



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

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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

June 23, 2014

ARLENE R. MILLER  
Deputy Commissioner

Ramapo Planning Board  
237 Route 59  
Suffern, NY 10901

**Tax Data:** 49 15-2-32

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

**Map Date:** 4/14/2014

**Date Review Received:** 5/22/2014

**Item:** *MOSDOS SANZ KLAUSENBERG OF MONSEY - GIBBS COURT (R-867FF)*

Site plan for a two story, 3,952 SF addition to an existing school building on .4944 acres in the R-15C zoning district. The student population will increase from 100 to 150.  
West side of Gibbs Court, 100 feet north of Butterman Place

**Reason for Referral:**

Village of Kaser

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 Village of Kaser is the reason this proposal was referred to this department for review. The municipal boundary is along the western property line of the site. 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.

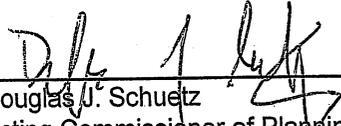
The Village of Kaser must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Village of

**MOSDOS SANZ KLAUSENBERG OF MONSEY - GIBBS COURT (R-867FF)**

Kaser must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

- 2 The applicant must comply with the conditions of the Rockland County Health Department's letter of May 22, 2014.
- 3 The school building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 4 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 5 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.
- 6 The parking calculation indicates that there will be eight employees. The November 6, 2008 site plan proposal for this school also included a parking calculation based on eight employees. Given that the school population is to increase by 50 percent, we believe that additional staff will be necessary. As a result, the on-site parking requirement will also increase. Therefore, a greater parking variance will be required. The total number of employees must be clarified so that an accurate parking requirement can be calculated.
- 7 A turnaround area must be provided at the southern end of the parking area. It will be difficult to maneuver out of parking space # 1 as it is within 20 feet of the staircase at the rear of the addition.
- 8 Aerial photography taken in 2013 shows a large trailer at the rear of the existing structure in the designated play area. This department did not review the site plan proposal or any variances required for the installation of this trailer. Sheet 3 of the drawings submitted with this application shows the existing conditions on the site. The trailer is not depicted. The only recreational equipment visible on the aerial photography is a small plastic play structure in the southwest corner of the site. The remainder of the designated recreation space is a bare dirt area. The proposed addition will further reduce the play area to 3,500 SF or 1,000 SF less than the minimum required. This seems inadequate for 150 young boys. The play area must be enhanced with age-appropriate equipment and landscaping. A variance is also needed for less than the minimum recreation area requirement of 30 SF per student.
- 9 A landscaping and lighting plan shall be submitted for our review.
- 10 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line.
- 11 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.

cc: Supervisor Christopher St. Lawrence, Ramapo  
Rockland County Department of Health  
Anthony R. Celentano PLS  
Village of Kaser

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

**MOSDOS SANZ KLAUSENBERG OF MONSEY - GIBBS COURT (R-867FF)**

New York State Department of State,  
Division of Code Enforcement and Administration  
Mosdos Sanz Klausenberg of Monsey

*\*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.*

