VILLAGE OF SUFFERN PLANNING BOARD
STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") RESOLUTION AND CONDITIONED NEGATIVE DECLARATION ("CND")

SUFFERN WA, LLC ZONE PETITION AND SITE PLAN

Property Owners: Suffern WA, LLC Applicant: Suffern WA, LLC

Determination: Please take notice that, according to the provisions of NYCRR, Part 617.7, and specifically 617.7(c), the Village of Suffern Planning Board, as Lead Agency, having reviewed and considered a Full Environmental Assessment Form Part 1 and other data submitted for the referenced project, evaluated the proposed action, and has determined that the action as described below will not have a significant adverse impact on the environment, subject to the below SEQR conditions, and the Planning Board has therefore adopted a Conditioned Negative Declaration resolution to this effect.

Lead Agency: Village of Suffern Planning Board

Contact Person: Joanne Cioffi, Clerk
Village of Suffern Planning Board
c/o Suffern Village Hall
61 Washington Avenue
Suffern New York 10901
Phone: 845-357-2600 x 125
Email: jcioffi@suffernny.org

Name of Project: Suffern WA, LLC – 37 Washington Avenue Multifamily Building

Location: 37 Washington Avenue, Village of Suffern, Rockland County, NY

Tax Map Parcels: Section-Block-Lot 54.36-1-6.1

SEQRA Status: Unlisted Action, Coordinated Review

Project Description, Background and Reasons Supporting the Negative Declaration:

The Applicant, Suffern WA, LLC, has submitted a petition to the Village of Suffern Board of Trustees to rezone certain lands known as 37 Washington Avenue (the "Project Site"), in the Village of Suffern, Rockland County, New York to the Village's existing Transit Development District "TDD" zoning district (the "Rezoning Petition"). The Project Site maintains frontage along the west side of Washington Avenue and the east side of Suffern Place and is adjacent to and north of the Village of Suffern Community Center and Masjid Darul Ehsan Mosque and School. It is west of the Avon complex, and south of an active railroad right-of-way. The Village's municipal parking lot is just west of the Project Site. The site was formerly used as the Avon Nail Enamel building used for testing, producing and storing nail polish.

The Project Site is approximately 1.865 acres. If the Rezoning Petition is approved, the Applicant will seek Planning Board site plan approval to construct a five-story multifamily building containing a parking garage and 121 dwelling units (a mix of 1-bedrooms, 2-bedrooms, and 3-bedrooms) along with a recreation area, swimming pool, and club room (the "Project"). The multifamily development will include 242 off-street parking spaces. The Project will connect to the Village's water, wastewater, and stormwater utility systems. The Project and the Rezoning Petition are referred collectively as the "Project".

This Conditioned Negative Declaration considers the impacts associated with the Project. As required by the regulations implementing SEQRA, a CND may be prepared as:

- The Applicant completed a full EAF;
- The Project has undergone coordinated SEQRA review;
- The conditions will mitigate all potential significant environmental impacts and are supported by the full EAF and any other documentation;
- The Lead Agency will publish a notice of this CND in the Environmental Notice Bulletin and a minimum 30-day public comment period will be provided. The notice will state what conditions have been imposed;
- The Lead Agency has complied with Sections 617.7(b) and will comply with Section 617.12(a) and 617.12(b) of the regulations implementing SEQRA.

FINDINGS:

The Applicant submitted a Full Environmental Assessment Form, Part 1 (last revised March 24, 2025), to the Planning Board, which considered both a proposed zoning amendment to rezone the Property to the TDD zone and a preliminary site plan. The Planning Board circulated its intent to be Lead Agency on June 5, 2025. There being no opposition, the Planning Board assumed Lead Agency status.

The Planning Board has considered the information submitted by the Applicant, and feedback from various agencies and Planning Board's consultants. A FEAF Part 2 was prepared which identified certain potential impacts associated with redevelopment of the site. This Conditioned Negative Declaration addresses the potential impacts associated with the Project.

