

DEPARTMENT OF PLANNING

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August 17, 2020

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

Tax Data:

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

Map Date:

Date Review Received: 7/17/2020

Item: *VILLAGE OF NEW HEMPSTEAD - COMPREHENSIVE PLAN (NH-135)*

Comprehensive Plan for the Village of New Hempstead, which contains five subject-themes.
Throughout the Village

Reason for Referral:

County and State highways; County facilities (Robert L. Yeager Health Complex, Fredrick Loescher Veterans Memorial Cemetery); Samuel G. Fisher Mount Ivy Environmental Park; Town of Ramapo; Villages of Pomona, New Square, Spring Valley, & Wesley Hills

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***

The Comprehensive Plan serves as a vision statement for the future of the Village. It acknowledges the past and offers direction for the future. Our department concurs, and applauds the Village for undertaking an update of this vital land use document. The Village's first Comprehensive Plan was adopted in 2006. While concise at only 16 pages, the goals of the plan were only partially fulfilled. The goals of this new Comprehensive Plan are broken into five Subject-Themes: quality neighborhoods, village parks & recreation, transportation/traffic, land use & zoning, and village government & overall economic development. They are presented in Section V and are based on topics presented throughout the draft document.

We offer the following comments on the Comprehensive Plan:

1 Throughout our analysis of this document, many grammatical, formatting, contradictory, and other errors were found. It is unclear how the Comprehensive Plan was deemed acceptable in its current state to submit to the public for review, and circulated for review as part of the General Municipal Law review process. The poor quality control must be corrected, and action must be taken to thoroughly review and edit the document. Some, but not all, errors are noted at the end of our comments.

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2 The Notice of Intent to be Lead Agency from the Village Board lists the adoption of this Comprehensive Plan as an Unlisted action under the New York State Environmental Quality Review Act (SEQRA). However, the adoption of a municipality's land use plan, the adoption by any agency of a comprehensive resource management plan, or the initial adoption of a municipality's comprehensive zoning regulations are considered Type I Actions under Section 617.4(b)(1) of SEQRA. As such, they are more likely to require the preparation of an Environmental Impact Statement (EIS). Instead, a Full Environmental Assessment Form (FEAF) was provided. An EIS requires a much more comprehensive look at the impacts this Plan will have, and any alternatives (such as no action) to the Plan. As such, the scope of the EIS may be more appropriate for the Comprehensive Plan than the FEAF provided, which only has two and a half pages filled out. An explanation as to why an FEAF was prepared, rather than an EIS must be provided.

3 If the Village Board finds that the FEAF is appropriate, all questions in sections B and C must be answered. Question C.2 should mention the County's Comprehensive Plan, "Rockland Tomorrow." All other questions on the Form must be answered, where appropriate. This includes the questions in Section E where an answer was generated by the EAF Mapper, whose summary is provided at the end of Appendix A. In addition, all questions that can be answered based on the SEQRA Correspondences contained in Appendix C must be answered.

4 It may be beneficial to reorganize how the Plan is presented. The Village/Laberge should consider presenting the Goals prior to the recommendations presented throughout the Inventory & Analysis section so that the recommendations relate to the specific goals. For example, when recommendations for creating and maintaining more sidewalks throughout the Village is proposed in the Transportation section, it could be noted by a TTPS #4 to indicate it pertains to this goal. This will help create cohesion within the Plan, and allows for a better understanding as to how these suggestions relate to the goals for the Comprehensive Plan, and therefore, the vision for the Village.

5 Within Section IV, only the chapters on Development Regulations and Transportation contain dedicated sections for recommendations. This should be included for all chapters in this Plan. The goal of a Comprehensive Plan is to guide the future of the community. As it is currently presented, a majority of this Plan only discusses the current conditions of the Village. By including recommendations at the end of each chapter, the Plan will illustrate the goals and objectives deemed important for future growth of the Village. In addition, by including recommendations at the end of each chapter, the Plan will have a more cohesive presentation.

6 Throughout the Plan, Tables, Figures, and Maps are presented without mention of them in the text. Examples of this can be found on page 38 with Table 9 and page 41 with Figure 8. All Tables, Figures, and Maps presented in the document must be discussed within the text. These serve to aid the discussion, not supplant it. In addition, when referenced in the text, the name of the Table, Figure, or Map should be in bold, as demonstrated on page 44, so that they can quickly and easily be identified.

7 In Section I, it is mentioned that climate change has become a societal focus and how people are thinking about how to foster healthy adaption to changes that may occur as a result. However, climate change and sustainability are rarely discussed further throughout the document. As climate change is presented as a major factor that has affected the Village since the previous 2006 Comprehensive Plan, there should be more presented on this topic, including steps the Village would like to take to address and/or mitigate this. The footnote associated with this paragraph on page 2 states the Village became a New York State Climate Smart Community in 2019. One aspect that should be looked into is to further this and take actions to become a Bronze Certified Community. To reach each level of Certification, a certain number of points must be obtained by completing Certification Actions. A Priority Action for both Bronze and Silver Certification is to adopt a comprehensive plan that includes sustainability elements. This can be incorporated throughout the plan or in a specific sustainability section. The development of this Comprehensive Plan should take sustainability into account throughout the document, rather than just in one paragraph in the Introduction, to prove the Village is committed to its designation as a Climate Smart Community.

