



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

May 1, 2014

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 42.11-3-13 42.11-3-12 42.11-3-11

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

Map Date: 3/17/2014

Date Review Received: 4/1/2014

Item: *YESHIVA OF RAMAPO (R-1525F)*

Special permit and revised site plan for a proposed 16,800 SF yeshiva and a 15,300 SF dormitory on three parcels totaling 2.588 gross acres (2.46 net acres) in the R-35 zoning district.

West side of Overlook Drive, 164 feet north of the intersection of Overlook Drive and Peachtree Road

Reason for Referral:

Palisades Interstate Parkway

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***

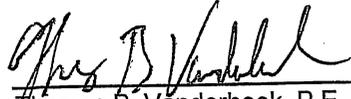
- 1 A review must be completed by the Palisades Interstate Park Commission and their comments considered.
- 2 The applicant must comply with the conditions of the Rockland County Health Department's letter of February 18, 2014.
- 3 The dormitory special permit use must comply with all of the requirements of Section 376-121A. of the Zoning Code for the Town of Ramapo. In particular, the Planning Board must ensure that Sections 376-121A. (2), (6), and (7) are met.
- 4 The requirements of Section 376-1216, Schools of general and religious instruction, must be met. Section 376-1216.A.(1) requires that a recreation area of 30 SF per student be provided. A recreation area is not indicated on the site plan. A minimum of 2,550 SF of recreational space is required and must be provided.

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- 5 A review must be completed by the County of Rockland Sewer District #1 and all required permits obtained.
- 6 An undisturbed, vegetated 20-foot buffer area must be maintained along the property line adjacent to the Palisades Interstate Parkway. The intent of this buffer is to not only protect the visual integrity of the Parkway, but to preserve the existing vegetation and root systems from damage due to adjacent construction/on-site activities. This area must be clearly delineated on the map and in the field, and on the deed so that future property owners are aware of this restriction, and all structures kept out of this buffer area.
- 7 A landscaping and lighting plan shall be submitted for our review.
- 8 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line or onto the State right-of-way.
- 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 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.
- 12 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.
- 13 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 14 The proposed yeshiva and dormitory buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 15 A review must be completed by the County of Rockland Office of Fire and Emergency Services, the Town's fire inspector and the Moleston Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 16 The applicant must address the concerns raised in the Town of Clarkstown's letter of April 10, 2014.

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17 If the three tax lots are to be combined, the subdivision application is subject to a review by this department as mandated under the New York State General Municipal Law.



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

cc: Supervisor Christopher St. Lawrence, Ramapo
Palisades Interstate Park Commission
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Office of Fire and Emergency Services
Leonard Jackson Associates
Town of Clarkstown
New York State Department of State,
Division of Code Enforcement and Administration
Moleston Fire District
Yeshiva Gedolah of Ramapo

**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.

