



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

January 15, 2015

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 56.05-1-9 56.05-1-8

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

Map Date: 3/4/2014

Date Review Received: 12/22/2014

Item: *TALMUD TORAH OHR YOCHANAN (R-2293B)*

Site plan to convert an existing residential building to a permanent school. A second residential building will be used as a caretaker's residence. The 2.22-acre site is located in an R-25 zoning district. The lot line between the two parcels is to be disclaimed.

South side of Highview Road, 675 east of Spook Rock Road

Reason for Referral:

Highview Road (CR 64)

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 7, 2015.
- 2 The applicant must comply with the conditions of the Rockland County Health Department's letters of December 24, 2014.
- 3 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of January 6, 2015
- 4 The existing buildings and the modular structure must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 5 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.

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- 6 The applicant must provide a drawing that illustrates the turning radius for ladder fire trucks, demonstrating that there is sufficient maneuverability in the proposed circular driveway.
- 7 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 8 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.
- 9 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.
- 10 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 could 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 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.
- 12 This department is not in favor of granting parking variances for sites located on county roads. Seventy-six on-site parking spaces are required for this use; the applicant is proposing 11 spaces. A variance of more than 85 percent is therefore needed. Inadequate on-site parking will impede the safe and efficient flow of traffic along Highview Avenue. This is of particular concern when special events such as parent-teacher conferences or assemblies are scheduled. The proposed student population has increased from 75 to 250 since we last reviewed this proposal in March of 2011. The proposed number of spaces has not increased. The applicant must provide additional on-site parking or pursue an off-site parking agreement with a nearby property owner for special events.
- 13 Three parking spaces (# 2, 3 and 4) encroach into the ten-foot buffer area on the east side of the property. The purpose of the buffer area is to reduce the impact of the school on the adjacent residential neighbors. Parking spaces shall not be located within the buffer area.
- 14 Additional information must be provided about the proposed modular building. Aerial photography taken in 2103 indicates that the modular structure is already in place. Is this a temporary structure? Is its square footage included in the calculations for development coverage, floor area ratio and parking?
- 15 The proposed play area is 6,400 SF. The on-site recreation area requirement is 30 SF per student, so 7,500 SF must be provided.
- 16 A drop-off area is indicated on the access aisle immediately north of the handicapped parking space. These two uses are mutually exclusive and cannot occur in the same space. A safer drop-off area must be designated on the site away from parking spaces to prevent traffic conflicts between pedestrians and vehicles.
- 17 It will be difficult for sanitation workers to access to the dumpster enclosure if a vehicle is parked in space 3. The dumpster enclosure must be moved to a more accessible location.

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18 A landscaping and lighting plan shall be submitted for our review.

19 Low evergreen landscaping or a berm must be provided in front of the parking spaces facing the roadway to shield headlights from shining into oncoming vehicles traveling on Highview Road. The ten-foot buffer on the east side of the site must also be landscaped to protect the adjacent residential neighbors.

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

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

22 A deck is shown on the Planimetric Site Layout Sheet, immediately south of the macadam area to be removed on Lot 56.05-1-9. It is not shown on the Grading, Drainage and Utilities Plan Sheet. If the deck is also to be removed, it must be properly labeled.



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
Tallman Fire District
Anthony R. Celentano P.E.
New York State Department of State,
Division of Code Enforcement and Administration
Moshe Zev Doppelt

**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.