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8 The first bullet on page 4 mentions the Robert Yeager Health Center, located on Sanatorium Road, has been largely vacant since it has ceased to be used as a nursing home facility. In an effort to consolidate and encourage more interdepartmental collaboration, from 2015 to the present, the Rockland County Government has steadily been relocating many of its departments to the complex. As of 2020, the Complex is almost fully occupied and has been updated and refurbished. This bullet must be revised to indicate the Complex is no longer "largely vacant," but rather provides a campus for most County Governmental departments.

Later, on pages 37-38, the County complex is discussed again. It is mentioned that the Summit Park Hospital and Nursing Care Center closed in 2015, but does not mention that most County departments (including those mentioned in the bulleted list preceding the paragraph) now occupy the space. This should be added, as the text makes it appear as if the building is now left vacant.

9 Pages 22-23 discuss the Rockland County Capital Improvement Program. This section should be updated to include the proposed investments for the Adopted 2020-2025 Capital Improvement Program. The Sewer section on page 125 should also be updated as such.

10 The Regional Bike & Pedestrian Master Plan, published in 2001, is mentioned on page 22. More recently, The New York Metropolitan Transportation Council (NYMTC) has published Plan 2045. This plan aims to further enhance pedestrian bicycle systems from 2018 through 2045. It draws upon the previous 2001 plan and serves as the current regional pedestrian and bicycle plan for the Lower Hudson Valley Region. Plan 2045 should be referenced, and used as a guideline for strategies to improve pedestrian and bicycle transportation.

11 Throughout the document, maps are mentioned but do not appear on or near the page in which they are mentioned. For example, the second paragraph on page 26 references Map 1, but no map is present. The list of maps in the Table of Contents states Map 1 is on page 151. However, this map does not meet the description of a boundary footprint of the village transposed on an aerial image, as described on page 26. It appears this map is located on what is labeled as page 169, and the pages following page 162 have been mis-numbered. The page numbers shall be corrected, and the Table of Contents appropriately updated. The reference to the maps throughout the body of the document should also detail where the maps are located within the document, or be located within the textual content.

In addition, these maps seem to be tacked on to the end of the document by themselves. The Village should consider creating an additional appendix for these maps. All maps found must have a title/footer explaining what they are and their Map number.

12 The second paragraph on page 28 states wetlands can be seen on the Wetland Map. However, no map in the list of maps in the Table of Contents is entitled as this. There is, however, a map titled "Map 4: Hydrological Constraints" that features the wetlands. If this is the map being described, the reference must be updated to the proper name and number.

13 On page 32, Table 16 is mentioned within the text. However, this table does not appear until page 43. Tables 2 through 15 are all mentioned between these pages and shown on the same page, or within one page from where they are discussed. The tables must be reorganized so Table 16 is presented closer to where it is originally discussed.

14 The list of County administrative functions carried out at the Yeager Health Complex, presented on pages 37-38, does not include two major County departments that have been at this location prior to the shut down of the nursing home facility: Health and Social Services. The list should be expanded to include the other agencies located at the Health Complex: Human Rights, Environmental Resources, Veterans Services Agency, Aging, Community Development, and Public Transportation.

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15 In the development Regulations subsection, maximum floor area ratio and maximum building coverage are discussed on page 47. It is stated that it appears whichever is identified by the owner on an application is the controlling compliance factor. This should not be the case. As this is the Comprehensive Plan, the Village should take this opportunity to shape the way this zoning regulation is handled. The Village needs to determine whether the maximum floor area ratio or the maximum building coverage standard is required, or both together. This can be done by establishing regulations within each zoning district that require a specific standard dependent on the proposed use.

Number 8 in the Implementing Plan Concepts section, found on page 161, states that a review of the code found the option to select either floor area ratio or maximum development coverage has been removed. While Laberge Group is an outside entity in charge of creating this Comprehensive Plan, they should be working directly with the Village to develop it. There should be direct contact to ensure whether something is or is not in the code. If the "either" is no longer in the code, reference to it should not be included in the Plan.

16 In the Wireless Regulation section on page 51, it is stated special use permits are issued after site plan review. Special Permits should be issued prior to the Planning Board's review of the site plan to ensure that the proposed use complies with the extra regulations governing it.

