

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

April 12, 2016

Ramapo Zoning Board of Appeals
237 Route 59
Suffern, NY 10901

Tax Data: 56.11-3-6

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 3/1/2016

Date Review Received: 3/9/2016

Item: *YESHIVA KTANA OF MONSEY (R-2350A)*

Side setback variance to allow the construction, maintenance and use of a single-use dormitory on .67 acres in an R-15A zoning district.

North side of Grove Street, 175 feet west of Tree Top Lane

Reason for Referral:

NYS Route 59

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 The applicant must comply with the conditions of the Rockland County Health Department's June 14, 2014 letter.
- 3 The proposed dormitory building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 4 A review must be completed by the County of Rockland Office of Fire and Emergency Services or the Monsey Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.

YESHIVA KTANA OF MONSEY (R-2350A)

5 The March 2, 2016 denial letter from the Town of Ramapo Building, Planning and Zoning Department contains comments from the Fire Inspector which must be satisfactorily addressed. These include: 1) sprinklers must comply with NFPA 13R; 2) the applicant must show that there is sufficient water to meet fire flow requirements as per NYS Fire Code 508.3; 3) a fully automatic fire alarm detection system is required as per NYS Fire Code 907.2.9.1; 4) buildings in excess of 30 feet above the lowest level of fire department access and equipped with an approved automatic sprinkler system require a Class I standpipe as per NYS Fire Code 905.3.1. 5) the location of the nearest fire hydrant must be shown; 6) portable fire extinguishers must be installed as per NYS Fire Code 906.1; 7) no parking is permitted in any established fire zones; 8) the width of the access road must be a minimum of 26 feet as per NYS Fire Code D105.2; 9) if the building height exceeds 30 feet in height above the lowest level of fire department access, an aerial apparatus road is required as per NYS Fire Code D105; 10) the swimming pool must comply with NYS Building Code Section 3109; 11) residents cannot exit through a bedroom; 12) the elevator is to have a Yale 2642 key and proper fire department operations settings; 13) egress components must comply with Chapter 10 of the NYS Fire Code; 14) the fire department connections are to be mounted on the street side of the building and be a 5-foot storz-type connection; 15) proper truss signs are required; 16) the location of the mechanical room must be provided; 17) the location of the elevator room must be provided; 18) the size and height of the gym may require beam detectors for the fire alarm system; and 19) sprinkler plans must be provided.

6 Section 376-121.B.4. requires that all dormitories be equipped with sprinkler and fire alarm systems in accordance with the Town of Ramapo Fire Prevention Chapter. The application materials submitted do not address the provision of sprinkler or fire alarm systems. The Town of Ramapo must be satisfied that this requirement is met.

7 Section 376-122.B.5. states that as a condition of the special permit, the Planning Board may require adequate screening and landscaping between the dormitory and any abutting residential use. Since there are residential properties abutting the subject site, a landscaping plan must be submitted for our review.

8 No explanation is provided as to how the required number of parking spaces were determined. Two full-time staff members are mentioned in the project narrative. Will there be any part-time staff members? Is there a need for visitor parking? Additional information must be provided about the on-site parking requirements for this use.

9 The dumpster enclosure must be relocated so that sanitation vehicles will have full access to it. The current placement is unacceptable. If any vehicles are parked in the on-site parking area, the dumpster will be difficult to access.

10 It is unclear whether recreational space is required for a single-use dormitory. While the project narrative does not specify the age of the student population, we believe that even minimal recreation facilities are appropriate for this use. It should be noted in the narrative if recreational facilities are provided at the existing yeshiva which these students will attend.



Douglas J. Schuetz
Acting Commissioner of Planning

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

YESHIVA KTANA OF MONSEY (R-2350A)

Rockland County Office of Fire and Emergency Services
New York State Department of State,
Division of Code Enforcement & Administration
Monsey Fire District
Anthony R. Celentano P.E.

Gershon Bornfreund

**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.

