



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
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DOUGLAS J. SCHUETZ
Acting Commissioner

January 29, 2015

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 49.06-1-4 49.06-1-2.2 49.06-1-1.5

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

Map Date: 11/10/2014

Date Review Received: 12/31/2014

Item: *CONGREGATION ATERES YISROEL (R-2198B)*

Site plan for a 30' x 60' school building on 6.35 acres in the RR-50 zoning district. An existing residential building is being used as a dormitory. Temporary trailers will continue to be used as classroom space during construction of the permanent school building. A new driveway is also proposed; the current driveway will be removed. The existing lot lines will be removed and the three tax lots combined. West side of Forshay Road, opposite Crabapple Court.

Reason for Referral:

Forshay Road (CR 81)

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 applicant must comply with the conditions of the Rockland County Highway Department's letter of January 20, 2015.
- 2 The applicant must comply with the conditions of the Rockland County Health Department's letter of January 6, 2015.
- 3 The applicant must comply with the conditions of the Rockland County Sewer District No 1's letter of January 16, 2015.
- 4 Although only two tax parcels are listed on the application materials, this proposal includes three separate lots. Lot 49.06-1-1.5 is not indicated on any of the submitted materials. The application form only includes Lot 49.06-1-2.2. The GML referral form incorrectly lists 49.06-2-2.2 and 49.06-2-4. The site plan, the application form, the project narrative and the GML referral form must all reference the three tax identification numbers.

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- 5 The three parcels are not all owned by Congregation Ateres Yisroel yet lot lines are proposed to be removed. It is our understanding that all parcels must be in the same ownership if a lot line disclaimer is proposed. Documentation must be provided that Congregation Ateres Yisroel also controls Lots 49.06-1-1.5 and 49.06-1-4.
- 6 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 7 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.
- 8 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.
- 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.
- 10 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.
- 11 The final disposition of the existing residential structure on Lot 49.06-1-4 must be clarified. The front setback and front yard are measured from this structure so it appears that it will remain. Its intended use must be specified.
- 12 The floor area ratio calculation must be indicated on the site plan. The floor area of each structure must be specified.
- 13 This proposed school also includes a dormitory, which is permitted as an accessory use. Section 376-121 lists the special permit standards for dormitories. As indicated in Section 376-121.A.9.a), in the RR-50, RR-80 and RR-160 zoning districts, use group "c" shall apply. The bulk standards for use group "c" are more stringent than those for use group "e". The Town must clarify which is the appropriate use group for this proposal. The dormitory must comply with the special permit standards outlined in Section 376-121.
- 14 The proposed school and the 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 Fire Inspector and the Monsey Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 16 A lighting plan must be provided that demonstrates that the fields of illumination from proposed on-site lighting sources do not extend beyond the property line onto the county road.
- 17 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.

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18 Section 376-1216.(1) of the Zoning Law establishes a minimum recreation area requirement of 30 SF per student. A recreation area calculation must be included in the bulk table, and the designated area must be indicated on the site plan.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
Rockland County Department of Health
Rockland County Office of Fire and Emergency Services
Monsey Fire District
Rockland County Sewer District #1
Rockland County Department of Highways
Civil Tec Engineering & Surveying PC
New York State Department of State,
Division of Code Enforcement and Administration
Chaim Rosenberg, Administrator

**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.