17 The idea of allowing two-family dwellings in the 1R-25 zoning district is presented on pages 57-58. Within this discussion, methods of implementation are considered, such as lowering the minimum lot area to 15,000 or 17,500 SF. Currently, the 2R-15 zoning district already permits two-family dwellings, and has a minimum lot size of 15,000 SF (20,000 SF for two-family dwellings). The Village may want to evaluate whether expanding the 2R-15 district to encompass the existing 1R-25 district in some areas would satisfy their goals. However, the bulk requirements between the two districts differ beyond the minimum lot size. That being said, if two-family dwellings are to be permitted in a historically single-family dwelling area, the Village must study the appropriate areas desired for the conversions and modify the zoning to attain the land use.

Lowering zoning standards can undermine the intent of the zoning district. The Village must look at specific areas where two-family dwellings are desired, and either rezone the area or establish an overlay zone. The entire rezoning of a district should not be altered to accommodate a new land use.

18 Townhouses are mentioned on page 59 as a way to provide more housing options for adults and families looking for smaller homes. Guidelines for design standards and regulations of size, location, and number of units per building are offered as ways to achieve this goal. Other ways to regulate townhouses that should be explored include establishing buffer areas such as requiring a certain distance between the roadway and buildings; providing vegetation between the roadway, buildings, and/or parking areas; and requiring a certain amount of open/recreation space for residents. Additionally, it has previously been mentioned that there may be a need for low- and moderate-income housing within the Village. Requiring a certain percentage of townhouse units to be set aside for this purpose may be one way to solve this issue.

19 The end of the Land Use & Development Analysis section on page 60 references the Village registering to be a Climate Smart Community. This would be a good place for the Plan to discuss and encourage becoming a Certified Climate Smart Community. As mentioned above, certain actions must be taken to earn points. To become Bronze Certified, the Village must earn at least 120 Action points, including completing at least one action under four (of nine) different pledge elements, two mandatory Actions, and three priority Actions. In becoming Certified, the Village will have access to more grants, resources, trainings, and tools; a climate conscious network; a better framework to organize future climate action; and State-level recognition.

20 The Methodology subsection on page 67 of the Parks & Recreation section states that 2008 GIS data for the Town of Ramapo was used. Through the County's GIS Portal (found at rocklandgis.com), a more recent land use map for the Town of Ramapo can be found that has data from 2012. Additionally, there is a land use map for New Hempstead that contains data from 2008. While not as recent as the Ramapo map, this one contains land use data specifically for the area within the Village.

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21 The last area mentioned in the Town Parks/Town Lands discussion on page 69 identifies tax parcel 42.18-1-18 as an approximately 4.5-acre unimproved property that spans from New Hempstead Road to Brick Church Road. However, the parcel ID provided is for an approximately 0.6-acre property that contains a single-family dwelling on Bridle Road. This must be corrected to the actual parcel ID of 42.18-1-2.

22 On page 69, Appledale Park is discussed. The Ramapo Tax rolls list the owner of the Property as the Town of Ramapo. However, records from the Rockland County Clerk's office indicate the owner is Ellington Construction. The owner of this parcel must be confirmed.

23 The Village Recreation Service Standards/Definitions section on pages 75-76 detail different recreational services. Four of these mention whether they currently exist within the Village. Courts, swimming facilities, passive recreation, and trails do not provide this information. This should be included for all facilities as it will provide a better understanding of the types of recreational services that are currently within New Hempstead, making it easier to determine what should be developed in the future, and what needs to be maintained.

24 Throughout the Plan, the idea to relocate Village Hall to the Fairway Park property is discussed. This includes constructing a new facility, as well as multiple fields, courts, and walking paths. Currently, this undeveloped land is owned by the Town of Ramapo and designated as open space. While we encourage the Village to establish more outdoor recreation accessible to the public, we strongly recommend this parcel be preserved in its current state. Only a very small portion of land within the Village remains as open space. Page 79 also indicates there is much need within the Village for parkland and open space. The Village must assess whether the benefits of erecting a building on this site outweigh the loss of open space or area that could be used as parkland. In addition, the undeveloped nature of the site allows it to serve as a buffer between the residential uses to its west and south and the Yeshiva and SUEZ properties located to its east.

25 In relation to the SUEZ property, the development of Fairway Park would be located immediately adjacent to an established groundwater protection zone and public well fields. There may be concerns over the prevention of contamination of the site which would impact water quality and groundwater recharge, which would be reduced due to the development of the site and installation of impervious surfaces. These concerns must be considered and discussed with SUEZ if the Village is to move forward with the Fairway Park concept.

26 On page 94, the Plan mentions that retail development could be explored for the corner of Grandview Avenue and Route 306. The Village has already approved a site plan on June 2018 and issued building permits for a commercial use at this corner. Construction and improvements to the intersection are already underway. This section shall be updated to reflect such.