The Planning Board has determined that the proposed action will not have a significant adverse impact on the environment for the following reasons:

1. **Impacts on Land**. As per the site plan, the Project would result in disturbance to the entire 1.86-acre project site as well as limited offsite areas to install new utilities. The site has previously been developed. The site is relatively flat and there will be no disturbance to steep slopes or unique geologic conditions. To limit potential impacts from soil erosion and sedimentation, the site plan will integrate soil erosion control measures. In addition, areas that are disturbed will be redeveloped for the apartment building, parking, or a small, landscaped area. The project does not propose any blasting and any rock that is encountered will be removed via mechanical means. The Applicant represents geotechnical investigations are pending. Any blasting will be subject to further Planning Board SEQR and site plan review.

The Project is in close proximity (±2-3 feet) to two adjoining structures: the George Parness Community Center and Masjid Darul Ehsan. The Applicant is required to mitigate against any impacts from demolition activities. The site must be secured and demolition must occur in a manner which does not impact the adjoining buildings.

The Applicant indicates demolition of the existing building and site improvements will be done in accordance with all applicable codes and regulations. The applicant's engineers will assess the proposed demolition and excavation and implement measures to prevent damage to adjacent property and structures, which details can be outlined prior to any site plan approval from the Planning Board. At that time, an engineering plan will be prepared for the demolition. Construction fencing shall be installed around the perimeter of the site for security. **This Negative Declaration is conditioned upon the Applicant preparing detailed plans and program that avoid any impacts to the adjoining properties. This will include:**

- **Noise control including timeframes for demolition;**
- **Removal of any identified hazardous materials in accordance with all federal state and local regulations;**
- **Establishing exclusion zones;**
- **Installing fugitive dust and debris controls;**
- **Selection of demolition techniques which minimize impacts to adjoiners;**
- **Blasting controls, if necessary;**
- **Staging details, as the project encompasses most of the footprint of the site; and**
- **Waste management.**

No significant adverse impacts are anticipated, subject to the above conditions.

2. **Impacts on Water Resources, Wetlands and Drainage.** The Project Site is not located within any floodplain, and streams and wetlands are not present on the site.

The Project will result in stormwater runoff. Presently, the entire site is covered with impervious surface. After development, the Applicant represents that the impervious cover will be reduced by ten percent (10%). At this time, the Stormwater Pollution Prevention Plan (SWPPP) has been designed to convey the stormwater runoff to above ground stormwater planters and discharged to the curbline on Suffern Place and Washington Avenue. Currently, no subsurface drainage system exists in the vicinity of the site.

Mr. Charles Sawicki, Suffern DPW Director, has indicated that the Project is classified as a Redevelopment Project and the total allowable stormwater discharge cannot exceed the same as the prior existing development. More stringent measures may be required by the Village Planning Board. Any stormwater exceedance may require the implementation of additional Stormwater Management Practices. The allowable stormwater discharge must be contained and connected to the existing conveyance system without any discharge onto roadways or adjacent properties and in coordination with the Village. We note the existing conveyance system is the gutters on Washington Avenue and Suffern Place. The NYSDOT, in an email dated 11/12/25, has expressed that a new connection to the New York State drainage system is not preferred. If the drainage were to be discharged to the street

system, certain improvements to the curbline and street grade downstream of the Project would be required to convey stormwater to the drainage system at Route 59.

The Village is an MS4 community and the Applicant will be required to obtain SWPPP approval from the Village and coverage under the NYSDEC SPDES General Permit No. GP-0-25-001. **This Negative Declaration is conditioned upon the SWPPP and the final site plan being updated to address the final design for addressing stormwater runoff to the satisfaction of the Village DPW Director.**

With the above conditions, the Project will not have a significant impact on surface waters.

3. **Impacts on Sewer and Water**. The FEAF Part 1 estimates that the Project's resident population will demand 22,265 gallons per day and will generate approximately 22,265 gallons per day of effluent. On July 1, 2025, the Suffern Director of Public Works acknowledged that the Village of Suffern has the ability and is willing to provide service for domestic water and sanitary sewer connection for the Project. The Applicant is responsible for all infrastructure investigations, studies and/or design engineering required for final approval. As the zoning amendment only involves this single parcel, no other impacts are anticipated. The Project will not have a significant impact on sewer or water service.

