



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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C. SCOTT VANDERHOEF  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

November 27, 2013

ARLENE R. MILLER  
Deputy Commissioner

Montebello Planning Board  
One Montebello Road  
Suffern, NY 10901

**Tax Data:** 55.07-1-9

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

**Map Date:** 10/17/2013

**Date Review Received:** 10/31/2013

**Item:** *EXECUTIVE ENTERPRISES G.P. (M-3R)*

Revised site plan for two, four-story, 48,000 SF office buildings on 5.59 acres in an LO zoning district. The site plan was approved in 2009, and renewed in 2011. Due to market conditions, construction was delayed. The only revision to the approved site plan is the addition of a diesel powered emergency generator for each of the two buildings. The generators will be co-located on a 34' x 8' concrete pad at the southern end of the site between a macadam parking area and the property's boundary with the NYS Thruway.

South side of Executive Boulevard, north of the NYS Thruway

**Reason for Referral:**

NYS Thruway, Federal Wetlands

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 October 17, 2013 site plan must be completed by the New York State Thruway Authority with particular attention to the proposed drainage and the location of the generator. All required permits shall be obtained.
- 2 The "Diesel Generator Spill Prevention and Response Plan" on Drawing Number 2 (Planimetric Plan) shall be revised for the office building site. It currently references the hotel site.
- 3 A review shall be completed by the United States Army Corps of Engineers and all required permits obtained.

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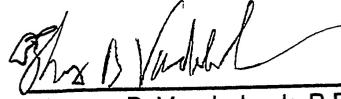
- 4 A review must be completed by the County of Rockland Sewer District #1 and all required permits obtained.
- 5 As noted in our previous reviews of this site plan proposal, Empire Boulevard is accessed from Airmont Road, a heavily traveled county highway. The development of 96,000 SF of office space will generate significant traffic thereby impacting the county road. An updated review of the October 17, 2013 site plan must be completed by the County of Rockland Department of Highways and all required permits obtained. A traffic study was forwarded to the Rockland County Highway Department on July 15, 2008. The applicant must also satisfactorily address any concerns raised by the Highway Department in response to that study.
- 6 A review must be completed by the County of Rockland Office of Fire and Emergency Services, the Village Fire Inspector and the Tallman Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 7 The applicant shall satisfactorily address the concerns raised by the Town of Ramapo's planning consultant in his memorandum of July 24, 2008.
- 8 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 9 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.
- 10 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.
- 11 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.
- 12 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.
- 13 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.
- 14 The lighting plan still indicates that the fields of illumination from on-site lighting sources will extend beyond the southern property line onto the NYS Thruway. There shall be no spillover onto adjacent properties from on-site lighting sources.

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15 All proposed signage shall be indicated on the site plan, and shall conform to the municipality's sign standards.

16 The fire zones must be clearly marked on the site plan. Access to the fire zones shall be unimpeded by other parking areas and maneuverability on the site feasible.

17 The fire department connections shall be designated on the site plan and kept clear for easy access by the emergency response vehicles.



Thomas B. Vanderbeek, P.E.  
Commissioner of Planning

cc: Mayor Jeffrey Oppenheim, Montebello  
New York State Thruway Authority  
United States Army Corps of Engineers  
Rockland County Department of Highways  
Rockland County Department of Health  
Rockland County Drainage Agency  
Rockland County Sewer District #1  
Rockland County Office of Fire and Emergency Services  
Brooker Engineering, PLLC  
Town of Ramapo  
Tallman Fire District  
  
Executive Enterprises, G.P.

*\*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.*

