



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

Building T
Pomona, NY 10970
(845) 364-3434
Fax. (845) 364-3435

EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

February 6, 2015

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 49.07-1-47 49.07-1-46

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

Map Date: 12/2/2014

Date Review Received: 1/14/2015

Item: *TALMUD TORAH BNEI ZION (R-1905F)*

Site plan for a proposed addition to an existing school building on 2.395 acres in an R-40 zoning district.
North side of Viola Road, 100 feet east of West Maple Avenue

Reason for Referral:

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 A review must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 The applicant must comply with the conditions of the Rockland County Health Department's letter of January 21, 2015.
- 3 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of January 21, 2015.
- 4 The proposed addition and the existing school building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 5 The fire zones must be clearly marked on the site plan. Access to the fire zones shall be unimpeded by other parking areas and maneuverability on the site feasible.
- 6 The fire department connections shall be designated on the site plan and kept clear for easy access by the emergency response vehicles.

TALMUD TORAH BNEI ZION (R-1905F)

7 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.

8 The applicant is proposing an 88-space parking lot on the east side of the site. While the site plan does not include a parking calculation and the proposed number of students is not specified in the application materials, the January 21, 2015 letter from the Rockland County Sewer District No. 1 references a student body of up to 150 pupils. Using the parking standard of one space per eight students, a minimum of 19 parking spaces is required. The applicant is proposing almost five times that number. As a result, a variance of 250 percent is required for maximum development coverage. Rather than providing far more parking than is required for the day-to-day operation of the school, we recommend that the applicant designate a smaller area for special event parking and enter into an off-site parking arrangement with one or both of the nearby religious uses with parking facilities. Grasscrete or another pervious material shall be considered for the special event parking area.

9 It is unclear whether parking spaces are proposed between Viola Road and the south side of the school building. Previous submissions showed 21 parking spaces in two rows between the circular driveway. Will these parking spaces be retained? This must be clarified.

10 Section 376-1216.A.(1) stipulates that a recreation area of 30 SF per student shall be provided on the site. A designated recreation area is not illustrated on the site plan. The bulk table does not include a recreation area calculation. The number of students must be specified. An adequately sized recreation area with age-appropriate play equipment must be provided in a safe location on the site.

11 As per Section 376-1216.A.(2), a bus access shall be provided on the site which is designed to ensure the safe pick-up and drop-off of children, and minimize impact on traffic flow. A bus drop off area is not shown on the site plan. A designated area must be illustrated on the map, and clearly signed in the field.

12 Section 376-1216.A.(3) specifies that school projects be suitably landscaped with perimeter, parking lot and building plantings. While most of the perimeter of the parking area is landscaped, no plantings are shown along the southern boundary of the parking lot which abuts a residential parcel. In addition, no landscaping is proposed along the western half of the northern property line or along the western property line. A single-family home is located immediately west of the school site. Additional landscaping must be provided in these areas as required in the special permit standards for schools.

13 The bulk table shall include calculations for development coverage, floor area ratio and parking.

14 The bulk tables on Sheet 1 and 2 include substantially different numbers for the proposed floor area ratio. The site plan must contain consistent information. The proposed floor area ratio must be clarified.

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

16 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.

TALMUD TORAH BNEI ZION (R-1905F)

17 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.

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. 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.

19 If the existing well will no longer be used following the proposed site development, a formal notation on the approved plans must specify that the wells will be decommissioned in compliance with Article II of the Rockland County Sanitary Code. Furthermore, approval must be obtained from the Rockland County Department of Health prior to initiating any decommissioning activity.

20 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line.

21 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
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
Michael E. Miele, P.E.
New York State Department of State,
Division of Code Enforcement and Administration
Naftali Margareten

**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.

