



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

October 27, 2014

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 49.06-2-54 49.06-2-53 49.06-2-52

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

Map Date: 9/12/2014

Date Review Received: 9/29/2014

Item: *PIRCHAI SHOSHANIM COLLEGE (R-2308D)*

Site plan for a 3,200 SF addition to an existing residential building on .92 acres in an R-35 zoning district. The structure will serve as a school for adults. A 59-space parking area is also proposed. East side of Forshay Road, 165 feet north of Lodi Lane

Reason for Referral:

Forshay 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 An updated review of the September 12, 2014 site plan must be completed by the County of Rockland Department of Highways and all required permits obtained. According to a July 18, 2014 letter from the Highway Department, the applicant is in violation of a work permit previously issued. The concerns raised in the July 18, 2014 letter must be satisfactorily addressed.
- 2 The applicant must comply with the conditions of the County of Rockland Department of Health's letter of September 29, 2014.
- 3 A review must be completed by the County of Rockland Sewer District #1 and all required permits obtained.

PIRCHAI SHOSHANIM COLLEGE (R-2308D)

4 The September 12, 2014 Planimetric Site Layout Sheet shows the existing residential building and the proposed addition on Lot 49.06-2 52; 44 of the proposed 59 parking spaces are illustrated on Lot 49.06-2-53 with the remaining 15 spaces on the south side of Lot 49.06-2-54. The driveway access to the parking area is partially located on Lot 54, as well as the dumpster enclosure. Lot 54 and its land area are not included in Map Notes 1 and 2. It is also not mentioned in the project narrative. However, this lot is included in the GML referral form and the application form. The 15 parking spaces proposed on Lot 54 are situated around an existing structure on that parcel. The current and future use of this structure is not addressed. All application materials must be consistent. The inclusion of Lot 54 must be clarified, as well as the proposed use of the building on that lot.

5 It is unclear why 59 parking spaces are required for a school with an enrollment of only fourteen students. This seems excessive especially given the fact that the proposed parking area is encroaching onto a third parcel. The project narrative must address the anticipated enrollment as well as the proposed staffing. The need for 59 parking spaces must be clarified.

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

7 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.

8 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.

9 The proposed educational building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

10 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.

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

14 The Grading, Drainage and Utilities Plan Sheet indicates that the lot line between Lots 52 and 53 is to be disclaimed. Since these lots are both owned by the Beth Medrash Ohr Chaim, Inc., a subdivision application is not required for the lot line disclaimer. Lot 54 is also owned by Beth Medrash Ohr Chaim, Inc. However, it is unclear if the applicant intends to combine the three lots. This must be clarified.

15 The lot line disclaimer(s) must be filed with the Office of the Rockland County Clerk to ensure that the tax lot information maintained by the County and the Town is accurate.

16 It will be difficult for sanitation workers to access the dumpster enclosure if vehicles are parked in spaces 1, 2 or 3. The dumpster enclosure must be moved to a more accessible location. It must also be shown on the Planimetric Site Layout Sheet, # 3 of 5.

PIRCHAI SHOSHANIM COLLEGE (R-2308D)

17 Proposed parking spaces 1, 2 and 3 are within 20 feet of the driveway access to the site. The potential for traffic conflicts between vehicles reversing out of these spaces and vehicles entering the site is great. These spaces must be eliminated or relocated.



Douglas J. Schuey
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
Rockland County Department of Highways
Rockland County Department of Health
Rockland County Drainage Agency
Rockland County Office of Fire and Emergency Services
Monsey Fire District
Anthony R. Celentano P.E.
New York State Department of State,
Division of Code Enforcement and Administration
Jay Schechter

**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.

