



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

September 21, 2015

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 49.07-1-37

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

Map Date: 8/7/2015

Date Review Received: 8/18/2015

Item: *BLIMA RUCHEL GIRLS SCHOOL (R-2264C)*

Revised site plan for a second-story addition to an existing school building on 1.87 acres in an R-40 zoning district. The existing residential building on the north side of the property will serve as a caretaker's residence. The existing structure on the southeast side of the property will be used as temporary classroom space during construction. It will then serve as storage space.

West side of Route 306, 300 feet north of Viola Road

Reason for Referral:

NYS Route 306, Village of New Hempstead, Viola Road (CR 74)

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 August 7, 2015 site plan shall be completed by the New York State Department of Transportation (NYSDOT) and all required permits obtained. The applicant must comply with the conditions of the NYSDOT's letters of May 15, 2014 and June 20, 2014.
- 2 This department is not in favor of granting parking variances for sites located on state or county roads. The applicant is proposing less than 47 percent of the required on-site parking. The safe and efficient flow of traffic along Route 306 will be negatively impacted if these 14 spaces prove to be inadequate for the expanded school on a daily basis, as well as special events such as parent-teacher conferences. The applicant must explore off-site parking arrangements with nearby property owners, particularly for special events.

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3 The Village of New Hempstead is one of the reasons this proposal was referred to this department for review. The municipal boundary is along Route 306 just east of the site. This area of the New Hempstead is zoned 1R-40, a low-density residential district characterized by single-family residences on large lots. 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 has expressed its opposition to this proposal in a letter dated August 31, 2015. The applicant must satisfactorily address the issues raised in the Village planning consultant's letter of August 28, 2015. The McLaren Engineering Group outlines a number of site plan deficiencies, and questions the functional relationship between this property and the lot to the south on which a school is also proposed.

4 This department issued a GML review for the Bnos School site plan proposal on July 29, 2015. In our review, we also questioned the connection between Lots 49.07-1-37 and 38. We noted that Lot 49.07-1-37 seems to be serving as a partial access for the proposed school on Lot 49.07-1-38. The August 7, 2-15 site plan for Blima Ruchel Girls School shows no driveway connection between the two properties. The applicant must address this issue and provide clarification as to the connection between these two schools.

5 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of September 1, 2015.

6 The applicant must comply with the conditions of the Rockland County Highway Department's letter of September 8, 2015.

7 The applicant must comply with the conditions of the Rockland County Health Department's letter of May 14, 2014.

8 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. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health for review.

9 The proposed school building, the storage building and the caretaker's residence 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.

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11 More detailed information must be provided about the structure labeled "storage." What will be stored in this building? Will any educational activities take place here once the second story addition is constructed? If in the future this building is used for classroom space, allowing for additional students, the on-site parking requirement will increase. The revised site plan will be subject to a review by this department as mandated by the New York State General Municipal Law.

12 The existing macadam driveway in the southeast corner of the property is now slated for removal. A note on the eastern portion of the driveway indicates that grass will be planted. The western portion of the driveway is designated as a play area. Will the macadam remain in the play area? This must be clarified.

13 An existing fence encroaches upon proposed parking space #4. The parking area must be reconfigured or the fence shifted to avoid this obstruction within the parking space.

14 It will be difficult for a vehicle to exit space #4. A turnaround area must be provided at the western end of the parking area.

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

15 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.

16 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 (January 2015) and local ordinances.



Douglas J. Schuetz
Acting Commissioner of Planning

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

**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.