

The Planning Board of the Village of Montebello held a meeting on Tuesday, May 10, 2022, on Zoom. Chairman Caridi called the meeting to order at **7:00 p.m.** and led everyone in the Pledge of Allegiance.

PRESENT

Anthony Caridi, Chairman
David Levine, Member
Stan Shipley, Member
Thomas Ternquist, Member
Joan Materna, Ad Hoc Member
Marlo Dickman, Ad Hoc Member

OTHERS

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

ABSENT

Howard Hochberg, Member

Meeting Minutes Approval

Member Ternquist made a motion to approve the April 12, 2022, Planning Board meeting minutes, seconded by Member Levine and upon vote the motion passed. Ad Hoc member abstained from voting because she did not attend that meeting.

CDRC Update:

The following applications appeared before the April 26, 2022, CDRC:

- Application of Rabbi Gancz for a special permit/amended to use his home at 56 Mayer Drive as a Residential House of Worship. There are changes to the site plan to that will require further CDRC review.
- Application for a two-story building at 5 Hemion Road appeared at CDRC for the first time informally. The previously approved building has been abandoned for a similar building that is slightly larger with parking underneath.
- Application of Marsel Amona for a two-lot subdivision at 220 Spook Rock Road. Mr. Amona now wishes to simply subdivide the property in two, one containing the house and carriage house, and the other vacant, which he wishes to sell. The disposition of the use of the carriage house is still being discussed and explored.

Rella Warehouse—Site Plan, Subdivision

100-300 Rella Blvd., Montebello, NY

Application of ACG Acquisitions LLC, 95 Chestnut Ridge Road, Montvale, NJ 07645. The Applicant is proposing the construction of a 224,500 square foot warehouse with 6,000 square feet of office space, and a separate four-story 34,560 square foot retail self-storage building on 18.52 acres at 100-300 Rella Boulevard. The parcel is located on the north side of Rella Boulevard at the intersection of Airmont Road in the Village of Montebello, which is designated on the Ramapo Tax Map as Section 55.08, Block 1, Lots 5 and 6 in the LO-C Zone.

Present were the Applicant's attorney Michael Klein, Engineer Joseph Nyitray of Brooker Engineering, Chad Hillyer, Executive VP of CBRE Real Estate, and sound engineer Mike Bontje of B. Laing Associates. Mr. Klein noted their last appearance in March when they thought the project was advanced enough for a public hearing. However, the Applicant consulted with CBRE regarding the marketability of the designs of the buildings and was advised about changes that would make the project more marketable. Tonight, we are here with a new concept plan that will be developed further if the Board finds it favorable, he said.

Mr. Nyitray shared his screen and showed the original plan compared with the new concept plan. He explained that the entrance from Rella Boulevard will remain and, working with the Highway Department, the medians and sidewalk will be modified to accommodate right-hand truck turns from North Airmont Road onto Rella Boulevard. The gated emergency vehicle access and parking along Rella Boulevard will also remain. Mr. Nyitray said one of the principal differences to the new concept is the reduced size of the warehouse, from 138,240 square feet to 126,800 square feet which consequently reduced the required parking from 117 to 105 spaces. The retail self-storage building, its entrance and parking remain largely unchanged.

The other principal difference is the relocation of the loading docks from the north side to the east side of the building, along with the generators and trash compactors, and the addition of a sound wall. Mr. Nyitray assured the Board that a new sound study based on this configuration is forthcoming. The two drive-in doors for infrequent internal operational use are now located on the north and south sides of the building, and vehicular access all around the building will remain as per the Tallman Fire Department's requirements. Permeable pavers will be installed in the less-intensely used areas on the south side of the building and behind the truck loading docks for short-term truck parking. The drainage is unchanged but will be tweaked as more engineering details progress. This project meets all bulk standards and requires no variances, he added.

