



# Rockland County

Ed Day, Rockland County Executive

## DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center  
50 Sanatorium Road, Building T  
Pomona, New York 10970  
Phone: (845) 364-3434 Fax: (845) 364-3435

**Douglas J. Schuetz**  
*Acting Commissioner*

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

January 9, 2018

Clarkstown Planning Board  
10 Maple Avenue  
New City, NY 10956

**Tax Data:** 43.07-1-2

**Re: GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M

**Map Date:** 5/19/2017

**Date Review Received:** 11/28/2017

**Item:** *CSH-NEW CITY SENIOR HOUSING (C-191.5C)*

Site plan and special permit from the Planning Board, to permit the demolition of an existing house, barn, sheds, and fencing, to permit the construction of a 70,000 sq. ft. assisted living senior citizen housing complex consisting of a three-story building with 80 dwelling units (96 beds) and 55 parking spaces on a 4.99 acre parcel located in the R-15 and R-22 zoning districts. The units are comprised of 64 one-bedrooms and 16 two-bedrooms.

West side of N. Main Street, east end of Susan Drive, approximately 740 feet south of Phillips Hill Road

### Reason for Referral:

N. Main Street (CR 29)

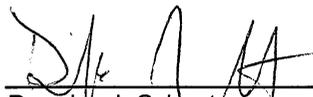
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

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

- 1 The conditions in the December 8, 2017 letter from the Rockland County Highway Department must be met. All required permits must be obtained prior to any construction or grading of the site.
- 2 The comments in the December 7, 2017 letter from the Rockland County Department of Health must be met.
- 3 The comments in the January 3, 2018 letter from the Rockland County Sewer District #1 must be met.
- 4 The designated street line of N. Main Street must be illustrated on the site plan, and all measurements taken from that line.
- 5 The applicant must obtain any necessary permits from the New York State Department of Environmental Conservation's Division of Air Resources (or Environmental Permits) for the proposed generator.

**CSH-NEW CITY SENIOR HOUSING (C-191.5C)**

- 6 It cannot be determined if there is a storage petroleum tank for the proposed generator. This information must be provided to determine if any further reviews or documentation are necessary.
- 7 The Town of Clarkstown Planning Board should determine if an emergency access to Susan Drive is warranted.
- 8 Since this is an assisted senior citizen housing complex, there may be a need for residents to utilize the County's TRIPS bus service. A review should be done by the Rockland County Department of Public Transportation to ensure that the design of the facility can accommodate the TRIPS vehicles. In addition, as the TRIPS vehicles will be picking up and discharging any passengers at the front entrance, it must be determined that there is sufficient turning radii for the vehicles, particularly when turning from the drop-off area to the accessway.
- 9 Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health for review.
- 10 Areas dedicated for snow removal must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. This will help to protect the landscaping, located around the periphery of the parking areas, from being broken from the weight of the snow and from causing salt intrusion to the plants. In addition, designating specific locations on the site for the snow piles will eliminate the loss of parking spaces meant for the visitors and employees of the senior citizen housing complex.
- 11 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.
- 12 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 13 Will curb stops be provided in the parking lot? If not, then it should be determined if there is sufficient room for pedestrians, wheelchair users, etc. to traverse along the southern sidewalk if vehicles overhang over the sidewalk.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor George Hoehmann, Clarkstown  
Rockland County Department of Highways  
Rockland County Sewer District #1  
Rockland County Department of Health  
Rockland County Department of Public Transportation  
New York State Department of Environmental Conservation  
Brooker Engineering, PLLC

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

## **CSH-NEW CITY SENIOR HOUSING (C-191.5C)**

*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.*

