



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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July 29, 2015

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 49.07-1-38

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

Map Date: 6/3/2015

Date Review Received: 7/6/2015

Item: *BNOS SCHOOL (R-2510)*

Site plan for a one-story, 7,250 SF school building on 1.198 acres in an R-40 zoning district.
West side of Route 306, approximately 225 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 The site plan application materials submitted to this department for review specify only one parcel, Lot 49.07-1-38. The actual site plan includes the subject site and the parcel to the north, Lot 49.07-1-37. It appears that a connection between the two parcels is proposed. This connection is not addressed in the project narrative. An explanation must be provided as to why Lot 49.07-1-37 is included in such detail on the site plan, and how it relates to the proposed school.

2 As mentioned above, Lot 49.07-1-37 seems to be serving as a partial access for the proposed school on Lot 49.07-1-38. If this is the case, then a cross access easement must be provided on Lot 49.07-1-37 in favor of Lot 49.07-1-38 since the two lots are in different ownership. As a result, the proposed circulation must be provided to clearly indicate that is intended for both lots, and how the buses and other vehicles will maneuver on the sites.

In addition, if this driveway connection is to serve both lots, it must be demonstrated that school buses and fire equipment have sufficient maneuverability to turn into the circular driveway from the driveway connecting both parcels to the south.

3 A review shall be completed by the New York State Department of Transportation and all required permits obtained.

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4 A review must be completed by the County of Rockland Department of Highways and any required permits obtained.

5 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, immediately east of the site. 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 of New Hempstead must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Village of New Hempstead must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

6 The applicant must comply with the conditions of the Rockland County Health Department's letter of July 9, 2015.

7 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of July 9, 2015.

8 The two letters referenced above mention both temporary and permanent schools. This department has not been advised of a proposal for a temporary school. Clarification must be provided about the short term and long term plans for this site.

9 The majority of the provided measurements on the bulk table do not reflect what is shown on the site plan. The bulk table must be corrected, and the actual measurements shown on the site plan.

10 According to the bulk table, the minimal amount of parking is provided. No additional parking is being proposed. Where will parents/guardians or other visitors park for normal school days or during higher attendance event activities, such as parent/teacher conferences? This must be clarified. If additional parking is required, then the applicant must enter into an off-site parking agreement so that adequate parking can be provided, and no vehicles will have to park within the State right-of-way. This agreement must be obtained in writing, and referenced in the map notes.

11 No vicinity map is provided. A vicinity map, showing the related scale must be provided for the site plan.

12 The 17-foot wide driveway entrance is insufficient for a school site. Two-way traffic cannot be accommodated in such a narrow area. School buses and emergency vehicles will require a wider driveway. An inadequate driveway width will result in vehicles stacking along Route 306. The safe and efficient flow of traffic will be impeded. The driveway access must be redesigned.

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- 13 A turnaround area must be provided at the southern end of the parking lot. As currently configured, it will be difficult for vehicles parked in spaces 16 and 17 to exit these spaces.
- 14 The proposed school building 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 Fire Inspector and the local fire district to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 16 The proposed play area does not meet the minimum requirement of 30 SF per student. Additional recreational space must be provided. Fencing must also be placed around the proposed play area to help protect the children.
- 17 No bus drop-off/pick-up area has been designated on the site plan. Where will the school buses discharge and load the students? The area in front of the school contains all of the parking for the site, and would be dangerous for the buses to back-up and discharge/pick-up the students. A designated bus loading/unloading zone must be provided on the site plan, and a sidewalk connecting this location to the school building provided so that the students can safely walk between the two locations.
- 18 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. If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed and approved by the Rockland County Department of Health prior to construction in order to ensure compliance with Article II (Drinking Water Supplies) of the Rockland County Sanitary Code and Part 5 of the New York State Sanitary Code.
- 19 For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction.
- 20 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 21 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.
- 22 It was noted in the narrative that no kitchen is proposed on site. How will the students and staff have their meals provided? This must be clarified.
- 23 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.
- 24 Low evergreen landscaping or a berm must be provided in front of the parking spaces facing Route 306 to shield headlights from shining into oncoming vehicles traveling on the State highway.
- 25 The site plan must include standard map notes with details about the project site.
- 26 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.

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27 The special permit required for this proposal is subject to a review by this department as mandated by the New York State General Municipal Law.

28 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 Department of Highways
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Office of Fire and Emergency Services
Anthony R. Celentano P.L.S.
Village of New Hempstead
New York State Department of State,
Division of Code Enforcement and Administration
Bnos 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.*

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.