27 The section on local land use laws in relation to transportation, found on page 102, includes a recommendation to remove the standard that discourages four-way intersections. This can prove beneficial as it will reduce the number of turns/intersections, thereby reducing congestion. Within this discussion, it is mentioned that narrower roads should be implemented to protect the Village's low-density neighborhood character. However, there is no proposal within the Plan to alter the Village Code that involves road widths. In all residential zones, the minimum road width for both collector and local roads is 30 feet (except 1R-25, where it is 24 feet). The Village should consider reducing the minimum width for these roads to 24 feet. Narrower lane widths, in conjunction with slower speeds (as recommended in the Plan), can help reduce the speed at which vehicles travel and can therefore help to preserve the character of the Village. Further, there is a recommendation to install pull-overs without promoting wider residential streets. By narrowing the lanes on the road, there would be room to include pull-overs, without the need to widen the road.

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28 On page 107, a way to conserve and protect the McNamara Road corridor is discussed. Options provided include establishing a new zoning district or adopting zoning standards to preserve the character of the area. Rather than create a new zone that only includes a strip of parcels along one roadway, a better way this can be accomplished is to create an Overlay Zone. This can be applied to all parcels that are adjacent to McNamara Road, and can set specific provisions that they must follow, including density, setbacks, and controlled driveway development. This will set specific requirements for any parcels along this roadway, while still holding them to the standards of the residential zoning districts they are within.

29 The Emergency Medical Services (EMS) section indicates it would be beneficial for the Village to advocate for development of service area maps of the various EMS entities. We concur that having these maps available would help not only New Hempstead, but all other Towns, Villages, and citizens of the County. However, the website for the Spring Hill EMS includes a draft district map that shows their area of coverage. While this is only one of the five EMS providers mentioned in the Plan, Spring Hill EMS covers the entirety of the Village.

30 In addition, the Plan assumes there is adequate service by EMS providers within the village. Most information about the local EMS providers comes from their websites, and other websites such as Wikipedia. While the Plan presumes the Spring Hill Corps to be relatively accessible due to its location within the Village, more information should be sought to confirm this. It is stated that a personal interview was conducted with the Town of Ramapo Chief of Police for the information on policing. A similar interview should be done with the Chief of the Spring Hill EMS to confirm how accessible and efficient they really are in serving the community. An interview can also provide more in-depth information other than what can be gleaned from the website, such as actual response times and traffic impacts.

31 In the Public School Bussing section, the Plan states the East Ramapo Central School District has 18 vehicles, but is proposing to decommission their entire bus system. In 2018, the School District dissolved its bus system. This section must be updated to reflect this. The bussing situation in the Private School Bussing section must also be updated.

32 As a recommendation for schools in the Village, the Plan states the location of future facilities should be carefully considered to accommodate said facilities, as well as the surrounding land uses. We agree that these need to be taken into account. With that, there should be more consideration for existing schools/yeshivas and their expansion. In 2019, our department completed General Municipal Law reviews for a special permit and site plan to permit a yeshiva to expand by turning its temporary structure into a permanent structure. The temporary structure was originally approved as a special permit use while a new permanent structure was to be constructed; however construction on this building has never started. Our department denied both the special permit and site plan, citing the Village Code does not allow this type of development. In August 2020, we again denied a revised site plan for this same development. As part of this new Comprehensive Plan, the Village must reevaluate their code and consider whether the current standards are still in line with the vision for New Hempstead's development, both in relation to schools and their expansion, and to the growth of other facilities. If the Village finds that the code needs to be modified to account for the growing and changing population, the Plan must be modified to reflect these changes.

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33 The objective for the Village to relocate Village Hall is brought up throughout the Plan. In the Local Government Description and Public Works section (page 121), it is advised that the new facility be used as a model for highly energy-efficient construction. Methods such as solar panels and/or geothermal heating and cooling are listed, as well as the use of windows, doors, and insulation to control heating and cooling. The Rockland County Planning Department supports local efforts to encourage the growth, development, and use of renewable energy sources, such as solar power. The economic and environmental challenges presented by climate change will have significant consequences for Rockland County and its residents. As recommended in the 2011 Rockland County Comprehensive Plan, the County should "Employ all available tools to address climate change" (page 142). The Village should consider LEED Certification when designing and constructing the new building. LEED is globally recognized for sustainability and it's pursuit of healthy and efficient green buildings. Having a LEED Certified Village Hall can stand as a symbol for the goals of the Village and its stance on climate change mitigation. As previously mentioned, the Village is a Climate Smart Community. Obtaining a LEED Certification for this building is another way to earn Action points towards Bronze Certification. Again, becoming a Bronze Certified Community will prove the Village is committed to its designation as a Climate Smart Community.

34 The Solid Waste section states that hazardous wastes are not included in the Village waste collections services. It should be noted that the County runs a hazardous household waste program where Rockland residents and certain small businesses may drop off hazardous household waste free of charge daily (except for holidays). The facility is located just north of the Village, at 35 Firemans Memorial Drive, next to the Office of Fire & Emergency Services.

35 The final paragraph in the Municipal Stormwater Management Program on page 124 states the Village is working with other parties to form a stormwater consortium. More information should be provided on this as the Village is already a part of the Stormwater Consortium of Rockland County. The Consortium was formed to allow collaboration between all 24 municipalities in Rockland to address water quality concerns. If this is what the Plan is referring to, the section must be updated to note it is already part of the Consortium. If the Village is working towards creating a new consortium, the goals and objectives, and the benefit of doing such, shall be provided.

