



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

Building T
Pomona, NY 10970
(845) 364-3434
Fax: (845) 364-3435

C. SCOTT VANDERHOEF
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

ARLENE R. MILLER
Deputy Commissioner

September 4, 2013

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 49 18-1-36

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

Map Date: 7/22/2013

Date Review Received: 8/13/2013

Item: *TALPIOT (R-2406A)*

Special permit and site plan application for a proposed three-story, 6,030 SF school of religious instruction on .5764 gross acres (.5584 net acres) in an R-35 zoning district. The existing residential building is currently being used as a school. It will be converted to a caretaker's residence when the permanent school is built.

West side of College Road, 160 feet south of Carlton Road

Reason for Referral:

College Road (CR 81)

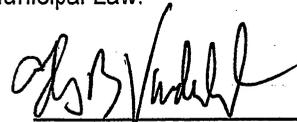
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

1. The Town shall be satisfied that the proposed school of religious instruction complies with the special permit standards outlined in Article XII, and Section 376-1216.
2. The applicant must comply with the conditions of the County of Rockland Department of Highways' letter of August 21, 2013.
3. The applicant must comply with the conditions of the County of Rockland Department of Health's letters of August 22, 2013.
4. A review must be completed by the County of Rockland Sewer District #1 and all required permits obtained.
5. A review must be completed by the County of Rockland Office of Fire and Emergency Services, the Ramapo Fire Inspector and the Monsey Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.

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- 6 The proposed school building and the existing residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 7 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 8 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.
- 9 Since the proposed school of religious instruction is to be constructed on the site of the existing garage, the site plan must indicate that the garage is to be removed.
- 10 The site plan includes a dumpster enclosure label under the outline of the southern trailer to be removed and west of the striped access aisle. The actual dumpster enclosure is not shown on the site plan. It is therefore difficult to determine if it can be easily accessed by sanitation workers when a vehicle is parked in the handicapped space. The exact location of the dumpster must be clarified.
- 11 A landscaping and lighting plan shall be submitted for our review.
- 12 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line onto the county road.
- 13 The provided maximum development coverage is .35 and floor area ratio is .14 on both the January 3, 2013 and July 22, 2013 site plans. The earlier site plan did not include a new school building. The bulk table on the July 22, 2013 site plan must be corrected to reflect the addition of a three-story building with a 2,010 SF footprint.
- 14 The variances required to implement this site plan are also subject to a review by this department as mandated under the New York State General Municipal Law.



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

cc: Supervisor Christopher St. Lawrence, Ramapo
Rockland County Department of Highways
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Office of Fire and Emergency Services
Anthony R. Celentano P.E.
New York State Department of State,
Division of Code Enforcement and Administration
Monsey Fire District
Anshel Berko

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

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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.

