

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

December 6, 2016

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 74.11-2-26

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

Map Date: 10/31/2016

Date Review Received: 11/7/2016

Item: *RRIS CORP. SITE PLAN (O-1543F)*

Site plan for a proposed hotel located on 1.33 acres in the CC zoning district.
North side of NYS Route 340, approximately 75 east of NYS Route 303

Reason for Referral:

NYS Routes 303 & 340, Sparkill Creek, Rockland County Sewer District #1, Orangeburg Road (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 As previously indicated in our review dated June 20, 2016, the plans submitted with the application are deficient in many ways. The only set of plans received with this current application were the Existing Conditions, Grading and Drainage Plan, and Construction Details. No overall site plan was provided which would include such features as sidewalks, landscaping lighting, signage, or detailed parking. In addition, no bulk table was provided so it is difficult to determine if the proposed hotel is fully compliant with the zoning ordinance. A more detailed site plan must be submitted for review which includes a bulk table, parking layout, landscaping and other features.
- 2 A parking calculation must be provided on the site plan, showing both the required number of spaces, and the total number of spaces provided. It was noted on the previous submission that 90 parking spaces would be provided, one for each guest room. Will this be sufficient for guests and staff if the hotel is filled to capacity? This must be clarified. In addition, the number of parking spaces for each parking row or area should be delineated, to ensure that they are all accessible, and conform to the Town's standards.

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- 3 The floodplain Administrator for the Town of Orangetown shall certify that the proposed construction is in compliance with the floodplain regulations of the Town and the Federal Emergency Management Agency.
- 4 The bulk table listed the maximum building height as one of the measurements for the proposed hotel, but failed to list either the required or proposed height. These measurements must be provided.
- 5 The bulk table must provide both the gross lot area, and the net lot area, to account for the deductions of the land area within the 100 year floodplain.
- 6 An updated review shall be done by the New York State Department of Transportation (NYS DOT), and all concerns addressed and required permits obtained. In addition, a traffic study must be completed by the applicant and provided to NYS DOT for their review.
- 7 An updated review must be completed by the Rockland County Sewer District #1, and all requirements met. In addition, the comments in the June 6, 2016 letter must be addressed.
- 8 The comments in the June 9 and November 17, 2016 letters from the Rockland County Department of Health must be met.
- 9 An updated review must be completed by the County of Rockland Drainage Agency. As indicated in their June 13, 2016 letter, this site is located within their jurisdiction, therefore all required permits must be obtained.
- 10 The comments in the June 8, 2016 letter from the New York State Department of Environmental Conservation must be met.
- 11 A review must be completed by the County of Rockland Office of Fire and Emergency Services to ensure that there is sufficient maneuverability on site for emergency vehicles.
- 12 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.
- 13 The fire department connections shall be designated on the site plan and kept clear for easy access by the emergency response vehicles.
- 14 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- 15 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 NYS Route 340 to help shield the headlights from shining into the State right-of-way.
- 16 All proposed signage shall be shown on the site plan, and conform to the town's sign standards.
- 17 Areas dedicated for snow piles 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 any landscaping that may be proposed to be located in the islands from being broken from the weight of the snow and from causing salt intrusion to the plants. In addition, designating specific locations on the site for the snow piles, especially since only a minimum number of parking spaces is being provided, will eliminate the loss of parking spaces meant for the patrons and employees of the hotel.

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18 Either the Existing Conditions Plan must be updated, or a Demolition Plan provided, that illustrates what buildings and features will be retained, and what will be removed.

19 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.

20 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. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health for review.

21 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.

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

23 A vicinity map that contains a scale and north arrow must be provided.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
Rockland County Drainage Agency
Rockland County Sewer District #1
Rockland County Department of Health
Rockland County Department of Highways
Rockland County Planning Board

Maser Consulting P.A.

**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.