36 In the Water Utilities section on page 126, it is stated that SUEZ provides service to all of Rockland County. This is an incorrect statement. Nyack Water and Suffern Water are independent Public Water Systems that provide the water supply in their respective regions. In addition, there are residents with their own private wells. This statement must be corrected.

37 Water is a scarce resource in Rockland County; thus proper planning and phasing of development throughout the Village is critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. Water conservation measures must be included in the Comprehensive Plan. The Rockland County Task Force on Water Resources Management has created a Comprehensive Water Conservation and Implementation Plan (adopted in March 2020) to help ensure the County water supply is preserved to meet current and future demand. The Village shall work with the Task Force in establishing appropriate standards that are in line with the Comprehensive Water Conservation and Implementation Plan. More information on the Task force can be found at <https://bit.ly/2E1ue3B>.

38 Pages 131 through 134 discuss economic development throughout the County. If one has not already occurred, an interview should be held with Jeremy Shulman, the Director of the Rockland County Department of Economic Development & Tourism. He will be able to provide additional information and ensure that no other studies have been performed outside of what has been mentioned within the Plan.

39 Goal #5 of Quality Neighborhoods proposes occasional meetings to occur between elected officials and neighborhoods. How are/will neighborhoods be defined within the Village? Will there be an official map that details the extent of each neighborhood?

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40 One of the topics presented in the Development Regulations section was the idea of allowing two-family dwellings outside the 2R-15 zone. If the Village is serious about investigating this and/or pursuing this further, then an additional goal should be added to the Land Use & Zoning Goals section on page 140. By making this a goal, it gives more weight to the idea and indicates it is something important to the Village.

41 Within the Implementation section, it is recommended that the Village Department of Public Works (DPW) trucks, equipment, etc. should be taken into consideration when developing a Capital Improvement Plan. It is mentioned earlier in the Solid Waste section that the Village does not have DPW. It should be clarified if this is a recommendation for the Village to establish one. If so, this should be included as a goal and mentioned in the Parks & Recreation section. If the Village does not intend to establish a DPW, mention of it should be removed from this section.

42 Cooperation and participation is one of the methods provided in order to implement the Plan. The Village is called upon to be the leader in promoting the cooperation and collaboration needed, but no methods on how this can be achieved are provided. While the public was involved in the early stages of planning the Comprehensive Plan, things like public information sessions, hosted by the Village, and mailers informing businesses and Villagers about the Plan are ways to inform the community about the adopted plan and can be the start of public discussion about its implementation.

43 The Goals and Recommendations Implementation Matrix, referred to on page 148, is not included in the document. This, plus the Abbreviations Key, shall be added, or all references to them deleted.

44 On the following page is a Next Steps: Implementing Plan Concepts section. This section does not appear in the Table of Contents. The table of contents should be updated to include this section, and the page number should be corrected.

45 The Implementing Plan Concepts section must be explained. Is the text that follows the numbered phrases suggestions from the public or other agencies? The bold text acts as a response to these paragraphs (the standard vs. bold text is reversed for items 7 through 9), but appears to either discuss topics not previously mentioned within the plan, or contradict what is stated in the plan. For example, within "1. Make strategic updates to code provisions," it is suggested the Village should revise existing ordinances to permit backyard chickens and personal commercial vehicle parking. The response to this is that the regulations remain the same and neither should be permitted. However, backyard chickens is not discussed anywhere in the Plan outside the community input in Appendix D and one of the suggestions within the Plan is to permit commercial vehicle parking, with restrictions.

Some items that appear on pages 149-151 of this section (items 3 through 6) appear to be additional recommendations that do not appear within the Plan. Why are these added here, but not in the body of the document? Some of these are commented on further below.

46 There is a page titled "Next Steps: Implementing Plan Concepts" located at the end of Appendix D. Here, the first four numbered items are stated, but they do not have the responses provided, nor are items 5 through 9 present. Are these sections related?

47 The response to "3. Study feasibility for public improvements that expand mobility options" on page 149 states that a walking/bike trail on the old railroad right-of-way does not find general acceptance and should be removed from the plan. This trail is a major aspect of the Plan that appears multiple times throughout the document, including as part of PR Goal #1. If it is neither accepted by the majority of residents nor boards and is being called for removal, why is it included in the Plan in the first place? If no one within the Village is in support of this trail, how did it end up so intertwined within the plan? A discussion about something so important to the Plan must be had, both as to why it was included and why it should be removed.

