

July 16, 2025

Regina Rivera, Planning and Zoning Clerk
Village of Montebello
1 Montebello Road
Montebello, New York 10901

Re: **Rella Boulevard – Response to Comment Letters**

Dear Members of the Planning Board:

We recently appeared before the Planning Board on May 9, 2025 for discussion of a revised Site Plan layout. We have addressed the comments received on the plan set, as well as developed the plan set fully. Our responses to the comments are as follows:

FROM VILLAGE PLANNER DATED JUNE 4, 2025 (MAX STACH, AICP)

Submission Comments:

- 1. *Comment:*** *Revised site plan has been submitted. Please fix the typo on the drawing list on the title sheet to read “7. Driveway Profiles (2 of 2)”.*

Response: The typo on the drawing list on the title sheet has been corrected to read, “7. Driveway Profiles (2 of 2)”.

- 2. *Comment:*** *3/2025- We previously requested that the applicant provide an outline/narrative of how the multitenant site will be managed. 6/2025 – Revised narrative has been submitted that proposes limitations on truck movement. Further details of management should be provided. Will there be a leasing or property management office on site? Will the site be staffed during operating hours? Will there be 24-hour security? How will truck movement restrictions be enforced? Will there be controlled access to the site? What are the hours of operation? Are there any proposed restrictions on individual tenancies in terms of types of uses?*

Response: Operations management has not yet been determined at this stage of site plan review.

Zoning Comments:

- 3. *Comment:*** *3/2025 - We previously mentioned that in the April 18, 2023 decision, the Planning Board added a condition to the previous special permit approval for this site, restricting external operations of the warehouse to only occur between 6:00 am and 9 pm on weekdays, and internal operations be permitted 24 hours, 7 days per week. In the February 19, 2025 Narrative Summary, the applicant proposed new outdoor operations parameters:*

- a) Movement of trucks having three axles or more: 6am to 9 pm, Monday through Friday, only.
- b) Outdoor mechanized loading and unloading: 6am to 9pm, Monday through Friday only.

These new parameters would allow outdoor loading and unloading of smaller trucks with only two axles overnight and on weekends, without limitation. The presumption is that box trucks and vans will not cause outdoor noise problems, and that previous concerns about 24-hour outdoor activities would be mitigated because of the ban on tractor trailers after 9 pm on weeknights, and all day on Saturdays and Sundays. The applicant maintains that these operations would be much quieter and

could occur within the confines of the interior trucks and parking courts, as the building would function as a noise barrier to adjacent neighborhoods and establishments. **6/2025 - The Planning Board should discuss whether this truck restriction proposal will meet the standards of §195- 87.3.F:** Given proximity to many types of residential uses, for any special permit proposed in these districts, the Planning Board may prohibit overall operations, outdoor loading or any other outdoor operations which may generate noise and create a nuisance. The applicant has submitted a noise study. We recommend the Planning Board consider subjecting it to peer review by a qualified professional.

Response: No response from applicant is needed. We have not been advised of the Board's noise consultant as of this date.

- 4. Comment:** *We previously noted that the February 19, 2025 narrative states that the applicant will not be able to determine designated flex spaces and warehouse spaces for the site until the project is leased, further noting that the "interior divisions of the buildings are for illustration only," and that the "actual divisions will be driven by tenant needs as the spaces are leased."*

In the current proposal, the four units proposed in the largest building exceed the maximum of 10,000 SF for flex space at 26,640 SF each. The other 23 spaces are under 10,000 sf and therefore would qualify as flex spaces. It does not appear to have any zoning use implications if the mix of flex spaces and warehouse spaces changes over time (for instance, if one tenant rents two 10,000 sf spaces). However, the mix of flex and regular warehouse spaces would only have implications for employment levels which could affect parking requirements and traffic. The applicant noted that the parking requirements are identical for warehouses and flex space, namely one parking space per 150 sf of office area, plus one for every two employees. The applicant has proposed that they be subject to conditions that if the overall parking requirements at the site are increased due to a change in the mix of the two uses in the future, they would need to return to the Planning Board for review and approval.

