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September 11, 2026

VIA EMAIL AND FEDERAL EXPRESS
Mayor Michael F. Curley and
Village Board of Trustees
Village of Suffern
61 Washington Avenue
Suffern, NY 10901
ATTN: Melissa Reimer, Village Clerk

Re: Proposed Rezoning – Transit Development District ("TDD")
Project Site: 37 Washington Avenue, Village of Suffern, New York

Dear Mayor Curley and Village Board of Trustees:

Our office has been retained by Suffern WA, LLC, the petitioner in the above matter (the "Petitioner"). On April 2, 2025, the Petitioner submitted to the Village Board of Trustees ("Village BOT") an amended petition to rezone property located at 37 Washington into the Village's TDD zoning district to facilitate a proposed multi-family development on the Project Site. Since that time, the Petitioner has responded to various comments from the Village's consultants, appeared before the Planning Board, and obtained a Conditional Negative Declaration from the Village Planning Board pursuant to the New York State Environmental Quality Review Act ("SEQRA").

Since the Planning Board, as the SEQRA lead agency, adopted the Conditional Negative Declaration, it is now time for the Village BOT to consider the April 2, 2025 rezoning petition (the "Rezoning Petition"). Accordingly, we request that the Village BOT place the Rezoning Petition back on the Village Board BOT meeting agenda to schedule a public hearing and refer the matter to the Rockland County Planning Department pursuant to New York State General Municipal Law Section 239-m.

We have enclosed a comprehensive resubmission of all relevant documents that pertain to the Rezoning Petition and Village BOT's review of the same. Specifically, as you can see from the enclosed Conditional Negative Declaration, many of the conditions to be satisfied prior to final Planning Board approval involve site plan review elements to be determined by the Planning

Board. However, upon request of the Village BOT and its consultants, we have provided the enclosed responses to issues pertinent to the Village BOT's review of the Rezoning Petition, which we hope resolve remaining questions from the Village.

First, as noted in the enclosed, the Petitioner and its consultants have provided viewshed imagery of the Project from the nearby monument to ensure that no adverse visual impacts will result from the development of the Project. Second, at the request of the Village's consultants, the Petitioner has investigated the potential soil contamination on the Project Site resulting from a prior use. As noted in the enclosed, some levels of contamination were identified, which can be remediated through the development process and will be confirmed during the Planning Board's site plan review process and other regulating agencies (e.g. the New York State Department of Environmental Conservation). Lastly, we understand the Village BOT's concern that the construction of the Project cannot adversely impact the community center. Again, while this is a Planning Board issue that will be assessed during site plan review, the Petitioner commits that protocols will be taken to ensure that all safety measures will be taken to ensure that no impacts to the community center will occur, such as a detailed demolition plan.

To assist in your review, we resubmit again the following from our April 2, 2025 submission:

1) Fifth Amended TDD Rezoning Petition;
2) Architectural Plans, prepared by Minno Wasko Architects & Planners;
3) Traffic Impact Study, prepared by Colliers Engineering ad Design; and
4) Response to Village BOT Comments, submitted April 2, 2026.

In addition to the above, we submit the following documents, which are the result of additional investigations and the Planning Board's review process as the SEQRA Lead Agency:

1) Site Plan Set, prepared by Colliers Engineering & Design;
2) Comment Response Letter, prepared by Colliers Engineering & Design, with the following attachments
    a. Stormwater Pollution Prevention Plan;
    b. November 12, 2025 Email from NYSDOT
    c. SHPO Letter of No Impact dated December 31, 2025
    d. NYSDOT Correspondence and Crash Analysis
    e. Rendering - View from Monument
    f. June 13, 2023 Rockland County Drainage Agency Review
    g. Site Remediation Plan
3) Full Environmental Assessment Form; and
4) Planning Board Conditional Negative Declaration.

We hope that the above comprehensive re-submission of all relevant documents addresses all concerns of the Village BOT. The Village BOT is now in a position to advance the Rezoning Petition, which approval of the Rezoning Petition is required to allow the Village Planning Board to continue its site plan review to address any development questions related to the Project.

We respectfully request to be placed on your next available Village Board agenda for review and comment. If you need additional copies or other materials, please let us know. Thank you for your attention to and consideration of this matter. Please do not hesitate to contact our office with any questions.

Sincerely,

/s/ *Charles J. Gottlieb*

Charles J. Gottlieb

Enclosures

cc: Terry Rice, Esq., Village Attorney (*via email and hard copy*)
Nathan Swiatycki (*via email*)
Moshe Botnick (*via email*)
Andrew Featherston, P.E., Colliers Engineering & Design (*via email*)
Justin Dates, Colliers Engineering & Design (*via email*)
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