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48 Within the response to "5. Institutional Properties" on page 150, it is recommended that the County owned property on Sanatorium Road be rezoned to a new "campus office park" zone. This is stated to facilitate the conversion of the existing structures, should the current use ever change. This suggestion does not appear anywhere else in the Plan, particularly in Development Regulations section. In fact, within this section, it is recommended this land be rezoned to 1R-35. This response seems to contradict what is recommended within the plan and needs to be clarified why it is included. If it is decided that the campus office park zone is the direction that should be taken for this area, the reference to 1R-35 should be removed and the establishment of this new zone should be discussed earlier within the Land Use & Development Analysis/Recommendations subsection. Topics such as what type of development is to be allowed in this zone and any bulk restrictions must also be included.

49 The map included with this point, as well as the draft zoning map included on page 151 in the Maps section, show the PCO (proposed campus office zone) to include the County-owned parcels, both north and south of Sanatorium Road. However, a large portion of this area (the property south of Sanatorium Road) is located in the Town of Ramapo, outside of the Village's purview. A Village zone cannot be created for an area outside the Village. The maps should be updated to show this zone only within the Village's jurisdiction.

50 If the Village desires to rezone an area that includes the County-owned property along Sanatorium Road, a discussion must be held with the County. This will ensure the best interests of the County are represented for the land under its ownership.

51 Similar to the above, the response to "5. Institutional Properties" on page 150 also recommends the School District Bus Depot property be marked for a potential site for the new optimized cluster zone provisions. This cluster zone is not mentioned until "6. Site specific recommendations" which starts on the next page. As with the County-owned property, earlier in the plan it is recommended this Depot site be rezoned to 1R-25. It must be clarified if the optimized cluster zone is to be a new zone or a new overlay zone, as it is referred to as both. In addition, like the campus office park zone, a discussion of this new zone should be included in the sections mentioned above.

52 In the paragraph about the optimized cluster approach on page 152, it is stated that the bulk requirements will be developed on a site by site basis by the applicant and the Village. The Village should be wary of allowing the applicant to control the bulk requirements. This may result in a developer taking advantage of the site for their own benefit, at the cost of any conservation easements and/or the preservation of open space. The Village must consider including a third party in the discussion of bulk requirements to ensure there is no overutilization of the space.

53 The map on page 160, showing the area for the proposed neighborhood commercial floating zone, does not match the NCD (neighborhood commercial district) shown on the draft zoning map in the Maps section. The area for this floating zone must be clarified. In addition, the zone is referred to by different names in these places. One singular name should be used for this area between the two sections.

54 The draft zoning map includes Fairway Park. As this map is explicitly showing the new zoning proposed for the Village, this item should be removed from the map since it is not proposed to be its own, unique zone. Instead, as per item 6.3 in the Implementing Plan Concepts section, this area should be shown as the OCO zone overlay.

55 Information within Appendix B is outdated and must be updated. This includes the Town of Ramapo Town Clerk and Village of New Hempstead Village Clerk. The Rockland County Development Corporation is now the Rockland County Department of Economic Development & Tourism. In addition, the Rockland County Planning Department, Department of General Services, and Division of Environmental Resources must be added to the list of Involved and Interested Agencies.

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56 Appendices E and H do not contain anything in them. Appendices F and G are presented out of order, appearing after Appendix I. In addition, the contents of Appendix I appear to be related to public participation (Appendix E) rather than a pavement management report.

57 Any changes to the Villages zoning code, including the establishment of new zoning districts, the alteration of what uses are permitted within certain districts, changes to bulk requirements, etc. are subject to review by our department, as per New York State General Municipal Law.

58 Within the document, there are many instances where phrases like "it appears," "there could be," and "a review of the online code" were used. As previously mentioned, while Laberge Group is an outside entity, it should be working directly with the Village, acting as its voice. This is the Comprehensive Plan for the Village, rather than a plan an outside firm has provided to give recommendations for some things the Village should consider. As such, it should be written in a manner that reflects this. More collaboration between Laberge Group and New Hempstead may be required to achieve a Comprehensive Plan that is written with more understanding of the Village, its current laws, and its vision for its future.

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59 Listed below are typographical, punctuation, format and update errors that we observed while reviewing the document:

Page iv is followed by page 11 and then another page iv. The page numbers must be corrected.

Page 3, bulleted section on growth: some sentences include a single dash (-) while others include two figure dashes (--), even varying within one sentence. These should all be one or the other to remain consistent.

Page 3, bulleted section on growth, third bullet point: remove the period after "boundary."

Page 4, third bullet from the bottom: there should be a space between "contribute" and "to."

Page 15 is followed by page 20, 21, 100, 19, 20... The page numbering must be corrected.

Page 21, second paragraph: It is stated that the "County also collaborates with Town..." If this is referring to the Town of Ramapo, it should be corrected to "collaborates with the Town."

Page 21, final paragraph: remove the comma between "dollars that" and "has a."

Page 25, title: This cover page states it is for Section III. This should be corrected to Section IV.

Page 26, first paragraph of the Natural Resources section: The very end of the paragraph includes a "6." This number should be a superscript since it is related to a footnote.

Page 27, Lower Hudson Watershed paragraph, penultimate sentence: The "9" at the end of the sentence should be a superscript since it is related to a footnote.