3/2025 - As the number of employees is the variable that may change, depending on the mix of uses (square footage will remain constant) the applicant should propose parking based on modeled employment levels, and propose a mechanism for ensuring adequate parking if employment levels increase. 6/2025- Comment not addressed.

Response: The applicant has previously responded to this comment. As noted by Mr. Stach's predecessor, the situation is similar to that of the Indian Rock Shopping Center, where retail and food operations were replaced by medical uses. The mechanism to ensure adequate parking should mimic that used for Indian Rock.

- 5. Comment:** *We previously stated that it appears the buffers, bulk and area standards, and circulation have been taken from the previous approval and are in compliance. 3/5 – We noted that no need for any variances is indicated, but this should be confirmed in writing by the Building Inspector. 5/8- Comment not addressed.*

Response: No variances are proposed. We respectfully request the Building Inspector to provide his written response confirming that no variances are required.

- 6. Comment:** *3/2025 -We previously requested a written review letter from the Tallman Fire Department and/or Village Fire Inspector, to confirm that the lack of fire access along the rear/east side of the eastern buildings complies with fire codes. 6/2025 – Letter from Tallman fire chief has been received, finding the eastern loop removal as unacceptable. The applicant responded by disputing fire chief request. We recommend that the applicant meet with the Tallman fire chief to resolve the difference of opinion.*

Response: The Tallman Fire Department has provided a letter dated 6/20/2025. The attached revised full site plan set addresses the comments from that letter.

Planning Comments:

- 7. Comment:** 3/2025- We previously requested that the placement of the proposed gate at the emergency access to the roundabout at the southeast corner of the site be shown on the plans. **6/2025 – Comment addressed.**

Response: Noted.

- 8. Comment:** We previously stated that not knowing if the “peer” projects in the marketing report reviewed in January of 2025 are vacant or not is sufficient to address the concern of potential inability to lease the previously approved project. We would assume that the vacancy rate of flex or warehouse spaces approved and constructed in our area would be close to zero. 3/2025 - Consideration of how these peer projects are used, and whether they are open overnight or on weekends, may need to be explored in order to show that the current market conditions would support that proposed project, and it will be easier to sell or lease than the last one approved at this site with limitations on outdoor operations. **6/2025– Comment not addressed.**

Response The applicant has previously responded to this comment. See, letter dated December 18, 2024 from Joel Gruber of Rand Commercial Real Estate.

- 9. Comment:** We previously mentioned that the tight mixture of trucks and employee passenger cars circulating in the same spaces between the buildings would be problematic, specifically noting that Sheet TM-2 of the “Truck Maneuver Plan” indicated that the trucks backing up to the docks at the northern two units of the middle building show a conflict with adjacent employee parking spaces, and that the trucks would need to pull out onto the pervious pavement of the emergency access road to maneuver. 3/2025- We requested an adequacy review of the turning movements for trucks using the loading docks on the east side of the middle building. We also requested that if the pervious portion of the emergency access road would receive constant use for turning movements, adding that it may need to be surfaced with a more durable impervious pavement. **6/2025 – Comment not addressed.**

Response: Please see attached revised “Truck Maneuver Plan” (Drwg. TM-2). No conflicts between trucks and employee parking, or trucks and emergency access areas are demonstrated.

SEQR/Procedural Comments:

- 10. Comment:** The applicant has submitted a Full Environmental Assessment Form Part 1.

Response: Noted.

- 11. Comment:** The action is a Type 1 action pursuant to 6 NYCRR 617.4(b)(6)(1) physical alteration greater than 10 acres, and (v) a facility with more than 100,000 square feet. We are attaching a Lead Agency Notice of Intent for the Planning Board to utilize to commence coordinated SEQR review..

Response: Noted.

- 12. Comment:** The application is subject to GML review by the Rockland County Department of Planning.

Response: Noted.