4. **Impacts on Transportation and Traffic.** The Project will introduce 121 new apartments at the edge of the Village's central business district. It is anticipated the amount of traffic generated by the Project will be more than the current use. A Traffic Impact Study (TIS) was prepared by Colliers Engineer & Design (March 4, 2025), evaluating the potential impact of the Project on the surrounding transportation network. The TIS evaluated the conditions on Washington Avenue, Lafayette Avenue (Route 59), Suffern Place, and Cross Street. Traffic counts for the study area intersections were collected and compared to historical traffic count for the area including traffic count data from the New York State Department of Transportation (NYSDOT). Together the data were utilized to establish the Year 2023 Existing Traffic Volumes in the vicinity of the site. The Year 2023 Existing Traffic Volumes were then projected to the 2027 Design Year to consider normal background traffic growth and other potential future development growth in the area, resulting in the Year 2027 No-Build Traffic Volumes. Estimates were then made of the potential traffic that the proposed development would generate during each of the peak hours. The resulting site generated traffic volumes were then added to the roadway system and combined with the Year 2027 No-Build Traffic Volumes resulting in the Year 2027 Build Traffic Volumes. The peak hour of traffic generation is expected to be 7:30-8:30 AM and 5-6 PM during the weekdays. The Project's impact on the following intersections were evaluated:

   - Lafayette Avenue (NYS Route 59) and Washington Avenue
   - Lafayette Avenue (NYS Route 59) and Suffern Place
   - Washington Avenue and Cross Streer
   - Washington Avenue and Proposed Site Access
   - The TIS highlights that the US Route 202 and Washington Avenue intersection was not analyzed in the TIS because only five (5) project related trips are projected to/from the Site via Washington Avenue from the north during both the Weekday Peak AM and Weekday Peak PM Hours and would not result in a significant impact.

   The following improvement is recommended:

   - as part of the NYSDOT Highway Work Permit review, a communication modem and possible video

detection could be provided at the Lafayette Avenue/Washington Avenue intersection to improve overall efficiency.

The NYSDOT has not identified any required traffic mitigation after its review of the TIS. That said, the Negative Declaration is conditioned upon the NYSDOT and the Village DPW identifying all necessary traffic improvements prior to site plan approval to the extent such additional traffic improvements are identified by such agencies, which will include an evaluation of any improvements to the Washington Avenue and Wayne Avenue intersection. Further, evidence shall be provided that the NYSDOT also determines that improvements to Washington Avenue and Wayne Avenue are not warranted.

In terms of the Project's design, a continuous sidewalk system will be designed along Suffern Place and Washington Avenue and street trees and other amenities provided in front of the building. The Applicant will explore whether a sidewalk connection to the north of the building is feasible as part of site plan review. The Village does not support drop-off zones in front of the building as it can disrupt traffic flow, create traffic conflicts, create blind spots, and increase collision risks. Further, Suffern Place, a very low volume street, can accommodate drop-offs safely. The drop off zone will be removed from the front of the building.

No significant adverse impacts are anticipated, subject to the above conditions.

5. **Impacts on Air Quality and Noise**. The Project will not have any significant long-term impact on air quality or noise. The Project is to be located within a suburban/urban area and the Project will generate sound levels comparable to other uses in the Project's vicinity. The project is not introducing any new large emission source. The conditions set forth under "Impacts on Land" will reduce the potential for fugitive dust emissions. The demolition plan will consider noise controls, including timing of demolition, so as not to impact the adjoining place of worship's operations.

   The Project will not have any significant adverse impact on noise and air quality subject to the conditions set forth under "Impact on Land."

6. **Impacts on Plants and Animals**. As per the FEAF Part 1, the Project Site has been identified as being within an area known to contain habitat for the Timber Rattlesnake Bat (*Crotalus horridus*), a New York State Threatened species. Timber rattlesnakes are generally found in deciduous hardwood forests in rugged terrain. Crevices in rocky faces or talus with westerly to easterly southern exposures are used for denning or overwintering. Open areas with rocky surfaces are used for basking, shedding, and birthing. Surrounding forests provide foraging habitat. Habitat conducive to the timer rattlesnake or other plants and animals is not present on the Project Site – the Project site is completely paved and developed. The Project and the zoning amendment will not have any adverse impact on plants and animals.

