Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

August 8, 2016

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 49.11-1-3

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 6/16/2016

Date Review Received: 7/8/2016

Item: ***BAIS MIKROH (R-1447S)***

Re-approval of a site plan for two additions to an existing school building located on 3.36 acres in the R-40 zoning district. The total square footage for the school will be 64,777 sq. ft. Modifications to the site plan since it was last reviewed in 2013 include: 1) Phase One contains more parking; 2) The stairwell has been removed from the building and has been redesigned to be internal; 3) The lighting plan has been revised; 4) No left turn signs have been added; 5) School buses are not permitted to park on the site. In addition, the single-family residence is no longer proposed to be retained and the parking configuration and circulation have been modified. Variances for front setback (Viola & W. Maple), front yard (Viola & W. Maple), rear setback, maximum development coverage and floor area ratio have been approved by the Zoning Board of Appeals on May 1, 2014. The current configuration of the site generally reduces the magnitude of these variances; the front yard variances for both roadways remains the same at 0'.

Southeast corner of W. Maple Avenue and Viola Road

Reason for Referral:

Viola Road (CR 74), 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 An updated review must be completed by the County of Rockland Department of Highways and all comments or concerns addressed. All required permits must be obtained.

2 An updated review must be done by the Rockland County Department of Health to ensure compliance with the County's Mosquito Code. Any required permits must be obtained.

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3 The comments in the August 2, 2016 letter from the County of Rockland Sewer District #1 must be met. All required permits must be obtained.

4 An updated review must be completed by the County of Rockland Division of Environmental Resources and any comments or concerns addressed.

5 A Fire Truck Turn Analysis must be provided if the length and turning radius criteria are different than of the 36 foot-length bus used in the Bus Turn Analysis. Several of the turning movements for the bus seem tight, so a ladder fire truck, if longer in length, or with a wider turning radius requirement, may not be able to satisfactorily maneuver on the site.

6 An updated 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. In addition, the location of the water valve should be reviewed to ensure that it's location is accessible for fire use.

7 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 (January 2015) and local ordinances.

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

10 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 building must be held to the requisite minimum standards and comply with all requirements of this code.

11 Section 376-1216.A.(1) requires an on-site recreational area of 30 square feet per student. The recreational space requirement for the 650 students is 19,500 SF. The site plan depicts only depicts a reduced basketball court area measuring 4,200 sq. ft. Additional land area must be provided for recreational use. If additional play areas are not to be provided, then a variance is required.

12 Our tax map records indicate that these three lots are now just one parcel, tax parcel #49.11-1-3. The Title Sheet and General Notes #1 on the Layout Plan indicate that three lots are included in the application. This discrepancy must be corrected.

13 If a school identification sign is proposed, then the location where it is to be placed must be provided to ensure that the sign does not impeded sight distance.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
Rockland County Department of Highways
Rockland County Division of Environmental Resources

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Rockland County Sewer District #1
Rockland County Department of Health
Rockland County Office of Fire and Emergency Services
Monsey Fire District
New York State Department of State,
Division of Code Enforcement & Administration

Leonard Jackson Associates

**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.