Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
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Douglas J. Schuetz
Acting Commissioner

Arlene Miller
Deputy Commissioner

June 23, 2020

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 66.21-1-71 66.21-1-72 66.21-1-73
66.21-1-74

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 3/17/2020 **Date Review Received:** 5/26/2020

Item: ***NYACK HOSPITAL (N-56M)***

Site plan for the construction of a four-level, 29,350 SF parking structure, with parking on the structure roof, for a total capacity of 482 spaces. The site is located on 7.99 acres in the H zoning district. Other proposed additions include an elevator and stair access to all levels of the structure and connectivity to the hospital; an enclosed pedestrian bridge to connect the parking structure and hospital; a new patient drop-off and pick-up canopy and enclosed vestibule providing access to the main lobby; site improvements including an expanded drop-off roundabout, multi-vehicle ingress and egress lands, and improved surface parking; and improved and distributed handicapped accessible parking, handicapped accessible routes, and supporting accessible site features.

East side of North Highland Avenue, north side of Sickles Avenue, west side of North Midland Avenue, south side of Fifth Street

Reason for Referral:

North Highland Avenue (U.S. Route 9W)

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 A review must be completed by the New York State Department of Transportation, any comments or concerns addressed, and all required permits obtained.

2 A review must be completed by the County of Rockland Department of Health, any comment or concerns addressed, and any required permits obtained.

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

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4 The proposed parking structure and related site improvements are located on several parcels, not just the one cited on the application materials (tax parcel 66.21-1-74). All of the parcels that comprise the hospital property must be listed on the application forms, and in the public hearing notice.

5 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.

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

7 Over 200 parking spaces that currently exist on site will be inaccessible during construction. A new, temporary 100 parking space lot is proposed across the street, leaving a deficit of over 100 spaces. Where will these additional spaces be located? Other temporary parking spaces must be provided to ensure that adequate parking is provided during construction.

8 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 employees, patients, and visitors. Lastly, identifying specific locations on site will ensure that the snow piles are placed in areas where sight distance will not be impaired.

9 Detailed floor plans for each floor of the parking structure must be provided. The plans must include the location of all structural support poles, elevators, delineated parking spaces, aisles, and ramps. The plans must also include which floor will have the connection for the pedestrian bridge. The top floor must also have areas designated for snow piles to ensure spaces are not lost, or sight distance impeded by these piles.

10 Two cattycorner parking spaces in the southwest corner of the site will be difficult to maneuver out of without a turnaround area, especially if a larger vehicle is parked in either spot. Signage should be provided to indicate only smaller vehicles may park in these spaces.

11 All proposed signage must be shown on the site plan, and conform to all Village requirements.

12 It must be clarified if the main entrance will remain open during construction. If not, then a temporary entrance must be provided with sidewalks for safe pedestrian access. The temporary entrance and associated sidewalks must be shown on the site plan.

13 Fire lanes, access, and connections must be shown on the map.

14 A plan that shows the turning movement for fire equipment for the new parking area must be provided.

15 The location of the relocated generator must be illustrated on the site plan.

16 The lighting plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line, especially along the eastern and southern borders of the site where there are areas as high as 7.4 lumens.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown
New York State Department of State
Rockland County Department of Health
Rockland County Office of Fire and Emergency Services
Nyack Fire District

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Langan Engineering

Steve Apicella

**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.