7. **Impacts on Agricultural Resources**. The project site is completely developed, and agricultural resources are not present. No impacts will occur.

8. **Impacts on Historic and Archaeological Resources.** The Project Site has been used historically by Avon for a nail enamel testing, production and storage facility. The nearest historic structure is Washington Avenue Soldiers' Monument and Triangle (approximately 300 feet from the Project Site) which is a

National Register site. The Project Site is approximately 600 feet from the National Register listed Suffern Post Office. The Lafayette Theater, Sacred Heart and other buildings along Lafayette Avenue are also near the Project Site and are National Register eligible. As per a letter from the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) dated December 31, 2025, the OPRHP has opined that no properties listed or eligible for listing on the National or State Registers of Historic Places will be impacted by the Project.

The Project, given its proposed building height, will likely be visible from Washington Avenue, Lafayette Avenue and other locations within the Village, including National Register listed and eligible structures The Project's design may conflict with the architectural character of these historic resources. **As a condition of this Negative Declaration, the Applicant will submit simulations of the building as viewed from at least two vantage points: from the Washington Monument/Lafayette Theater/Sacred Heart and the U.S. Post Office vantage points.** The Planning Board will review the simulations and determine whether adjustments to the architectural design of the building are warranted to mitigate any visual impacts on historic resources prior to site plan approval.

With this condition, the Project is not anticipated to have a significant adverse impact on historic or archaeological resources.

9. **Impact on Aesthetic Resources.** The existing Project Site contains paved surfaces and an older, low-rise manufacturing/warehouse building with loading area facing Washington Avenue. The Project will result in the conversion of this industrial use to a mid-rise modern apartment building. Surface parking will be located at grade but will be screened by a parking garage screening system to minimize views from the sidewalk. Landscaping will be installed around the periphery of the building to enhance the visual character of the site. New lighting will be installed and will be designed to be visually similar to downtown decorative lighting. This will help to create a cohesive visual environment, linking the building to the downtown area. All lighting will be installed with full cutoffs, and LED lighting associated with the building shall not exceed 3000 Kelvin. The Planning Board shall approve a lighting plan (considering the cumulative impact of all lights on the building) and landscaping plan. Subject also to the condition set forth under "Impacts on Historic and Archaeological Resources," the Project will not have a significant adverse impact on aesthetic resources.

10. **Growth and Character of Community or Neighborhood**. The existing manufacturing/warehouse building is consistent with the LI zoning for the site. The Applicant proposes to rezone the site to the Transit Development District which would allow construction of a mid-rise multifamily building. The Rezoning Petition set forth the rationale for rezoning the site to TDD. The purpose of the Transit Development District is to facilitate redevelopment of properties in proximity to the Village of Suffern train station. Among the benefits to be accomplished were "to encourage a liveable, walkable community for residents in proximity to mass transit and supportive of existing commercial districts' and to develop "new multi-family buildings" to be "located within easy walking distance to downtown shops and merchants." According to the Transit Oriented Development Institute, components of a TOD (referred to as a TDD in the Suffern Zoning Code) include walkable design, a train station as a focus, a mix of uses (office, retail, residence) in close proximity to one another, and a "high density, walkable district within a 10-minute walking circle surrounding the train station". The Site is approximately 0.3 miles (walking distance) from the Suffern train station. It is approximately 900 feet (walking distance through municipal parking lot from the Hallett Place bus station, which is served by Hudson Link bus service. Direct commuter bus service to New York City is available at the intersection

of Orange and Lafayette Avenues, approximately 0.3 miles away (walking distance along Lafayette Avenue). The Project Site is at the eastern edge of the downtown area.

The proposed use is located at the periphery of the downtown area, which is consistent with other mid-rise buildings built around the downtown, including One Five on Washington recently completed to the north of the site. The multifamily use will not be incongruent with surrounding uses. The Planning Board will review architectural design, based on simulations identified previously, to ensure the design is consistent with the area's community character. No significant adverse impacts are anticipated.

11. **Critical Environmental Area**. The proposed project is not located within a Critical Environmental Area ("CEA"). No significant adverse impact will result.

