the Zoning Law. Thus, the Planning Board includes the further condition that if site inspections by the Building Inspector reveal non-compliance with the special permit conditions, then the certificate of occupancy or certificate of use for the tenant(s) of the building(s) which are in violation of the special permit conditions may be revoked if the violations are not corrected within a reasonable time after receiving notice. All leases for the warehouse/distribution buildings will include a provision that external operations are limited to Monday through Friday from 6:00 a.m. to 9:00 p.m., with no external operations on Saturdays and Sundays for three or more axel vehicles.

On a motion by Member Materna, seconded by Member Shipley, the application for special permit and site plan approval was granted on a majority vote as follows:

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

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 ten level two chargers were installed at Indian Rock two years prior and that they now wish to upgrade to Tesla level three chargers, which are able to completely charge and electric vehicle in under 30 minutes. Chairman Caridi noted that the new chargers will be installed in the same area of the parking lot, but relocated on across from where the current chargers stand. Mr. Berdugo added that there is a grassy section near the pylon sign that will easily accommodate the voluminous equipment that supports the level three chargers. Chairman Caridi asked if any parking spaces will be lost, and Mr. Berdugo answered that just one spot will be lost to an ADA EV parking space.

Member Shipley asked if EVs other than Teslas are able to utilize the chargers. Mr. Berdugo stated that all EVs can use the chargers, which are the most reliable in the market today. Mr. Lee explained that every car maker has begun adopting the Tesla standards for plugs.

Member Materna asked if there are any fire code restrictions on the number are chargers allowed in one area. Mr. Berdugo said there is no limit, noting that there are twenty-four level three chargers at the Spring Valley Market place. Mr. Lee added that the chargers are not live when not plugged into an EV so there is virtually no fire hazard. Member Shipley asked if McDonalds was amenable to this proposal. Mr. Berdugo said that they are because it will attract more customers as they wait while their vehicles are charging, and that everything is housed within supercharger cabinets.

Chairman Caridi was concerned about the parking situation, characterizing it as “horrendous.” Mr. Berdugo said that a parking study was done and that they are within the regulated parking calculations. Village Engineer Mr. Rose confirmed that even though they are losing one spot, they still have the required amount of spaces.

Member Shipley wanted to know who exactly owns the chargers. Mr. Berdugo said his company owns the chargers, but that Tesla monitors and controls operational functions. We are responsible for the security of the chargers, he added.

Chairman Caridi asked the projected frequency of use. Mr. Berdugo was unsure, but noted seeing a huge increase in the use of chargers in just three years at their other properties, and that more people drive EVs each year. While we anticipate increased usage, he continued, there will be more chargers added to rest stops and gas stations and usage will be expected to level out.

After a discussion about infrastructure and upgrades in designated controlled areas, Member Materna asked the size of the Orange and Rockland transformer. Mr. Lee explained that it is not big and that they are working with Landscape Designer Blyth Yost to design a small patch to accommodate a pad to support the transformer, which will be screened by decorative landscaping.

Mr. Rose summarized the memo by Mr. Spence dated December 8, 2025, and Ms. Franson summarized the December 5, 2025 memo from her colleague Mr. Stach. Ms. Franson asked the Applicant to supply a copy of the Drainage Easement to the Planning Board attorney and asked if there will be advertising on the charger cabinets. Mr. Berdugo assured here there will be no advertising, only the Tesla logo, but that there will be lighting around the charging area as required by Tesla.

After further discussion on the specifics of lighting, parking and equipment, the Planning Board clerk confirmed that the application was sent for a GML review which should arrive before the next meeting, and that the Villages of Airmont and Suffern, and the Town of Ramapo were all provided copies of the application as their borders are within 500 feet of the proposal.

No one having further questions and the Board being duly satisfied, Member Materna made a motion to declare the application a Type II under SEQR requiring no further action. Member Shipley seconded the motion and upon vote, all were in favor.

Member Materna then mad a motion to set the public hearing for the January 13, 2026 Planning Board meeting, which was seconded by Member Shipley, and upon vote, the motion passed unanimously.

November Minutes Approval

Member Materna made motions to approve the meeting minutes of November 6, 2025 and to adjourn the meeting at 7:48 p.m. Member Shipley seconded the motions and upon vote, all were in favor.