

306 GRANDVIEW COMMONS (NH-1M)

- 5 This site is in an Environmentally Sensitive Area (ESA) as designated by the United States Environmental Protection Agency (EPA). As such, a waiver of the EPA's grant condition is required prior to connecting any buildings to sanitary sewers. The EPA and the New York State Department of Environmental Conservation must review the March 22, 2018 site plan, and approve the waiver.
- 6 An updated review of the March 22, 2018 site plan shall be completed by the Rockland County Drainage Agency, and all required permits obtained. The applicant must comply with the recommendations of the Drainage Agency's October 13, 2017 letter.
- 7 If there is any encroachment into the Federal wetlands, a review must be completed by the United States Army Corps of Engineers and all required permits obtained
- 8 The Floodplain Administrator for the Village of New Hempstead shall certify that the proposed construction is in compliance with the floodplain regulations of the Village and the Federal Emergency Management Agency.
- 9 The floodplain boundaries must be shown of the site plan.
- 10 A review must be done by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.
- 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. If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed and approved by the Rockland County Department of Health prior to construction in order to ensure compliance with Article II (Drinking Water Supplies) of the Rockland County Sanitary Code and Part 5 of the New York State Sanitary Code.
- 12 For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction.
- 13 The proposed commercial buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 14 A review must be completed by the Rockland County Office of Fire and Emergency Services, the Village of New Hempstead Fire Inspector, or the Moleston/Hillcrest Fire Department to ensure that there is sufficient maneuverability on site for fire trucks, in the event an emergency arises.
- 15 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.
- 16 The fire department connections shall be designated on the site plan and kept clear for easy access by the emergency response vehicles.
- 17 A truck circulation plan shall be submitted for review so it can be determined if emergency vehicles, delivery trucks and sanitation vehicles can safely maneuver on the site.
- 18 In a March 27, 2017 letter, the Village of Wesley Hills raised concerns about the proposed zoning code amendment creating the NC overlay zone, the environmental review process, and existing traffic congestion at the intersection of Route 306 and Grandview Avenue. Their concerns must be satisfactorily addressed.

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19 The Town of Ramapo is one of the reasons this site plan application was referred to this department for review. The Ramapo municipal boundary is along the centerline of Route 306, just west of the site. 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; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was 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 development 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 development proposal.

20 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.

21 There shall be no net increase in the peak rate of discharge from the site at all design points.

22 A review shall be done by the Rockland County Department of Public Transportation to determine the best locations for pick-up of potential TRIPS users.

23 There is a potential for traffic conflicts between vehicles exiting the drive-through lane and vehicles heading south on the interior road system. While a stop sign is provided at the end of the drive through lane, it is unclear whether drivers navigating in a southward direction will be aware of drivers exiting from behind the building. A warning sign must be provided a sufficient distance from the drive-through lane.

24 The traffic flow directional arrows to the east of the southern driveway on Route 306 and immediately south of the smaller retail building are pointing in the wrong direction. They must be reversed on the drawings and in the field.

25 Areas designated 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 proposed landscaping from damage due to the weight of the snow and salt intrusion. In addition, providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by customers.

26 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.

27 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line onto the county road. The intensity of the candle lumens must be less than 0.1 at the property line.

28 The proposed monument and pylon signs, and all other signage, must conform to the Village's sign standards.

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29 The February 28, 2018 revised narrative summary still indicates that the net lot area of the site is 4.376 acres; the net lot area calculation on the site plan specifies 3.93 acres. The narrative states that the southerly entrance on Route 306 will only allow right turns into and out of the center. A right turn entrance only driveway is shown on the site plan. The northerly driveway is depicted as a full access with a right turn only egress. All application materials must be consistent.

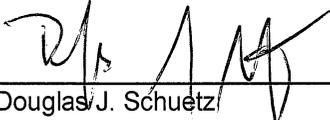
30 The site plan notes must include fire district information and specify the water supplier.

31 The Net lot Area Calculation on Drawing C-5 shall be corrected to indicate that 75 percent of the drainage easement area must be subtracted from the gross lot area.

32 The Full Environment Assessment Form must list the Rockland County Highway Department, Health Department and Sewer District #1 in B.e. as these are County agencies with permitting authority. Answers must be provided to Questions E.2.q., E.3.b., E.3.e., E.3.g. and E3.h.

33 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.

34 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.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Acting Mayor Abe Sicker, New Hempstead
New York State Department of Transportation
Rockland County Department of Highways
Federal Emergency Management Agency
United States Army Corps of Engineers
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Drainage Agency
New York State Department of State
Rockland County Office of Fire and Emergency Services
Moleston/Hillcrest Fire District
New York State Department of Environmental Conservation
Rockland County Department of Public Transportation
United States Environmental Protection Agency

Stonefield Engineering & Design
Town of Ramapo, Village of Wesley Hills

306 Grandview Commons, LLC

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**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.