12. **Energy**. The proposed 226,790 square foot building is located within Orange and Rockland's service area and will be served by existing electricity and gas. Each dwelling unit will have its own heating and cooling system controlled by the tenant. Common areas will have their own system controlled by the building owner. Utilities will be underground. All above ground utility components, e.g., transformers, will be located to the north of the building and will be screened. Aboveground utilities will not be located along the frontage of Washington Avenue. No significant adverse impact is anticipated.

13. **Community Facility and Services**. The proposed project is served by the Village of Suffern Police Department and Fire Department. The fire department also responds to emergency medical service calls. Good Samaritan Hospital is approximately 0.75 miles from the site. Children introduced by the apartment building will attend the Suffern Central School District or private schools in the Project vicinity.

    The Project will be located approximately 50 feet from the nearest firehouse, and 350 feet from the police department located within Village Hall. Based on the size and nature of the project, it is not anticipated to place significant demands on community facilities and services except as set forth below. The Project will address all comments raised by the Fire Inspector.

    Based on the Project's location, it is well-served by existing community facilities and services. Final fire protection measures will be determined during final site plan review. The Project and the zoning amendment will have no impact on community facilities and services.

14. **Environmental Health**. The Project Site has been used as a nail enamel production, testing and storage site. A Phase 1 ESA was prepared by Ramboll US Consulting Inc., dated August 2021, and submitted to the Planning Board for review. As per the Phase I ESA, the site was developed by the early 1900s (and possibly earlier) for industrial purposes. By 1921, Standard Oil Company of New York occupied the northern portion of the site for the storage of kerosene, gasoline and lubrication oil. Standard maintained four kerosene and gasoline storage tanks ranging from 8,000 gallons to 30,000 gallons along the northern property boundary. By 1931, Standard ceased operations and the site was developed by several entities including: Zero Ice Company (for the storage and manufacturing of ice), Ramapo Cider and Vinegar Company (for vinegar and cider bottling), Duco Printing (operations unknown) and an unnamed auto sales and service company. The property was used by Greenstein for beverage distribution between the 1930s and the mid-1970s, until Avon acquired the site from

Greenstein in the late 1970s for nail enamel filling. A structure on the northern portion of the site, previously occupied by Greenstein, was razed in approximately 2002 and turned into a parking lot. The Phase 1 ESA notes that Ramboll's scope of work for this assignment did not include collecting samples of any environmental media. As such, this review did not rule out the existence of latent conditions, and is intended, consistent with normal standards of practice and care, to assist the Applicant in identifying the risks of such conditions. Other issues considered outside the scope of the ASTM Standard and the review include regulatory compliance, asbestos-containing materials, off-site waste management facilities, radon, lead-based paint, lead in drinking water, and polychlorinated biphenyls (PCBs) in building materials. Ramboll did not test for soil or groundwater conditions.

The Phase 1 ESA determined the following:

a. Recognized Environmental Conditions: This assessment has revealed no RECs in connection with the site subject to the limitations identified in the report;
b. Past Industrial Use: While Ramboll cannot rule out the possibility that inadvertent spills or releases of chemicals or petroleum products have occurred in the past, no specific contamination concerns were identified (e.g., obvious evidence of contamination, listings indicating past chlorinated solvent use in significant quantities). In addition, the Company's operations are not chemically intensive and are unlikely to have caused significant contamination, if any. As such, Ramboll does not consider this finding a REC.
c. Former Underground Storage Tanks: According to documentation provided by the Rockland County Department of Health, UST closure activities were performed at the site on August 10, 2005. Specifically, Onyx Environmental Services, LLC of Flanders, New Jersey and their subcontractor, Industrial Environmental Contractors of Port Reading, New Jersey were retained by Avon to remove a 2,500-gallon diesel UST, and a 1,000-gallon gasoline UST that were previously abandoned in place in 1985. The two former USTs were operated by Avon and located in the eastern portion of the property. During UST removal activities, holes were observed in the 2,500-gallon diesel tank and PID readings were identified in the base of the 1,000-gallon gasoline UST excavation; no holes were observed in the 1,000-gallon UST, and NYSDEC Case No. 05-05770 was established. Subsequent to the UST removal, approximately 32 tons of sand (fill from tanks) and soil were excavated and sent to Tilcon's soil recycling facility in Mt. Hope, New Jersey. According to the 2019 Phase I report, post-excavation soil samples were collected from the base and sidewalls of the excavation and analyzed for volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs). Laboratory analytical data identified no detectable concentrations of VOCs or SVOCs.