Page 28, second paragraph: "Wetland Map" is highlighted, however no other text in the document is highlighted. The highlighting should be removed, or a reason for it provided.

Page 28, last sentence of the Local Wetland Regulation: the word "the" should be added between "triggered," and "Planning Board." This issue is present throughout the document before names of Boards and other organizations such as the Town of Ramapo.

Page 28, South Branch Minisceongo Creek paragraph: two dashes (--) appear after "Harriman State Park" when a dash (-) should be used.

Page 29, Unnamed Lake (865-177) paragraph: there is an "&" followed by the word "and." Only one of these is necessary. Also, the word "is" should be placed between "there" and "another short." A comma should also be added after "also Class C."

Page 30, second paragraph: The word "not" before "statistics" should be replaced with "no."

Page 31, second paragraph: New York Country Club is mentioned. Further in the paragraph, the acronym "NYCC" is used. This acronym should first be placed in parenthesis after New York Country Club is written so it is clear what is being referred to. In the same paragraph, the word "surround" should be corrected to "surrounding." The first sentence of the last paragraph on the page should be fixed to read as "While there are no regulations for the 500-year floodplain."

Page 37, first paragraph in the Community Service subsection: the word "collective" should be corrected to "collectively."

Page 37, third bulleted item at the bottom of the page: remove the comma after "Personnel," or add a comma after each bulleted item.

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Page 38, second paragraph in the Recreation & Entertainment subsection: remove the word "like" between "New Hempstead Road," and "at the intersection." Remove the word "are" between "offices" and "scattered."

Page 40, first paragraph: It is stated the Village was established in 1984. This should be corrected to 1983.

Page 43, last paragraph: there should be a space between the words "household" and "by."

Page 48, first paragraph of the Flexible Zoning Districts subsection: the word "of" should be placed between "type" and "development."

Page 50, Places of Assembly paragraph: a statement that a "structure shall not exceed 20 in height" is made. The unit of height measurement must be provided.

Page 52, Architectural Review Board subsection: "nearly buildings" should be corrected to "nearby buildings."

Page 53, third item on the bulleted list: there should be a space between the words "the" and "consent." A space should be added between "This" and "must" in the fourth item on list.

Page 54, second paragraph under Community Character Guidelines: remove the comma after "standards."

Page 57, Hotels & Event Space: a dash (-) should be placed between the 1R and 50 in "1R50."

Page 57, Allowing Two Family Residential Outside of 1R-25 & Other Options to Stimulate Housing Diversity: as this is a title, it should be followed by a colon (:) rather than two dashes (--). In addition, two-family dwellings are currently not permitted in the 1R-25 zoning district. Based on the recommendation of this section the title should be corrected to "Allowing Two Family Residential Within the 1R-25..." In the second paragraph, "1R-25" should be corrected to "1R-25."

Page 58, Gateway District paragraph: The word "of" should be placed between "type" and "district" and between "type" and "arrangement."

Page 58, last paragraph: zones R-35 and R-25 are mentioned. These should be corrected to 1R-35 and 1R-25, respectively.

Page 59, Adopt a Mandatory ENERGY STAR Rating for New Residential Housing Construction: as this is a title, it should be followed by a colon (:) rather than two dashes (--).

Page 61, fourth paragraph: an open parenthesis (()) is found before "running North-South," without a closing parenthesis ()). One should be placed, presumably, after the aforementioned phrase.

Page 61, fifth paragraph: the word "by" should be placed between "experienced" and "many."

Page 62, first full paragraph: the word "and" should be placed between "constructed" and "opened."

Page 65, Pomona Middle School bulleted item: the word "This" is italicized but is not part of the title. Additionally, the acronym ERCD is used. This presumably stands for East Ramapo Central School District. However, the acronym was never established previously in the text, so it is difficult to tell what it stands for. If is for the School District, the acronym should be ERCSD. On page 70, it is established that ERCSD stands for the School District. This should be clarified when the District is first mentioned. In addition, the acronym should be fixed on page 152, in 3.b and the map on page 154.

Page 70, bulleted list: of the four items on the list, one title is followed by a dash (-), one by an en dash (–), and two by commas (,). Only one of these should be used for all four to keep the list consist. Similar consistency

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issues are present throughout the document.

Page 71, Town-owned Properties, first paragraph: "Eugene Levy Memorial Park/Herb Reisman Sports Complex should be underlined.

Page 72, State Parks, first paragraph: the phrase "...in New Jersey and NY..." is written. New York should be written out to remain consistent. In the following paragraph, the word "the" should be removed from before "High Tor State Park."

Page 77, Mt. Ivy Environmental Park: a word such as "exists" should be placed between "right of way" and "on." Right-of-way should also be hyphenated as such.

Page 79, fourth paragraph: a comma (,) should be placed after "areas" rather than a semi-colon (;). The word "are" should also be placed between "that" and "distributed."

