



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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Acting Commissioner

April 23, 2015

ARLENE R. MILLER  
Deputy Commissioner

Ramapo Planning Board  
237 Route 59  
Suffern, NY 10901

**Tax Data:** 49.10-1-14.1

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

**Map Date:** 3/9/2015

**Date Review Received:** 3/24/2015

**Item:** *YESHIVA HEICHAL HATORAH (R-2496)*

Site plan and special permit use by the Planning Board, for a yeshiva and dormitory on a parcel located in the R-40 zoning district on 3.919 acres. The existing residence will be retained for use as the dean's residence. Multiple variances are required for this proposal.

South side of Viola Road, approximately 550 feet east of College Road, north side of Pete Erickson County Park

**Reason for Referral:**

Viola Road (CR 74), College Road (CR 81), Rockland Community College, Pete Erickson County Park

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 comments in the April 13, 2015 letter from the County of Rockland Department of Highways must be met. All required permits must be obtained.
- 2 A review must be completed by the County of Rockland Division of Environmental Resources and any concerns addressed.
- 3 A review must be completed by Rockland Community College, and the Rockland County Department of General Services for any impacts to the college, and any comments or concerns addressed.
- 4 A review must be completed by the County of Rockland Sewer District #1 and all required permits obtained.

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5 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.

6 A review must be done by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.

7 A review must be completed by the County of Rockland Office of Fire and Emergency Services and the Hillcrest No. 1 Fire Department to ensure that there is sufficient maneuverability on-site for emergency vehicles.

8 More detail is required in order to do a proper and thorough evaluation of the proposed yeshiva and dormitory. The number of stories, building height, square footage, exits, stairways, etc. must be provided.

9 The parking requirement for schools of general and religious instruction is one space for every 8 students plus any additional parking as the Planning Board may require. If students drive, 1 space for every 2 students eligible to drive is required. The narrative indicates that students will not have any cars. However, parking must be available for when students are picked up or dropped off for the vacation periods throughout the year.

It is not clear as to what the requirements are for the proposed dormitory, as it is indicated in the Zoning Ordinance that the standards are "As determined by the Planning Board." The engineer has proposed a parking calculation of 1 space/1.5 employees or the need for 23 spaces given that there will be 15 employees. Was this calculation provided by the Planning Board? This must be clarified.

All parking standards and calculations for both uses, must be clearly provided on the site plan.

10 The applicant has indicated in the narrative, that no play area is proposed due to the ages of the students and the rigorous study expected of them. The Planning Board must determine if this requirement can be waived. If no play area is proposed, then instead, a passive area that can be used for sitting or outdoor studies should be provided for the students. As required by the Zoning Ordinance, this area should be at a minimum, 3,600 sq. ft. in size.

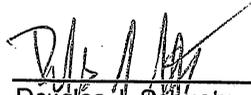
11 The applicant is requesting a waiver of the buffer requirement for the proposed development. As the site is adjacent to a Pete Erickson County Park and the Rockland Community College, it is important to provide the buffer area so as to protect the existing trees and vegetation on the adjacent properties. An undisturbed, 25 foot-wide buffer must be provided.

12 All parking stalls located at the end of a dead-end parking aisle must be provided with adequate backing and turnaround space. The required depth of the turnaround space for an aisle width of 25 feet or less is a minimum depth of six feet. The turnaround areas must be increased to provide this minimum distance.

13 It is not clear what the area is located on the southeastern corner of the proposed yeshiva. Is this a loading area? If so, it must be labeled, and turning movements provided illustrating that there is sufficient space on site for trucks to maneuver.

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- 14 The erosion control plan shows silt fencing around the perimeter of the site. However, in several locations, the silt fencing is being placed on top of existing stone walls. The silt fencing must be located in these areas around the walls instead of on top of or behind them.
- 15 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.
- 16 The fire department connections shall be designated on the site plan and kept clear for easy access by the emergency response vehicles.
- 17 Additional evergreen landscaping must be provided along the southern property line to help buffer the proposed yeshiva and dormitory from the adjacent County park and Community College.
- 18 A lighting plan shall be provided that shows fields of illumination. Lighting shall not shine beyond the property line or into the State highway right-of-way.
- 19 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.
- 20 Since the maximum development coverage is being exceeded by 100%, pervious pavers must be used for sidewalks, parking areas, and other paved surfaces. Use of these materials will reduce stormwater runoff from the site and reduce the percent of non-conformity for the development coverage.
- 21 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 22 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.
- 23 General Note #9 must be corrected to refer to General Municipal Law 239 "l & m" instead of "n," as "n" is only for subdivision applications.
- 24 We request the opportunity to review any variances which may be necessary to implement the proposed site plan.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo  
Rockland County Department of Highways  
Rockland County Division of Environmental Resources  
Rockland County Department of Health  
Rockland Community College  
Rockland County Sewer District #1  
Rockland County Department of General Services  
Civil Tec Engineering & Surveying PC

*\*NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

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*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.*