



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

May 30, 2014

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 56.10-2-26

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

Map Date: 4/29/2014

Date Review Received: 5/1/2014

Item: *PETER BOHRMANN (R-1841C)*

Revised site plan for a second floor addition to an existing commercial building on .7258 gross acres (.6693 net acres) in a CS zoning district. A change of use from automotive repair to retail is proposed on the first floor. The new second floor will contain office space. The basement contains warehouse space and a karate studio.

North side of Route 59, 215 feet west of Remsen Avenue and 275 feet east of Bates Drive

Reason for Referral:

NYS Route 59, NYS Thruway

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 shall be completed by the New York State Department of Transportation and all required permits obtained.
- 2 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 3 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.
- 4 The applicant must comply with the conditions of the Rockland County Health Department's letter of May 5, 2014.
- 5 The commercial building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

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- 6 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line onto the state road.
- 7 All existing and proposed signage shall conform to the municipality's sign standards.
- 8 The project narrative states that the parking stall depth and aisle width will be reduced where indicated. The northern parking spaces, as well as four spaces in the northwest corner, have parking stall depths of less than 18 feet. Will these parking spaces be designated for compact cars? This must be clarified.
- 9 It will be difficult for sanitation workers to access the dumpster enclosure if vehicles are parked in adjacent spaces in the northwest corner of the site. The dumpster enclosure must be moved to a more accessible location.
- 10 The revised site plan shows a well cover immediately west of the fire lane running along the west side of the building. It is unclear if this is an active or decommissioned well. This must be clarified.
- If the existing well is to be decommissioned, the Rockland County Department of Health must be notified of the intent to decommission the well, and monitor the process to ensure that it is done in compliance with the specifications of Article II of the Rockland County Sanitary Code. All required permits must be obtained from them.
- 11 The bulk table on the revised site plan specifies the bulk standards for Use Group "D." This use group includes the existing automotive repair use but is not appropriate for the proposed retail and office uses. Use Group "B" is more applicable for the retail and office uses. Retail uses in the CS zoning district are also included in Use Group "H." The warehouse use is categorized as Use Group "E" in the CS zone. It is unclear which use group is appropriate for the karate studio. The bulk table must be amended to reflect the appropriate use group for the new uses proposed, as well as the existing uses to remain in the expanded building.
- 12 We request the opportunity to review the variances required to implement the proposed site plan. As noted above, the bulk standards indicated in the bulk table are not appropriate for the proposed use. The applicable use group and bulk standards must be specified in the application to the Zoning Board of Appeals.
- 13 Map Note #9 is incorrect as Spring Valley Water Company no longer exists. This must be changed to United Water New York.



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

cc: Supervisor Christopher St. Lawrence, Ramapo
New York State Department of Transportation
New York State Thruway Authority
Rockland County Department of Health
Maser Consulting, P.A.
New York State Department of State,
Division of Code Enforcement and Administration
Peter Bohrmann

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**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.