FROM VILLAGE BUILDING INSPECTOR DATED JUNE 10, 2025 (ADAM GORDON)

- 1. Comment:** After meeting and speaking with the Tallman Fire Department, I ask that you extend the

Aerial Fire Apparatus road at the dead ends to the east of the property so there is room to set up ladder trucks beyond the corners of the building and outside the "collapse zones." This one modification would be greatly appreciated.

Response: The Tallman Fire Department has provided a letter dated 6/20/2025. The attached revised full site plan set addresses the comments from that letter.

FROM VILLAGE ENGINEER DATED JUNE 6, 2025 (MARTIN K. SPENCE, PE)

Title Sheet, T:

1. **Comment:** *Revise school district to Suffern Central.*

Response: Please see attached revised "Title Sheet" (Drwg. T) with the school district corrected to Suffern Central.

Preliminary Layout Plan, 2:

2. **Comment:** *The applicant should review the need for sound walls at the southwest ends of Middle Drive and Southern Drive to mitigate sound pollution that would affect the assisted living facility to the southwest (across Rella Blvd). The Board may find it beneficial to retain an acoustic engineer to further review and comment on the Sound Impact Review.*

Response: At the June 10th Planning Board meeting, the Planning Board voted to have a sound consultant review the report, and confirm the findings.

3. **Comment:** *A refuse containment area is shown in the construction details. Locate these areas on the plan. The applicant shall discuss how garbage / recycling will be controlled.*

Response: Operations management has not yet been determined at this stage of site plan review.

Preliminary Grading and Utility Plan, 3:

4. **Comment:** *The stormwater design has not been fully designed at this level. The previous approval and concept plans show a stormwater management area along the southeast property line. Discuss if this location will be relocated to a different stormwater management area. It appears that underground systems are located within Middle and Southern Drives. It should be noted an updated drainage analysis has not been submitted.*

Response: Please see attached revised Drainage Analysis and updated site plan drainage design for the new layout.

5. **Comment:** *The catch basins on the northern side of the cul-de-sac (west of the emergency entrance) should be relocated to accommodate the new curb cut.*

Response: Please see attached revised "Grading and Utility Plan" with the catch basins on the northern side of the cul-de-sac relocated to accommodate the new curb cut.

- 6. Comment:** *Provide stormwater sewer and sanitary sewer profiles.*

Response: Stormwater sewer and sanitary sewer profiles will be added as plan develops.

Construction Details (1 of 2)

- 7. Comment:** *Provide details of sound barrier wall, retaining wall and parapet wall.*

Response: Sound barrier wall, retaining wall and parapet wall details have been provided on "Construction Details (1 of 3)" (Drwg. No. 8).

Miscellaneous

- 8. Comment:** *The applicant should discuss overnight parking and vehicle storage.*

Response: Overnight parking and vehicle storage for tenants will be permitted within designated parking spaces.

- 9. Comment:** *The emergency access road no longer provides access to the [a]rea of the south-east buildings. The fire department shall review this change to determine if limited access to this area is acceptable.*

Response: The Tallman Fire Department has provided a letter dated 6/20/2025. The attached revised full site plan set addresses the comments from that letter.

- 10. Comment:** *Provide emergency vehicle / truck maneuvering plans.*

Response: Please see attached "Fire Truck Maneuver Plan" (Drwg. TM-1) and "Truck Maneuver Plan" (Drwg. TM-2).

- 11. Comment:** *Provide lighting and landscaping plans.*

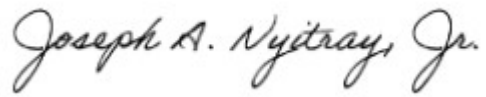
Response: A landscaping plan will be added as plan develops. A lighting plan has been included in this submission.

- 12. Comment:** *Provide updated drainage analysis and SWPPP.*

Response: Please see attached revised Drainage Analysis. SWPPP will be provided as plan develops.

Sincerely,

Weston & Sampson, PE, LS, LA, Architects, PC

A handwritten signature in black ink that reads "Joseph A. Nyitray, Jr." in a cursive script.

Joseph A. Nyitray, Jr., P.E.
Senior Project Engineer