



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

January 9, 2015

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 56.20-3-55.4

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

Map Date: 11/20/2014

Date Review Received: 12/18/2014

Item: *CONGREGATION RIBNITZ TEMPORARY TRAILERS (R-2012U)*

Site plan for temporary modular structure totaling 9,316 SF to be used as a yeshiva while a permanent yeshiva is constructed on the east side of the site. The 2.199-acre site is located in the R-15A zoning district.

South side of Old Nyack Turnpike, 35 feet east of Caville Drive

Reason for Referral:

Old Nyack Turnpike (CR 52), NYS Thruway, Village of Chestnut Ridge

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 November 20, 2014 site plan must be completed by the County of Rockland Department of Highways and all required permits obtained. The applicant must comply with the conditions of the Highway Department's letter of May 13, 2014.
- 2 An updated review of the November 20, 2014 site plan must be completed by the County of Rockland Department of Health and all required permits obtained. The applicant must comply with the conditions of the Health Department's letter of March 11, 2014.
- 3 The applicant must comply with the conditions of the County of Rockland Sewer District No. 1's letter of December 23, 2014.
- 4 A review must be completed by the New York State Thruway Authority and all required permits obtained.
- 5 There shall be no net increase in the peak rate of discharge from the site at all design points.

CONGREGATION RIBNITZ TEMPORARY TRAILERS (R-2012U)

- 6 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.
- 7 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.
- 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. 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.
- 9 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.
- 10 The proposed modular structure must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 11 A review must be completed by the County of Rockland Office of Fire and Emergency Services to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 12 The project narrative states that "the modulars have been strategically located so as not to interfere with the permanent construction of the new roadway accessing the site from Old Nyack Turnpike." The plot plan indicates that the western driveway is an entrance only. However, two-way traffic is indicated approximately 165 feet south of the entrance where the internal road curves to the west. The two-way traffic pattern continues for the length of the internal road. We believe that this will lead to confusion and traffic conflicts. The internal roadway cannot have a one-way traffic pattern in one section and a two-way traffic pattern in another. This must be rectified.

The on-site traffic pattern proposed during construction of the permanent structure must also be clarified. It appears that vehicles will enter the site at the western driveway and exit from the eastern driveway. It will therefore be necessary for school related traffic to drive near the construction zone. How will traffic conflicts between passenger vehicles, school buses and construction vehicles be avoided? This must be addressed.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
Rockland County Office of Fire and Emergency Services
Rockland County Department of Health
Rockland County Department of Highways
New York State Thruway Authority
Monsey Fire District
Sparaco & Youngblood, PLLC
Village of Chestnut Ridge

CONGREGATION RIBNITZ TEMPORARY TRAILERS (R-2012U)

New York State Department of State,
Division of Code Enforcement and Administration
Samuel Glick

**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.

