

**DEPARTMENT OF PLANNING**

Dr. Robert L. Yeager Health Center  
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**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

April 20, 2016

Airmont Planning Board  
251 Cherry Lane  
P.O. Box 578  
Tallman, NY 10982

**Tax Data:** 56.18-2-49.1 56.18-2-48

**Re: GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M  
**Map Date:** 2/25/2016

**Date Review Received:** 3/21/2016

**Item:** *YESHIVA KARLIN STOLIN (A-94G)*

Site plan for a 24,740 SF, two-story yeshiva for boys in grades K-8 on 2.73 acres in the R-35 zoning district. A variance is required for development coverage.

East side of South Monsey Road, south side of the railroad right-of-way, approximately 170 feet south of Monsey Heights Road

**Reason for Referral:**

South Monsey Road (CR 81), Frank J. & Lillian G. Schwartz Memorial Park

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Recommend the following modifications***

- 1 An updated review of the February 25, 2015 site plan must be completed by the County of Rockland Department of Highways and all required permits obtained. In addition, the applicant must comply with the conditions of the Highway Department's letter of August 28, 2015.
- 2 The applicant must comply with the conditions of the Rockland County Health Department's letter of March 24, 2016.
- 3 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of April 4, 2016.
- 4 The proposed yeshiva building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

**YESHIVA KARLIN STOLIN (A-94G)**

- 5 A review of the Fire Truck Turn Analysis (Drawing Number 12) must be completed by the County of Rockland Office of Fire and Emergency Services, the Village Fire Inspector or the Monsey Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 6 Our tax mapping records and the application form indicate that the two parcels comprising the proposed yeshiva site are under different ownership. In order for the proposal to be approved, and the lots merged, the parcels must be under the same ownership. In addition, the site plan notes should be updated with both property owners for the two parcels.
- 7 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 8 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.
- 9 A stormwater pollution prevention plan (SWPPP) was not provided. The SWPPP, if required, shall conform to the current regulations, including the New York State Stormwater Management and Design Manual (January 2015) and local ordinances.
- 10 The proposed monument sign shall conform to the municipality's sign standards.
- 11 Note # 7 of the Site Plan Notes on the Title Sheet (Drawing Number 1) indicates that the site is located in the Monsey Fire District. On the Layout Plan (Drawing Number 2), Note # 7 specifies the Tallman Fire District. All application materials must be consistent. The appropriate fire district must be clarified.
- 12 Any variances required for this proposal are subject to a review by this Department, as mandated by the New York State General Municipal Law.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Philip Gigante, Airmont  
Rockland County Department of Highways  
Rockland County Department of Health  
Rockland County Sewer District #1  
Rockland County Division of Environmental Resources  
Rockland County Office of Fire and Emergency Services  
New York State Department of State,  
Division of Code Enforcement & Administration  
Monsey Fire District  
Leonard Jackson Associates

Simon Reichman

*\*NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

**YESHIVA KARLIN STOLIN (A-94G)**

*The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.*

*In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.*

*Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.*

*Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.*

