

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

September 20, 2016

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 49.07-1-37

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

Map Date: 7/25/2016

Date Review Received: 8/12/2016

Item: *BLIMA RUCHEL GIRLS SCHOOL (R-2264D)*

Revised site plan application to allow the conversion of storage space and a caretaker's residence to classrooms for an additional 40 students. No changes are proposed to the existing school building. The 1.87-acre site is located in an R-40 zoning district.

West side of Route 306, 300 feet north of Viola Road

Reason for Referral:

NYS Route 306, Village of New Hempstead, 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 An updated review of the July 25, 2016 site plan shall be completed by the New York State Department of Transportation (NYSDOT) and all required permits obtained. In addition, the applicant must comply with the conditions of the NYSDOT's letters of May 15, 2014 and June 20, 2014.
- 2 This department is not in favor of granting parking variances for sites located on state or county roads. The applicant is proposing a 37 percent reduction in the required on-site parking. The safe and efficient flow of traffic along Route 306 will be negatively affected if these 19 spaces prove to be inadequate for the expanded school on a daily basis, as well as special events such as parent-teacher conferences. The applicant must pursue off-site parking agreements with nearby property owners, particularly for special events. The Town must be provided with a copy of the written agreements.
- 3 The applicant must comply with the conditions of the Rockland County Highway Department's letter of August 22, 2016.

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4 The applicant must comply with the conditions of the Rockland County Health Department's letter of August 12, 2016.

5 The applicant must comply with the conditions of the Rockland County Sewer District # 1's letter of August 16, 2016.

6 The Village of New Hempstead is one of the reasons this proposal was referred to this department for review. The municipal boundary is along Route 306 just east of the site. This area of the New Hempstead is zoned 1R-40, a low-density residential district characterized by single-family residences on large lots. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Village has expressed its opposition to this proposal in a letter dated August 31, 2015. The applicant must satisfactorily address the issues raised in the Village planning consultant's letter of August 28, 2015. The McLaren Engineering Group outlines a number of site plan deficiencies, and questions the functional relationship between this property and the lot to the south on which a school is also proposed.

7 This department issued a GML review for the Bnos School site plan proposal on July 29, 2015. In our review, we also questioned the connection between Lots 49.07-1-37 and 38. We noted that Lot 49.07-1-37 seems to be serving as a partial access for the proposed school on Lot 49.07-1-38. The July 25, 2016 site plan for Blima Ruchel Girls School shows a driveway connection between the two properties. The applicant must address this issue and provide clarification as to the connection between these two schools.

8 The NYS Department of State has determined that the Town is not administering or enforcing the State Uniform Fire Prevention and Building Code in accordance with minimum standards set forth in 19 NYCRR part 1203. Given the concerns about the Town's administration and enforcement of the State Uniform Fire Prevention and Building Code raised in the Executive Deputy Secretary of State's letter of July 15, 2016, the school building and the additional classroom space in the converted structures must be held to the requisite minimum standards and comply with all requirements of this code.

9 A review must be completed by the County of Rockland Office of Fire and Emergency Services, the Town Fire Inspector or the Monsey Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.

10 The revised Landscape and Lighting Plan shows a bus loading and unloading area in the middle of the southern driveway area. A more defined area must be designated on the site plan and clearly indicated in the field. Children must not get on or off the bus in an unsafe location. Buses must load and unload near a school building where sidewalks are available to ensure the safe passage of the students. In addition, it must be demonstrated that buses can safely maneuver on the site.

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11 The fire zones must be clearly marked on the site plan. In addition to the signs shown on the revised Landscape and Lighting Plan, striping must be provided along the fire lanes. Access to the fire zones shall be unimpeded by other parking areas and maneuverability on the site feasible.

12 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.

13 While five additional parking spaces are now proposed, the site plan has not been appropriately revised to accommodate them. Curbing runs through the northern third of space 5. The staircase on the northwest side of the building labeled #265 descends into the northern end of space 6. As a result, there is a great potential for conflicts between students using the staircase and a vehicle exiting this space. The edge of a macadam area extends through space 16 and partially into space 15. Space 19 is located beyond a macadam area and close to the former caretaker's residence. It will be difficult for a vehicle to exit this space and navigate to the macadam driveway. Improved parking area configurations must be designed that minimize conflicts between vehicles and pedestrians, as well as difficult turning maneuvers.

14 A dumpster enclosure must be shown on the site plan and easily accessible to sanitation workers. Parked vehicles must not block access.

15 The bulk table must be updated to reflect the total number of parking spaces proposed.

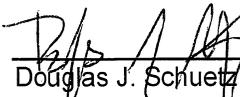
16 The parking calculation must be revised since a caretaker's residence is no longer proposed and the size of the student body has increased.

17 The bulk table includes a recreation area calculation but play areas are not depicted on the site plan. The proposed recreation space must be clearly indicated on the map.

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

19 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.

20 Map Note 19 must be clarified. Since the site is currently being used as a school and an expansion of that use is proposed, it is unclear how else this property can be utilized.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
New York State Department of Transportation
Rockland County Department of Highways
Rockland County Department of Health
Rockland County Sewer District #1
New York State Department of State,
Division of Code Enforcement & Administration

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Rockland County Office of Fire and Emergency Services
Monsey Fire District

Anthony R. Celentano P.E.
Village of New Hempstead

Blima Ruchel Girls School

**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.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.