



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center

50 Sanatorium Road, Building T

Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz

Acting Commissioner

Arlene R. Miller

Deputy Commissioner

January 5, 2018

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: 11/13/2017

Date Review Received: 11/20/2017

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

Site plan for the proposed demolition of several structures, and construction of a new 12,000 sq. ft. retail/service areas with accessory storage on 1.33 acres in the CC zoning district. The building will be divided into four separate units of approximately 2,250 sq. ft. space. Nineteen parking spaces are proposed, which includes one handicapped parking space.

North side of NYS Route 340, approximately 75 feet east of NYS Route 303

Reason for Referral:

NYS Route 303 and 340, Orangeburg Road (CR 20), Sparkill Creek, Rockland County Sewer District #1 plant

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, and all required permits obtained.
- 2 A review shall be completed by the New York State Department of Environmental Conservation and any required permits obtained.
- 3 The comments and conditions in the December 20, 2017 letter from the Rockland County Drainage Agency must be met.
- 4 The comments and conditions in the December 15, 2017 letter from the Rockland County Sewer District #1 must met.

RRIS CORP. SITE PLAN (O-1543J)

- 5 The comments in the November 21, 2017 letter from the Rockland County Office of Fire and Emergency Services must be addressed.
- 6 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.
- 7 The parallel spaces are located on the left side of the driveway as vehicles enter the site, encouraging drivers to cut across the access way to utilize them. This is not only illegal, but will impede circulation and must be redesigned. To avoid this from occurring, signage must be installed that states that vehicles cannot park facing oncoming traffic.
- 8 Vehicles parking in the correct direction in the parallel parking spots will have to go to the rear of the parking area to turn around. However, there is no turn around area provided to do this safely and conveniently. The lot must be redesigned to allow vehicles to turn around without the need to enter parking spaces to do so.
- 9 The overhead doors are located along the main façade, encouraging delivery vehicles to stop along the access way/fire lane, thereby blocking the flow of traffic into the site. The overhead doors must be relocated, or the accessway made wider so that delivery vehicles will not block the main driveway.
- 10 The turn at the northwestern corner of the building is too tight and does not allow for adequate sightlines to ensure vehicle and pedestrian safety. In addition, larger vehicles and trucks will have difficulties making the turn without encroaching into the opposing lane. This must be redesigned.
- 11 Since the majority of the parking spaces are located to the rear of the site, to ensure pedestrian safety, a sidewalk must be provided from these parking spaces to the entrances of the retail building.
- 12 Access to the trash enclosure is blocked by two employee parking spaces. How will the trash be collected if these spaces are occupied? The enclosure must be relocated to allow full access at all times.
- 13 It appears that each retail unit will have its own access. If that is the case, then how will patrons who need to use the handicapped-accessible space be able to get to the ingress/egress of the retail units? This is especially concerning since no sidewalks are provided to the front of the building. The handicapped parking space must be located as close to the front of the building as possible, and a safe pedestrian way provided.
- 14 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.
- 15 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.
- 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 (August 2010) and local ordinances.
- 17 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.
- 18 There shall be no net increase in the peak rate of discharge from the site at all design points.

RRIS CORP. SITE PLAN (O-1543J)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
New York State Department of Transportation
Rockland County Department of Highways
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Office of Fire and Emergency Services
Rockland County Drainage Agency
Rockland County Planning Board
New York State Department of Environmental Conservation

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.

