



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

February 27, 2014

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 57.17-4-67 57.62-1-27

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

Map Date: 10/25/2013

Date Review Received: 1/31/2014

Item: *UNITED TALMUDICAL ACADEMY EXPANSION (R-1510D)*

Site plan for a four-story, 94,700 SF school of religious instruction on .9702 gross acres (.9454 net acres) in an R-15 zoning district. The on-site parking and recreation area is proposed on an adjacent school site owned and operated by the applicant. This 8.3107-acre parcel is located in an R-2 zoning district in the Village of Spring Valley.

Northeast corner of Old Nyack Turnpike and South Madison Avenue

Reason for Referral:

Old Nyack Turnpike (CR 52), Village of Spring Valley, NYS Route 45

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***

This department has recommended disapproval of the site plan and variances required for this proposal in GML reviews issued on March 6, 2013 and December 17, 2013. We believe that the proposed school building will result in an overutilization of the site as evidenced by the number and magnitude of the variances required. The floor area ratio is three times greater than the maximum allowed for this use in the R-15 zoning district. The development coverage exceeds the permitted maximum by more than 30 percent even though no parking is proposed on the subject site. The building footprint is massive, extending to the northern property, and within ten feet of the western property line and five feet of the southern property line. A height variance and several yard and setback variances are also required. Forty-eight of the required 90 parking spaces are proposed on an adjacent school site owned and operated by the applicant. It appears that eighteen existing parking spaces on that site will be removed to allow for the proposed development of the subject site since they are not included in the 48 spaces noted above. The required recreation area is also to be provided on the adjacent property.

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It is our understanding that the Zoning Board of Appeals granted all variances required for this proposal. We therefore offer the following recommendations on the site plan:

- 1 The applicant must comply with the conditions of the County of Rockland Department of Highways' letter of December 16, 2013.
- 2 The applicant must comply with the conditions of the County of Rockland Department of Health's letter of January 27, 2014.
- 3 The applicant must comply with the conditions of the County of Rockland Sewer District No. 1's letter of February 10, 2014.
- 4 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 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 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.
- 8 Public sewer mains requiring extensions within a right-of-way or an easement shall be reviewed and approved by the Rockland County Department of Health prior to construction.
- 9 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.
- 10 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.
- 11 The proposed school building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

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- 12 A review must be completed by the County of Rockland Office of Fire and Emergency Services, the Town Fire Inspector and the Spring Valley Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 13 A landscaping and lighting plan shall be submitted for our review.
- 14 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line onto the county road.
- 15 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.
- 16 The narrative provides minimal information about the two schools on the adjoining parcel. In order to evaluate the needs of both parcels, the square footage of the school buildings and the size of the student body must be clarified for the adjacent parcel. In addition, the required on-site parking and recreational space must be indicated. It is not possible to determine if shared parking and recreation facilities are a feasible option based on the limited information provided.
- 17 As noted above, the existing 18 parking spaces along the south side of Lot 57.62-1-27 are not included in the 48 spaces to be provided as per the bulk table. However, they are still indicated on the site plan with dashed lines. An explanation as to the final disposition of these parking spaces must be provided since the student drop-off area is immediately south of this parking area. School buses and personal vehicles will not be able to access the dropoff area if this is row of parking spaces is retained. If vehicles are parked in these spaces when students are being dropped off, it will create an unsafe situation for the children and a dangerous traffic condition for drivers.
- 18 The Rockland County Highway did not approve an access on Old Nyack Turnpike so the 20-foot driveway along the eastern side of the lot has been eliminated. However, the maximum development coverage has not decreased. The current development coverage of .85 was also indicated on the December 31, 2012 site plan. The elimination of the driveway will allow for an additional 3,100 SF of pervious land area. The proposed development coverage must be reduced. An opportunity exists to provide green space and on-site amenities in this area.
- 19 Aerial photography taken in 2013 indicates that there are four trailers on the southern portion of the Spring Valley site, and at least two trailers on the northern end of the campus. Trailers are typically a temporary solution to space constraints on school sites. Will the addition of the proposed four-story school building alleviate the need for these trailers? Additional information must be provided about the future disposition of the existing trailers.
- 20 Since the proposed school is to be integrated as part of the larger campus, we recommend that the applicant work with the Village of Spring Valley and the Town of Ramapo to improve overall site conditions and to enhance the visual aesthetics. A field visit to the school revealed unsafe walking conditions in the central and northern portions of the campus, as well as a general run-down environment. Given the size of the campus, its location on two major thoroughfares, and the age of the student population, every effort must be made to create a safe school environment that is an asset to the surrounding community.
- 21 Map Note #15 is incomplete. If the Zoning Board of Appeals granted the required variances, the pertinent information must be provided.
- 22 Map Note #19 is incomplete. Information must be provided about the certification of the plans.

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23 It is our understanding that the Zoning Board of Appeals granted the required variances. The bulk table must reflect that the variances were granted. The case number and date shall also be noted.



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

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

**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.