Page 82, second paragraph: either the word "of" should be removed between "south" and "there" and replaced with a comma (,), or the phrase "the site" should be added between "of" and "there."

Page 83, first paragraph: the word "sidewalk" between "enhance" and "along" should be written as "sidewalks."

Page 84, third paragraph: the first word of the second sentence should be corrected from "Form" to "From."

Page 85, third paragraph from the bottom: the word "be" should be placed between "could" and "around."

Pages 86 and 91 are blank, except for the word "be" and a portion of a footnote, respectively. This formatting issue must be fixed. Page 97 is also mostly blank, except for a portion of one paragraph, with the remainder of it appearing on the next page. The page following the second page to be numbered 110 is also blank.

Page 87, second paragraph: A comma (,) should be placed after "various costs."

Page 96, third paragraph: there should be a comma (,) after Sanatorium Road instead of a semi-colon (;).

Page 96, second paragraph from the bottom: there is text using the figure subscript format of smaller, blue, and italicized. This should be corrected to be normal paragraph text, as it is not associated with any figures.

Page 98, first full paragraph: there should be a space between "this" and "might."

From pages 86 through 111, most of the pages contain the blue border in the binding, rather than the edge of the page, as seen on all other pages within the body of the Plan. This should be fixed.

Page 101, second paragraph of the Traffic Safety subsection: "Chief Elected Official" should be corrected to "Village Mayor."

Page 103, first paragraph: There is a discussion about someone needing to travel a long distance north or south on Bonnie Court in order to go east towards Hempstead Road. This should be corrected to west as Hempstead Road is west of Bonnie Court.

Page 105, first paragraph in the Long-Range Planning for the Northern Edge of the Village section: the "e" in "effects" is highlighted.

Page 109, second paragraph: The word "do" should be corrected to "to." The word "officials" should be added after "Town elected."

Page 109, last paragraph: "Jurisdictions :2017" should be corrected to "Jurisdictions: 2017."

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The pages numbers from page 110 through the second page 110 are miss-numbered. This causes the rest of the pages throughout the document to be miss-numbered. The numbering must be fixed throughout the entire document.

Second page numbered 110, first full paragraph: The word "Crops" should be corrected to "Corps."

Page 114, first paragraph: The word "number" should be replaced with "under" and "years" should be added after "5." Additionally, the first bulleted item on the page should be "Kakiat," not "Kaki at." In the fourth bulleted item, it should be "middle schools in."

Page 117, Libraries paragraph: the word "The" should be added before "Ramapo." The word "band" should be corrected to "and."

Page 122, first paragraph: remove the word "are" between "of" and "importance."

Page 123, third paragraph: the word "by" should be placed between "addressed" and "the."

Page 125, second paragraph: The Town of Ramapo, not the Village, owns and maintains sewers within the Village. In the next paragraph, the Ramapo Sewer District is mentioned. This must be changed to the Ramapo Department of Public Works.

Page 125, When written out, it should be the Rockland County Sewer District No. 1, rather than #1 or 1. The No. 1 should also be bold in the name of the last paragraph of the Wastewater Jurisdictions subsection.

Page 125, first paragraph of Wastewater treatment: the capacity shall be corrected to 28.9 mgd.

Page 127, Table 29: "Lake Defrost" must be corrected to "Lake Deforest."

Page 131, third paragraph: the comma (,) after "Plan's" should be removed. The reference to the County Comprehensive Plan's age should be updated as by time this Plan is adopted, it will be at least nine years old. The "l" between "used" and "framing" should be corrected to "in."

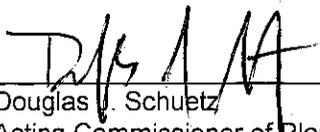
Page 143, Section VI: there is a caption that states the page is intentionally left blank. This should be removed since the page is not blank.

Pages 149-154: the formatting for the Implementing Plan Concepts section should be fixed. As it is now, portions of maps and text get cut off by the top of the page.

Pages 152-153, bulleted points: The formatting of the bullets must be fixed.

Page 156, 4.a.: "150" is written in pen over something that has been covered with white-out. This issue should be corrected.

This is not an exhaustive list, as many other errors were noticed throughout our analysis of this document. As previously stated, more effort and care should be given to seeking out and fixing these errors before the Comprehensive Plan is submitted for adoption.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Abe Sicker, New Hempstead
New York State Department of Transportation

VILLAGE OF NEW HEMPSTEAD - COMPREHENSIVE PLAN (NH-135)

New York State Department of Environmental Conservation
Rockland County Department of Health
Rockland County Department of Highways
Rockland County Drainage Agency
Rockland County Department of General Services
Rockland County Division of Environmental Resources
Rockland County Sewer District #1
United States Army Corps of Engineers
Hillcrest Fire District

Laberge Group
Town of Ramapo
Villages of Pomona, New Square,
Spring Valley, & Wesley Hills
Allison Weintraub, Deputy Village Clerk-Treasurer

**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.