Mr. Klein asked Mr. Hillyer to talk about the marketability of the new building. Mr. Hillyer explained that the smaller building is a more efficient layout for a single-side loading building such as this because tenants are concerned about the time it takes to move products from one end of the building to the other. Reducing the size of the interior space allows higher efficiency when loading and moving product with forklifts and segregating the loading docks from the employee corporate offices is also desirable. Mr. Hillyer stated, however, that the operational hours restriction is a liability from a marketability standpoint because it will limit operations to only two shifts, a factor not optimal for prospective tenants.

Mr. Klein then asked sound engineer Mr. Bontje to speak about sound mitigation, a subject important to the Board. Mr. Bontje explained that they are returning to the original proposal albeit with a substantially reduced footprint. This smaller building results in almost double the length of space from the property line to the building, keeping noise further from sensitive receptors. Truck operations returned to the rear of the building and the ingress/egress remains entirely at the Rella Boulevard – North Airmont intersection which will keep traffic away from the assisted living facility. A sound wall will be installed by the loading docks as mentioned and there will be sound padding along the wall of the building above the truck traffic entry, on the top of the wall on the opposite side, and around the trash compactor and generator, which will be located as far away from any residences as possible. Mr. Bontje said that an updated sound analysis will be provided.

Mr. Lockman reviewed his memo dated May 3, 2022 and stated that this presentation answered several questions posed in that memo. Mr. Lockman noticed a detention pond now on east side that is not labeled and asked if that as the only one. Mr. Nyitray said originally there were two proposed underground detention systems and that they anticipate more of the same with perhaps more underground detention.

Regarding his comments #4 and #6, Mr. Lockman stated his concern over the use of pervious pavers to keep development coverage below the threshold. If a product with small pours is not vacuumed and

maintained regularly, they clog up and become less porous in nature. He advised Mr. Nyitray to explore types of appropriate pervious products with the Village Engineer as the plans develop.

Mr. Lockman noted the Applicant's assertion of a 16-hour external operations day and wondered if that will mean that interior operations will take place around the clock with attendant loading dock activity. He advised that, due to all the changes, the Traffic Impact Study and the and FEAF Part I must be revised and resubmitted.

Ms. Terhune asked if the pervious pavers count toward lot coverage in the Village. Mr. Nyitray said that he discussed this issue with Mr. Spence who advised that an appropriate low-maintenance product installed in less-travelled areas may reduce development coverage. Mr. Spence asked about the permeable paver make-up. Mr. Nyitray said it was a grass and concrete combination and shared a picture of the pavers. Mr. Spence, noting the amount of grass, stated that if there is green living material and the area is not frequently travelled upon, it certainly mitigates coverage. These pavers are much better than grass-crete as there is a fair amount of vegetation, he said, and asked for more details as plans develop.

Chairman Caridi asked if the porous pavers could withstand the storage of tractor trailers and, to that point, worried that access around that side of the building would be blocked, contradicting the Tallman Fire Department's requirement to have 360-degree emergency vehicle access. Mr. Nyitray said these pavers are designed for areas that are not used intensely and that the Tallman Fire Department is satisfied with the plan.

Mr. Lockman reminded everyone that since this is an LO-C (Laboratory Office-Campus) Zone, many visual and aesthetic standards apply because it's supposed to be an attractive area, unlike the PI Zone (Planned Industry). The Planning Board therefore has more authority to control what occurs outside of the building, he said, and asked the Applicant to show the number of proposed parked trailers in that off-load truck parking area.

Mr. Spence summarized his memo dated May 9, 2022 and asked how they planned to mitigate the corner of North Airmont Road to help trucks avoid going into the middle lane before turning right onto Rella Boulevard. Mr. Nyitray said there were earlier plans to shorten the median island on Rella Boulevard, and asked to talk further about options with Mr. Spence off-line. Chairman Caridi noted several factors to be considered when modifying the intersection and median island such as the traffic light, the high-tension wires, the new Sentinel pylon sign, approval of the Rockland County Highway Department and especially the other tenants on Rella Boulevard. Mr. Nyitray said this portion of the site plan will be more developed by their next submission. Chairman Caridi advised Mr. Nyitray to incorporate this in the traffic impact study.

