



## **OAK TREE APARTMENTS - 22 ROSMAN ROAD (H-250E)**

The County would welcome a comprehensive analysis and plan for the inclusion of multifamily uses in additional, appropriate areas throughout the Town of Haverstraw. However, the proposed amendment does not reflect such an analysis and must be disapproved.

The following comments address our additional concerns about this proposal.

- 2 The Town must address all comments and concerns made by Atty. John S. Edwards on behalf of the Village of West Haverstraw in his letter of December 6, 2019.
- 3 A review shall be completed by the Rockland County Division of Environmental Resources and any comments or concerns addressed.
- 4 The applicant must comply with all comments made by the Rockland County Department of Health in their letter of December 5, 2019.
- 5 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 6 The applicant must comply with all comments made by the Rockland County Highway Department in their letter of July 31, 2019.
- 7 As an interested and involved agency pursuant to SEQRA, the applicant must comply with all comments made by the Rockland County Drainage Agency in their letter of March 25, 2020.
- 8 A review must be completed by the Rockland County Office of Fire and Emergency Services, the Town of Haverstraw Fire Inspector, or the Thiells/Roseville Fire Department to ensure that there is sufficient maneuverability on site for fire trucks and accessibility, in the event an emergency arises.
- 9 A review must be completed by the Rockland County Department of Public Transportation to ensure compatibility with the T.R.I.P.S paratransit service, and any concerns addressed.
- 10 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 11 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
- 12 Map notes 8 and 9 indicate that water service is provided by United Water. The notes must be corrected to Suez.
- 13 The transmittal letter from the Town of Haverstraw, dated November 20, 2019, has an incorrect tax parcel identification number for parcel 26.05-1-42. The letter must be corrected and the public hearing notice must be reviewed and, if it contains inaccurate information, re-issued.
- 14 The site plan must indicate the location of garbage enclosures for the property.
- 15 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 (August 2010) and local ordinances.

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- 16 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. A letter from the public water supplier, stamped and signed by a NYS licensed professional engineer, shall be issued to the municipality, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.
- 17 If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed by the Rockland County Department of Health prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Further, both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.
- 18 Public sewer mains requiring extensions within a right-of-way or an easement shall be reviewed and approved by the Rockland County Department of Health prior to construction.
- 19 Several of the indoor parking spaces are positioned flush against a wall and will be difficult for vehicles to maneuver into or out of, or are located next to the entries/exits, thereby creating potential conflicts with vehicles entering the structure and visibility/safety issues. Specifically, the four spaces adjacent to the entries/exits of Building B, the two spaces adjacent to the entry/exit of Building C, the two spaces adjacent to the pedestrian entrance/exit of Building C, the two spaces adjacent to the entry/exit of Building D, and the two spaces at the terminus of the Building D parking area must be relocated or provided with turn-around areas so as to allow ease of maneuvering and prevent conflicts with vehicles entering the structures.
- 20 Pursuant to the Rockland County Sanitary Code, Article XIII, Section 13.8.1, all multiple dwellings with three or more rental units must register and obtain a Multiple Dwelling Rental Certificate (MDRC). If this proposed multi-family dwelling meets the requirements of the Multiple Dwelling Rental Registry requirement, then the owner must register and obtain the MDRC. Failure to comply is a violation of Article XIII, which may result in penalties of \$2,000 per day.
- 21 The proposed development will add an additional 174 dwelling units compared to what is permitted with the existing zoning. The applicant must provide a traffic study to assess the impact on the nearby State Highway.
- 22 All signs shall be shown on the site plan and comply with the town's sign ordinance.
- 23 According to the net lot area calculations provided, 40,810 square feet of the gross lot area does not count towards net lot area due to the presence of steep slopes. The Existing Conditions site plan must be amended to depict areas of steep slopes.
- 24 The site plan must be amended to indicate the sight distances at the Rosman Road entrance.
- 25 The site plan does not indicate a maintenance building is to be provided. The applicant must provide information regarding the performance of property maintenance to the Town. The Town must be satisfied that the building and grounds will be properly maintained.
- 26 The snow storage areas on sheet A-101s are located in areas in which trees are proposed. Landscaping can be damaged by the weight of snow or from salt intrusion during snow removal. The snow storage areas must be located in areas without vegetation or only lawns.

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- 27 The landscaping on sheet A-101s does not match the Planting Plan on sheet L-701. All materials must be consistent.
- 28 The depictions of Building B on sheet A-101 by Poskanzer Skott Architects and the Overall Working Plan by Sparaco and Youngblood are slightly different. All materials must be consistent.
- 29 Turnaround areas must be provided in the parking areas under Buildings C and D in the event no spaces are available for vehicles to park in.
- 30 The applicant must demonstrate that the proposed single access to the site is adequate to accommodate emergency vehicles and the traffic generated by 228 residential units.
- 31 The site plan must be amended to indicate fire lanes.
- 32 Retaining walls that are over four (4) feet in vertical height shall be designed by a licensed New York State Professional Engineer and be in compliance with the NYS Fire Prevention and Building Code. Design plans shall be signed and sealed by the licensed NYS Professional Engineer.
- 33 A fire truck circulation plan must be provided.
- 34 The site plan must be amended to include traffic calming devices along the roadway along the western side of the site.
- 35 Drainage flowing toward the east must be monitored to ensure the analyses provided are accurate and adequate.
- 36 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- 37 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
- 38 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Howard Phillips, Haverstraw  
New York State Department of Transportation  
Rockland County Department of Health  
Rockland County Department of Highways  
Rockland County Department of Public Transportation  
Rockland County Division of Environmental Resources  
Rockland County Drainage Agency  
Rockland County Office of Fire and Emergency Services

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Thiels/Roseville Fire District  
Sparaco & Youngblood, PLLC  
Village of West Haverstraw Planning Board  
Poskanzer Skott Architects

Rockland County Planning Board Members

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

*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.*