



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

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County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

July 22, 2014

ARLENE R. MILLER  
Deputy Commissioner

New Hempstead Planning Board  
108 Old Schoolhouse Road  
New City, NY 10956

**Tax Data:** 33.18-1-30

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

**Map Date:** 6/10/2014

**Date Review Received:** 6/20/2014

**Item:** *CAMBRIDGE HEIGHTS (NH-87M)*

Revised site plan application for an Active Adult Residential Community (ARC) consisting of 54 owner-occupied, semi-attached condominiums and a clubhouse on 9.7011 gross acres (9.6399 net acres) in a 1R-50 zoning district.

East side of Summit Park Road, 560 feet south of Pomona Road; south side of Pomona Road, opposite Station Road and 620 feet east of Summit Park Road

**Reason for Referral:**

Pomona Road (CR 86), Town of Ramapo

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 Town of Ramapo is one of the reasons this proposal was referred to this department for review. The Ramapo municipal boundary is along the northern property line of the subject site. This area of unincorporated Ramapo is zoned RR-80, a rural-residential zoning district. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas; drainage; community facilities; official municipal and county development policies, as may be expressed through comprehensive plans, capital programs or regulatory measures; and such other measures as may relate to the public convenience, to governmental efficiency, and to achieving and maintaining a satisfactory community environment. In addition, Section 239-nn was

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enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result, development occurs in a manner that is supportive of the goals and objectives of the general area.

The Town of Ramapo must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the revised site plan.

- 2 A review of the June 10, 2014 site plan must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 3 A review of the June 10, 2014 site plan must be completed by the County of Rockland Sewer District No. 1 and all required permits obtained. The applicant must comply with the conditions of the Sewer District's letter of May 18, 2012.
- 4 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 5 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.
- 6 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.
- 7 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.
- 8 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.
- 9 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.
- 10 The proposed residential buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

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- 11 A review must be completed by the County of Rockland Office of Fire and Emergency Services, the Village Fire Inspector and the Moleston Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 12 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.
- 13 A review of the revised site plan shall be completed by Rockland County Department of Public Transportation to determine the best pick-up locations for TRIPS paratransit users. The larger TRIPS vehicles are not permitted to turn around or back up on dead-end streets so only the smaller vehicles will be able to serve this development.
- 14 The October 25, 2012 Planting and Lighting Plan does not reflect the current site plan proposal. An updated Planting and Lighting Plan must be submitted for our review.
- 15 The visual impact of the proposed wall that runs along the southern and eastern property lines of the site must be mitigated. This wall reaches a maximum height of ten feet. Landscaping must be provided on both sides of the wall to soften the view of this structure.
- 16 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line onto the county road.
- 17 The clearing limit line runs through the proposed club house and the parking area to the northeast. We believe the clearing limit line must be adjusted in this area, and be extended beyond the area that will be graded.
- 18 The internal roadway system must include sidewalks so that residents can safely walk through the development. Pedestrian access must also be provided to the clubhouse.
- 19 An existing well is shown in the northeast corner of the site south of Pomona Road. The existing well must be properly decommissioned prior to its removal. The Rockland County Department of Health must be notified of the intent to decommission the well, and monitor the process to ensure that it is done in compliance with the specifications of Article II of the Rockland County Sanitary Code. All required permits must be obtained from them.
- 20 The undated "Existing Conditions Survey" must be updated to show the two buildings (Units 7 and 8, and Units 53 and 54) on the site. A map date must also be provided.
- 21 Our records indicate that the original seven lots that made up this proposal have been merged into one lot (33.18-1-30). The Town of Ramapo Assessor's Office confirmed that a lot line disclaimer was filed in 2012. The seven lots are still listed on the June 10, 2014 site plan. Since the site is now comprised of just one tax parcel, only that lot should be listed.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Fred Brinn, New Hempstead  
Rockland County Department of Highways  
Rockland County Department of Health  
Rockland County Sewer District #1  
Rockland County Department of Public Transportation  
Rockland County Office of Fire and Emergency Services

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Leonard Jackson Associates  
Town of Ramapo  
New York State Department of State,  
Division of Code Enforcement and Administration  
Moleston Fire District  
Cambridge Heights Estates Holding LLC

*\*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.*