



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

September 2, 2014

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 56.11-3-4

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

Map Date: 7/29/2014

Date Review Received: 8/4/2014

Item: **YESHIVA KTANA OF MONSEY SCHOOL/MIKVA ADDITION (R-2468A)**

Site plan for a mikva addition to an existing school building on .4486 acres in an R-15A zoning district. North side of Grove Street, 450 feet west of Treetop Lane

Reason for Referral:

NYS Route 59

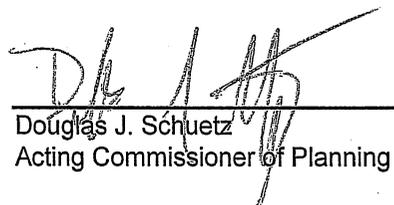
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 2 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of August 1, 2014.
- 3 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 4 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.

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- 5 The project narrative submitted with this application does not specify the number of staff or the size of the student body. The parking calculation on the site plan indicates that there are ten employees. The bulk tables specifies 75 students and the recreation area calculation seems to confirm that number although it is not clearly stated. Since a parking variance of 40 percent was previously granted, additional information must be provided about the current and future staffing needs of the school. The narrative must include the total number of employees, as well as shift times and staffing levels throughout the school day. The current and future size of the student body must be clarified, and the transport of students explained.
- 6 The required recreation area must be identified on the site plan.
- 7 The nine on-site parking spaces must be clearly indicated on the site plan, and in the field. Aerial photography of the site, taken in 2013, does not show a striped parking area. It is not apparent that nine parking spaces can be safely accommodated on this parcel.
- 8 The dumpster enclosure must be indicated on the site plan and easily accessible to sanitation workers. Parked vehicles must not block access to the dumpster enclosure.
- 9 The square footage of the mikva addition must be specified. This department is in receipt of two site plan applications for this parcel. The first is for a second story addition; the second is for the mikva addition. The site plan for the second floor addition was last revised on July 22, 2014; the mikva addition site plan was last revised on July 29, 2014. Both maps indicate that the proposed floor area ratio is .54. The later map must specify a higher floor area ratio given the additional floor area of the enlarged mikva.
- 10 The proposed school building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 11 The variances required for this proposal are subject to a review by this department as mandated by the New York State General Municipal Law.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
New York State Department of Transportation
Rockland County Sewer District #1
Anthony R. Celentano P.L.S.
New York State Department of State,
Division of Code Enforcement and Administration
Gershon Bornfreund

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

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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.

