



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

March 26, 2014

ARLENE R. MILLER
Deputy Commissioner

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 73.05-1-53

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

Map Date: 2/18/2014

Date Review Received: 3/4/2014

Item: *THE HOLLOWS AT BLUE HILL (O-1205FF)*

Site plan for the proposed recreational facilities (swimming pool, tennis court, putting green, cabana, bocce court, and playground) for an alternative living facility complex on 31.38 acres in the OP/PAC zoning districts.

South side of Gilbert Avenue, northeast side of Veterans Memorial Drive

Reason for Referral:

Gilbert Avenue (CR 26), Veterans Memorial Drive (CR 20)

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***

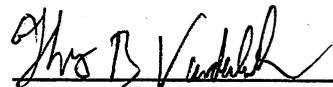
1. The comments and conditions of the December 31, 2013 letter from the Rockland County Department of Highways must be met.
2. The comments contained in the November 26, 2013 letter from the Rockland County Department of Health must be met.
3. A review shall be completed by the New York State Department of Environmental Conservation and/or the United States Army Corps of Engineers, and any required permits obtained, especially since a drainage retention basin, water and sewer lines, walks and grading are proposed within the wetland area. In addition, all proposed increases in drainage flow going into the wetland area must be reviewed and approved by them.

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- 4 The Town must ascertain if the eight proposed parking spaces are sufficient to serve the residents of the housing complex who may drive to the recreational amenities instead of walk. If not, additional parking may need to be provided - either from Gilbert Avenue or near the north end of the existing cul-de-sac by the residential units.
- 5 All trees to be removed must be clearly identified on the site plan and in the field. Only one tree is currently shown to be removed on Sheet SP-1.
- 6 The tree locations are only shown near the proposed recreational amenities. No trees are identified in the areas where the proposed walks are located leading from the pool to the putting green or residences. Since this area is heavily treed, it seems likely that other trees will need to be removed in order to install the proposed walks. All trees must be depicted, and the locations of those to be removed must be identified.
- 7 Trees to be preserved must be clearly identified in the field prior to any construction or grading. No regrading should occur within the "drip zone" area of the tree in order to ensure the preservation of the existing trees and their root system.
- 8 The proposed walks leading from the putting green and residences seem to enter the pool area right at the pool equipment building. No walkway is provided to the pool from these wooden walkways. A pedestrian walkway must be provided to the pool, continuing from the wooden walkways to a useable entrance to the pool.
- 9 The walkway from the parking area to the proposed pool requires the users to walk along the driveway area before they can access the sidewalk. Either a sidewalk must be provided along the driveway, or this proposed walkway access relocated so that it is closer to the parking spaces.
- 10 No walkway is proposed from the tennis court to any other recreational amenity. The residents could benefit from having a walkway installed connecting the tennis court to the walk which traverses between the putting green and the proposed pool.
- 11 The proposed fencing seems to act as a boundary for the wetland area, without serving any real purpose. To help prevent people from entering the steeply sloped areas of the site, it would seem preferable to locate the fence at the top of the regraded area, and not at the bottom of these sloped areas. In addition, the fencing around the pool area does not completely surround the pool, a requirement for all in-ground pools. The reason for the location of the proposed fencing must be clarified, and the fencing around the proposed pool completed so that no one can accidentally access the pool.
- 12 No fence is shown around the perimeter of the tennis court. Most tennis courts have fencing to aid in containing the tennis balls. A fence would be beneficial to the players so that errant balls do not enter into the periphery area, especially since steep grading is being proposed directly adjacent to the tennis court.
- 13 Some of the contours within the wetland area do not seem to be tying back into the correct grade. For example, contours at elevation 196 and 198 seem to be running directly into the new grading south of the driveway, without merging back into the correct elevation. Contour lines cannot cross other lines. In addition, it is not clear what is happening at contour elevation 196 by the walkway, as two new contours are tying into the existing contour line at the wood walkway. All new contours must tie correctly back into the existing topography.

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- 14 A landscaping plan shall be submitted for our review. Low evergreen landscaping or a berm must be provided in front of the parking spaces facing the roadway to shield headlights from shining into oncoming vehicles traveling on the County highway.
- 15 A lighting plan shall be submitted for our review. Fields of illumination must be provided and demonstrate that no lighting shall shine into the County right-of-way.
- 16 All proposed signage, if any, shall be indicated on the site plan and shall conform to the municipality's sign standards.
- 17 Since extensive regrading is being proposed directly adjacent to the wetland area, all sloped areas must be fully re-established before the silt fencing is removed, to ensure that soil erosion does not occur.
- 18 Soil erosion control measures must be installed along the areas where the walkways are being installed, and the topography regraded, particularly since these areas are within the wetlands.
- 19 Sheet SP-1 contains two listing of Drainage Retention Basin Notes. It appears that the second heading for this listing should be "General Notes."
- 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.



Thomas B. Vanderbeek, P.E.
Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
Rockland County Department of Highways
Rockland County Department of Health
New York State Department of Environmental Conservation
United States Army Corps of Engineers
Ahneman Kirby

**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.

