



**COUNTY OF ROCKLAND**  
DEPARTMENT OF PLANNING

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Acting Commissioner

September 17, 2014

ARLENE R. MILLER  
Deputy Commissioner

Ramapo Planning Board  
237 Route 59  
Suffern, NY 10901

**Tax Data:** 56.11-3-55    56.11-3-54    56.11-3-53.6

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

**Map Date:** 8/12/2014

**Date Review Received:** 8/15/2014

**Item:** *HEARTHSTONE VILLAGE (R-1741N)*

Site plan for a mixed-use development consisting of 48 residential units and 111,072 SF of commercial space on 6.986 acres in an MU-1 zoning district.

North side of Route 59, west side of Augusta Avenue

**Reason for Referral:**

NYS Route 59

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 of the August 12, 2014 Site Plan shall be completed by the New York State Department of Transportation (DOT) and all required permits obtained. The applicant must comply with the 38 conditions of DOT's letter of September 2, 2014. These include general comments as well as conditions related to traffic signals/synchronization, drainage, pedestrian/bicycle facilities and design development.
- 2 The southwest perimeter portion of the parcel does not match the filed map, or the metes and bounds, of the most recent deed (see attached maps). There appears to be a triangular section along NYS Route 59 that should be part of the State right-of-way, and not part of the parcel. This lot line discrepancy will impact the site plan, specifically the parking area facing Route 59. This site plan application cannot be approved until this issue is resolved.
- 3 The applicant must comply with the conditions of the Rockland County Health Department's letter of August 25, 2014.
- 4 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of August 22, 2014

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- 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 The top and bottom of wall heights must be provided for Wall "B" to the north of the reserved residential parking area.
- 8 Wall "A" reaches a height of 11 feet immediately west of the Road "B" access to the site. This wall must be tiered at a maximum height of four feet for each terrace. Appropriate landscaping shall be planted on each level to create a more visually appealing entrance to this mixed-use development.
- 9 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.
- 10 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. A letter from the public water supplier, stamped and signed by a NYS licensed professional engineer, shall be issued to the municipality, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.
- 11 If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed by the Rockland County Department of Health prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Further, both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.
- 12 The proposed number of residential units has decreased from 56 to 48 but there has been no corresponding reduction in the residential floor area. While less units results in a lower on-site parking requirement and a reduced residential density, larger units will require additional water and sewer capacity, and generate more waste. Building C will now contain 16 apartments with an average size of 1,650 SF rather than the originally proposed 24 apartments with 1,100 SF. This represents a 50 percent increase in the floor area of the individual units. No information has been provided about these larger apartments. They will each contain an additional 550 SF. Will this space be used as bedrooms? An earlier submission included a project narrative dated March 18, 2014 that discussed the significant need for smaller apartments in the Monsey area. It is unclear what has changed since that time. Additional information must be provided about the size of the proposed apartments and the number of bedrooms in each unit.
- 13 Storage space is proposed on the first floor of Buildings A, B and C totaling 9,504 SF. It is unclear if the storage space will serve the retail or the residential space. This floor area is not included in the floor area ratio calculation or the parking analysis. The intended users of the storage space must be clarified. The Town shall consider whether deed restrictions are appropriate to prevent conversion of this space to retail or residential use.

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14 Some of the proposed parking spaces are awkwardly configured; it will be difficult for drivers to maneuver in to and out of these spaces. These include the first space to the east of the western driveway, the catty-corner spaces at the southeastern corner of Road D, the first space in the row of ten spaces along the eastern side of Road D and the catty corner spaces in the northeast corner of the site behind Building C. The applicant must minimize the potential for traffic conflicts between parked vehicles and vehicles navigating the internal roadway system.

15 Six parking spaces are proposed within the detention basin area in the southeast corner of the site. It is unclear whether these two uses are compatible. Additional information must be provided about the functioning of the detention basin so it can be determined whether parking spaces are appropriate in this area.

16 No handicapped parking spaces are proposed in the private parking area reserved for residential tenants to the north and east of Building C. The nearest handicapped parking spaces are a substantial distance from this building. The reserved residential parking area must include handicapped parking spaces.

17 The site plan does not include a residential density calculation so it is not clear how much land area is devoted to the commercial and residential uses. The bulk table indicates that the proposed residential density is 7.3 units per acre. This requires a land area of 6.58 acres or 286,422 SF. General Note 2 indicates that the area of the tract is 6.986 acres. The lot area calculations on Drawing Number 2 (Layout Plan) specify that gross lot area and the net lot area are both 6.532 acres (284,543 SF.) This is the land area for both the residential and commercial uses. The residential density cannot be calculated using the total lot area. The land area devoted to the commercial uses must be subtracted from the total land area before calculating the residential density. The gross lot area and the net lot area must be clarified. If General Note 2 is not accurate, it must be corrected. A residential density calculation must be indicated on the Layout Plan.

18 The proposed mixed-use buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

19 A review of the August 12, 2014 Site Plan and the August 28, 2013 Fire Truck Turn Analysis must be completed by the County of Rockland Office of Fire and Emergency Services, the Town's Fire Inspector and the Monsey Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.

20 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.

21 The fire department connections shall be designated on the site plan and kept clear for easy access by the emergency response vehicles.

22 It appears that TRIPS paratransit vehicles will be able to navigate the interior roads. However, they will be unable to provide door-to-door service for the residential tenants of Buildings A and B since the residential entrances are located at the rear of these buildings with no roadway access. If the residential parking area behind Building C is gated and locked, TRIPS vehicles will also be unable to access the residential entrances to this building. Residential customers must be able to board and alight a TRIPS vehicle on the south side of these buildings.

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23 The proposed bus shelters and pull-off area along Route 59 must be approved by the New York State Department of Transportation. Ideally, a 40-foot long concrete pad should be installed within the bus pull-off area to preserve the integrity of the roadway bed, due to the weight of the bus. The bus shelter shall conform to the attached Rockland County specifications. The bus pull-off area and the sidewalks serving the bus shelter must be ADA compliant. The concrete pad for the bus shelter must be 11 feet long by 7 feet wide. The Rockland County Department of Public Transportation will supply the bus shelter, but the Town of Ramapo must agree, in writing, to maintain it.

24 A landscaping plan shall be submitted for our review. Low evergreen landscaping may be appropriate in front of the parking spaces facing Route 59 to prevent headlights from shining into vehicles traveling along the state highway.

25 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line.

26 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.

27 In order to ensure that parking spaces are not used and landscaping is not damaged by the weight of the snow or salt intrusion during snow removal, areas must be designated on the site plan for the storage of snow piles.



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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 Health  
Rockland County Sewer District #1  
Rockland County Office of Fire and Emergency Services  
Rockland County Department of Public Transportation  
Leonard Jackson Associates  
New York State Department of State,  
Division of Code Enforcement and Administration  
Sol Menche

*\*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.*