



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

October 26, 2016

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 56.11-2-67

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 N

Map Date: 6/22/2016

Date Review Received: 9/28/2016

Item: *JACOB SUBDIVISION (R-2370A)*

Revised two-lot subdivision of .5668 acres in an R-15C zoning district. A drainage easement from a subdivision to the north is now shown on the map. The existing 40-foot wide drainage easement along the street frontage will be converted to a drainage and sanitary sewer easement. A semi-attached, three-family residence is proposed on each parcel. The structure on Lot 1 will have one accessory apartment; the structure on Lot 2 will contain three accessory apartments.

North side of Grove Street, 195 feet east of Saddle River Road

Reason for Referral:

NYS Route 306

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 shall be completed by the New York State Department of Transportation and any required permits obtained.
- 2 As required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
- 3 An updated review of the June 22, 2016 maps must be completed by the Rockland County Health Department and all required permits obtained. In addition, the applicant must comply with the Health Department's January 13, 2015 letter.

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- 4 An updated review of the June 22, 2016 maps must be completed by the Rockland County Sewer District No. 1 and all required permits obtained. In addition, the applicant must comply with the Sewer District No. 1's January 20, 2015 letter.
- 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 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 proposed residential buildings must be held to the requisite minimum standards and comply with all requirements of this code.
- 7 A review must be completed by the Rockland County Office of Fire and Emergency Services, the Town of Ramapo Fire Inspector, or the Monsey Fire Department to ensure that there is sufficient maneuverability on site for fire trucks, in the event an emergency arises.
- 8 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 9 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.
- 10 The site plan (Sheet 2 of 3) is very difficult to read. It appears to include the existing conditions, the layout plan, and the grading and utilities plan. Separate drawings must be submitted so that this proposal can be more easily evaluated.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
New York State Department of Transportation
Rockland County Drainage Agency
Rockland County Department of Health
Rockland County Sewer District #1
New York State Department of State
Monsey Fire District
Rockland County Office of Fire and Emergency Services

Anthony R. Celentano P.L.S.

Joseph and Bracha Jacob

**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.

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.

