



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

June 10, 2014

ARLENE R. MILLER  
Deputy Commissioner

Ramapo Planning Board  
237 Route 59  
Suffern, NY 10901

**Tax Data:** 49.07-1-37

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

**Map Date:** 8/5/2013

**Date Review Received:** 5/12/2014

**Item:** *BLIMA RUCHEL GIRLS SCHOOL (R-2264B)*

Site plan for a 6,650 SF addition to an existing school building on 1.8669 acres in an R-40 zoning district. West side of Route 306, 300 feet north of Viola Road

**Reason for Referral:**

NYS Route 306, Village of New Hempstead, Viola Road (CR 74)

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 applicant must comply with the conditions of the New York State Department of Transportation's letter of May 15, 2014.
- 2 This department is not in favor of granting parking variances for sites located on state or county roads. The applicant is proposing less than 30 percent of the required on-site parking. The safe and efficient flow of traffic along Route 306 will be negatively impacted if these seven spaces prove to be inadequate for the expanded school on a daily basis, as well as special events such as parent-teacher conferences. The applicant must explore off-site parking arrangements with nearby property owners particularly for special events.
- 3 A 2,850 SF play area is shown on the site plan. The recreation area requirement for schools is 30 SF per student. According to the project narrative, there will be 195 girls attending this school. Therefore, 5,850 SF of recreational space is required. In a letter dated May 14, 2014, the Rockland County Health Department indicated that the existing swimming pool cannot be used for any school-related activities, so it cannot fulfill the recreational space requirement. Thus, a variance is required. This must be noted on the bulk table, and the applicant must apply to the Zoning Board of Appeals for relief from this requirement.

**BLIMA RUCHEL GIRLS SCHOOL (R-2264B)**

4 The Village of New Hempstead is one of the reasons this proposal was referred to this department for review. The municipal boundary is along Route 306 just east of the site. This area of the New Hempstead is zoned 1R-40, a low-density residential district characterized by single-family residences on large lots. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Village of New Hempstead must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Village of New Hempstead must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

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

6 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.

7 A review must be completed by the County of Rockland Sewer District #1 and all required permits obtained.

8 The proposed school buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

9 A review must be completed by the County of Rockland Office of Fire and Emergency Services, the Town Fire Inspector and the Monsey Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.

10 The applicant must comply with the conditions of the Rockland County Health Department's letter of May 14, 2014.

11 More detailed information must be provided about the structure labeled "storage." What will be stored in this building? Will any educational activities take place here?

12 It appears that the existing macadam driveway on the south side of the site is to remain. What purpose will it serve? Is a fourth driveway access necessary? Elimination of this driveway will also reduce the development coverage so that is in closer compliance to the R-40 bulk standards for this use.

**BLIMA RUCHEL GIRLS SCHOOL (R-2264B)**

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

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

*\*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.*

