



## **POLNOYA SUBDIVISION (NS-12C)**

2 The Town of Ramapo is the reason this proposal was referred to this department for review. The municipal boundary is approximately 140 feet east and 170 feet northwest of the site. This area of Ramapo is zoned R-35, a low-density residential district characterized by single-family dwellings. The applicant is proposing a residential density of 20 units per acre or sixteen times greater than the maximum permitted density in Ramapo's R-35 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; 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 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 proposal.

3 As required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.

4 By definition, special permit uses are subject to a higher standard of review. The Village must be satisfied that this proposal meets the special permit standards outlined in Article III, Section 3.3.1 before allowing two multi-family residential buildings.

5 A landscaping plan must be provided since Section 3.3.2 requires that landscaping be shown.

6 Permitting development that does not comply with the applicable bulk standards can set an undesirable land use precedent and result in the overutilization of individual sites. The ability of the existing infrastructure to accommodate increased residential density on undersized, non-conforming parcels is a countywide concern and must be evaluated. This evaluation must consider whether local roads will become more congested and the sewer system, stormwater management systems and the public water supply will be overburdened. The Village must consider the cumulative and regional impacts of permitting such development.

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. 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.

8 The applicant must comply with the conditions of the Rockland County Health Department's February 21, 2107 letter.

**POLNOYA SUBDIVISION (NS-12C)**

9 A review of the revised proposal must be completed by the Rockland County Sewer District #1 and all required permits obtained. In addition, the applicant must satisfactorily comply with the conditions of the Sewer District's October 31, 2016 letter.

10 As noted in the Sewer District's October 31, 2016 letter, the site is wholly or partly within in an Environmentally Sensitive Area (ESA) as designated by the United State Environmental Protection Agency (EPA). A review must be completed by the EPA and all required permits obtained. All information required for an ESA waiver request must be submitted to the Rockland County Sewer District #1.

11 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.

12 The proposed residential buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

13 A review must be completed by the Rockland County Office of Fire and Emergency Services, the Village of New Square Fire Inspector, or the Moleston Fire Department to ensure that there is sufficient maneuverability on site for fire trucks, in the event an emergency arises.

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

15 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.

16 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 (January 2015) and local ordinances.

17 A dumpster enclosure must be shown on the site plan and easily accessible to sanitation workers. Parked vehicles must not block access.

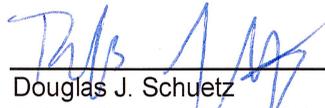
18 The project narrative must address future plans for Lot 42.19-3-57.

19 There are two map notes addressing the area of the tracts. The second #2 references the previous proposal and must be eliminated.

20 Map Note 15 must be corrected to indicate that SUEZ will supply water.

21 A north arrow must be provided on the Layout Plan and the Erosion Control Plan.

22 The Subdivision Plat and Layout Plan are both labeled as Drawing No: 1. The Layout Plan must be renumbered to Drawing No: 2.

  
\_\_\_\_\_  
Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Israel Spitzer, New Square  
Rockland County Drainage Agency  
Rockland County Department of Health  
Rockland County Sewer District #1  
New York State Department of State

**POLNOYA SUBDIVISION (NS-12C)**

Rockland County Office of Fire and Emergency Services

Moleston Fire District

United States Environmental Protection Agency

Brooker Engineering, PLLC

Town of Ramapo

Town of Ramapo Assessor's Office

Polynoya Homes 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.*

*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.*