Based on the Project Site's Phase 1 ESA, no Recognized Environmental Conditions ("RECs") were identified. However, no samples of any environmental media were collected. Further, the proposed site plan involves construction that will disturb the subsurface soils including construction of a subterranean garage. **As a condition of this Negative Declaration, subsurface soil and other applicable testing, if warranted, shall be completed. Such testing shall be overseen by a Qualified Environmental Professional in accordance with the NYSDEC DER-10 Technical Guidance and the results submitted prior to site plan approval. If contaminants are found, a remediation plan will be submitted which shall ensure site conditions are mitigated and no offsite impacts will occur, especially to the two southerly adjoining uses.** To the extent that any visual gross contamination is

found during construction, such contamination will be tested and remediated in accordance with all local, State and federal regulations With this condition, no significant adverse impacts are anticipated.

15. **Open Space and Recreation.** The Project will not impact any proposed open space or recreation facilities. The project proposes recreation facilities for the residents including a gym, swimming pool and large patio. However, the Project Site is being converted from an existing nonresidential facility to an apartment building which will introduce new residents to the Village's existing population. As a result, the proposed Project will introduce recreational demand which cannot be met onsite and will place demand on the Village's existing recreational facilities. Per Village of Suffern Zoning Code Section 228-22(K)(2), to address this potential impact, at the time of Planning Board site plan review for the Project, the Planning Board has the ability to determine whether additional recreational spaces are required to facilitate any added population from the Project and the Applicant may make a payment in lieu of required space in a fee to be determined by the Village of Suffern Board of Trustees. Based on above-described Planning Board review and potential payment in lieu of recreation space, the Project and the zoning amendment will not result in any significant adverse impact to open space and recreation.

NEGATIVE DECLARATION RESOLUTION

WHEREAS, the 5th Amended Petition to rezone the property to TDD, and the preliminary site plan for Suffern WA LLC, prepared by Colliers Engineering & Design, and last revised March 7, 2025, have been reviewed by the Planning Board for its potential environmental impacts in accordance with the regulations implementing SEQR.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Planning Board duly considered the record, together with the action, and having analyzed each of the potential areas of environmental concern associated with the site plan and zoning amendment in accordance with procedures set forth at 6 NYCRR Part 617 and the criteria set forth at 6 NYCRR Part 617.7 pursuant to the requirements of the State Environmental Quality Review Act (SEQRA), Article 8 of the Environmental Conservation Law of the State of New York, the Planning Board on January 21, 2026, hereby adopts this Conditioned Negative Declaration, finding that the proposed action will not have a significant adverse impact on the environment for the reasons stated herein, subject to the conditions set forth herein.

2. That this resolution shall be deemed a Notice of Determination of Non-significance issued pursuant to 6 NYCRR Part 617 and Article 8 of the Environmental Quality Review Act, and the Planning Board Clerk is hereby directed to file and circulate this Notice in accordance with the requirements of Part 617.

Resolution offered by Planning Board Member Stanbridge, seconded by Member Byrnes Jr., adopted on a vote of 5 ayes, 0 nays, 0 members abstaining, none absent.

	Roll Call Vote			
Planning Board Member	Aye	Nay	Abstain	Absent
Richard Gandon, Chairman	X			
Richard Byrnes Jr.	X			
Andrew Halper	X			
Michael Murphy (alternate)				
Paul Stanbridge	X			
Hudson VanSickle	X			

Dated: January 21, 2026

Signed: _____ Date 2-12-26

Richard Gandon, Chair - On Behalf of Suffern Planning Board, As Lead Agency

A copy of this Negative Declaration shall be filed with the following Involved and Interested Agencies:

Involved and Interested Agencies:

1. Village of Suffern Board of Trustees
2. Rockland County Health Department
3. Rockland County Planning Department
4. Rockland County Drainage Agency
5. New York State Department of Environmental Conservation (Region 3)
6. New York State Parks, Recreation & Historic Preservation
7. New York State Department of Transportation (R8)