

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

February 7, 2017

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 49.20-3-54

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 N

Map Date: 8/28/2009

Date Review Received: 1/5/2017

Item: *STEINMETZ SUBDIVISION - 12 FRANCIS PLACE (R-2210C)*

Two-lot subdivision of .44 acres located in the R-15C zoning district.
East side of Francis Place, 115 feet south of Nancy Lane

Reason for Referral:

Village of Kaser

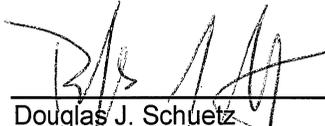
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 An updated review must be completed by the County of Rockland Sewer District #1 and all required permits obtained. The comments in their June 1, 2015 letter must be met.
- 2 An updated review must be completed by the County of Rockland Department of Health and all required permits and approvals obtained. In addition, the comments in their May 26, 2015 letter must be met.
- 3 The Village of Kaser is the reason this proposal was referred to this department for review. The municipal boundary is approximately 325 feet west of the subject property line. As required under Section 239nn of the State General Municipal Law, the Village of Kaser must be given the opportunity to review the proposed subdivision and provide any concerns related to the project to the Town of Ramapo.
- 4 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.

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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 Public sewer mains requiring extensions within a right-of-way or an easement shall be reviewed and approved by the Rockland County Department of Health prior to construction.
- 7 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 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 The Town must consider the cumulative impact of permitting such development and the land use precedent that will be set. The ability of the existing infrastructure to accommodate this increased density must be evaluated. Allowing the maximum residential density on undersized parcels could overburden local roads, as well as the sewer system and public water supply.
- 10 Note #7 is repeated in the Notes Section again as Note #27. The second note must be deleted.
- 11 Note #16 must be updated to reflect the current water company name as Suez and not United Water.
- 12 The Director of Public Works shall determine if it is still possible to plant one tree for every 40 linear feet of shade tree easement as required in Section 258-3 of the Town Code.
- 13 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 14 The specific height of the proposed building must be provided in the bulk table so that it can be determined if an aerial apparatus road is required.



Douglas J. Schuetz
Acting Commissioner of Planning

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

Anthony R Celentano P.E.
Village of Kaser

**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.

