



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
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June 29, 2015

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

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

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

Map Date: 5/27/2015

Date Review Received: 5/28/2015

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

Special permit and site plan application for a school building with a 30' x 60' footprint on 4.93 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 two tax lots combined. The residential building on Lot 49.06-1-4 will be removed. West side of Forshay Road, opposite Crabapple Court.

Reason for Referral:

Forshay Road (CR 81)

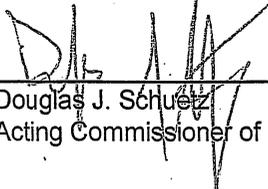
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 Schools of general and religious instruction, and dormitories, are allowed by special permit in the R-50 zoning district. By definition, special permit uses are subject to a higher standard of review. The Town must be satisfied that this proposal complies with the general and individual special permit standards in Sections 376-120, 121 and 1216.
- 2 The applicant must comply with the conditions of the Rockland County Highway Department's letter of June 17, 2015.
- 3 The applicant must comply with the conditions of the Rockland County Health Department's letter of June 2, 2015.
- 4 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's two letters dated June 8, 2015.

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- 5 The two parcels are not both owned by Congregation Ateres Yisroel yet the 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 49.06-1-4.
- 6 The floor area ratio calculation must be indicated on the site plan. The floor area of each structure must be specified. The number of stories proposed in the school building must also be indicated.
- 7 The proposed school and the dormitory buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 8 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.
- 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. 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.
- 10 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 11 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.
- 12 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.
- 13 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.
- 14 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.
- 15 General Note #6 must be corrected to indicate that a school and dormitory are proposed.
- 16 General Note #7 must be corrected to indicate that the site plan conforms to Sections 239L and M of the General Municipal Law.
- 17 The GML referral form includes an incorrect map date and current zoning. The site plan was last revised on May 27, 2015, and the zoning designation is RR-50.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
Rockland County Department of Highways

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Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Office of Fire and Emergency Services
Monsey Fire District
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.