Mr. Spence asked about the two drive-in loading doors on the north and south sides of the building. Mr. Nyitray said they were strictly for interior operational use such as machinery repair or replacement and will never be used for daily operations. Chairman Caridi wanted a guarantee that there will be no interior off-hours loading and Mr. Nyitray reiterated that it is for internal operational use that will seldomly be used which was always the plan in every concept put forth.

Mr. Klein asked for clarification of comment S-5 of Mr. Spence's memo which states: *Sidewalks have previously been discussed along the frontages. At this time, the applicant should show/anticipate sidewalks along the Rella Boulevard frontage for Board discussion.* Mr. Klein said the Village did not want sidewalks

at all at the start of this project. Mr. Lockman explained that in 2020, Mr. Spence was asked by Village Administration to estimate the cost of sidewalk installation along North Airmont Road but a year later, The Mayor reversed that decision. Now, there is some renewed interest in sidewalks and he asked Mr. Klein to kindly work with the Village on this.

Member Ternquist said he recalled a request by this Board to the Sentinel to install a sidewalk when they were undergoing site plan review. A discussion ensued about the anticipated and requested sidewalks. Chairman Caridi said that as of this date, there is no requirement by Village Administration to install a sidewalk either on Rella Boulevard or North Airmont Road. Mr. Spence said that he has had recent discussions with Village Administration and that requests for sidewalks and lighting installations may be anticipated. Mr. Lockman suggested he prepare a letter from the Planning Board to the Village Board of Trustees requesting guidance on the sidewalk matter, and Ms. Terhune agreed. Chairman Caridi asked Mr. Klein to be patient to this end, and clarified that the issue should in no way impact any ensuing engineering and design work.

The discussion turned once again to the proposed hours of operation. Mr. Klein said that his client understands the Board's stance on unlimited hours, but, from a marketability standpoint, would prefer to operate twenty-four, seven. As a compromise, he explained, they propose 24/7 operations within the warehouse only while maintaining regular external shipping and loading operations from 6 a.m. to 10 p.m.

Chairman Caridi said they would need to modify the narrative to reflect that they seek unlimited hours for interior operations and to amend the FEAF as well. Mr. Lockman said that they need a new FEAF for this new concept in any case. Mr. Klein agreed to modify the narrative, the FEAF and to clarify the map note as well. He acknowledged that the Board was very frank about their displeasure with unlimited hours of operation but asked them to be open-minded considering their attempts to mitigate noise disturbance as much as possible. If sound mitigation results in acceptable levels, then around-the-clock operations should have little or no impact, he added.

Chairman Caridi said that sound is not the only concern and that the North Airmont intersection, The Sentinel Assisted Living Facility and other residences, and truck traffic are all factors. You will not get Sunday operations, period, he said. Regarding interior-only operations, if you can assure this Board that around-the-clock work will be limited to interior space only with absolutely no use of the two drive-in bays for daily operations, we will consider allowing it. He repeated that Sunday operations will not be permitted in any scenario. We experienced two years of hardship with Dunnigan Drive in the PI Zone for noise and truck disturbances and we will not allow any of it in the LO-C Zone, he added.

The Board further discussed the location of the generator and exterior lighting. Mr. Bontje noted that there are some design issues that still need to be developed and that they have yet to decide on whether to permanently install a generator or to bring one in for emergencies only.

Mr. Klein said they were not likely to have a developed site plan and revised FEAF in time for the June meeting and requested an adjournment to July, and additionally requested that Mr. Lockman prepare a part II in time for that meeting.

Chairman Caridi asked the Board if they were in favor of this latest concept. All members found it favorable and the Applicant was encouraged to proceed with further designs and engineering.

Member Ternquist made a motion to adjourn the application to the July 12, 2022, Planning Board meeting, seconded by Member Shipley. Upon vote, the motion passed unanimously.

Member Ternquist made a motion to adjourn the meeting at 8:26 p.m., seconded by Member Shipley and upon vote, all were in favor.