



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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July 1, 2015

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 56.07-3-47

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 N

Map Date: 5/24/2015

Date Review Received: 6/1/2015

Item: *BLAUVELT ESTATES (R-2494B)*

Two-lot subdivision of .60 acres in the R-15C zoning district. A three-family, semi-attached residence with three accessory apartments is proposed on both lots. Several variance will be required to construct the residential buildings.

West side of Blauvelt Road, approximately 200 feet south of Cameo Ridge Road

Reason for Referral:

Village of Kaser, 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 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.
- 2 A review must be done by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.
- 3 The comments and conditions in the letters from the Rockland County Sewer District No. 1 dated May 28, 2015 and June 10, 2015 must be met.
- 4 A review must be completed by the County of Rockland Office of Fire and Emergency Services and the Monsey Fire Department to ensure that there is sufficient maneuverability on-site for emergency vehicles.

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5 The Village of Kaser is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 305 feet east of the site, along NYS Route 306. 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.

6 Permitting development that does not comply with the applicable bulk standards can set an undesirable land use precedent and result in the overutilization of individual sites. The applicant is seeking a 18 percent increase over the maximum allowable development coverage. The ability of the existing infrastructure to accommodate increased residential density is a countywide concern and must be evaluated. This evaluation must consider whether local roads will become more congested and the sewer system, stormwater management systems and the public water supply will be overburdened. The Town must consider the cumulative and regional impacts of permitting such development.

7 The proposed subdivision must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

8 Sidewalks, steps, stoops, decks, entrances, etc. must be shown on the plan. As per Section 376-65, entrances for the accessory apartments must be on the side or rear of the principal dwelling.

9 It is difficult to determine what is being considered the front yard. It appears that the front yard is on the north side of the lots; as opposed to facing Blauvelt Road. If this is the case, why is this being considered as the front yard, particularly for Lot #1? This must be clarified.

10 An easement must be provided for Lot #2 over Lot #1 for access and utilities. The lot area within the easement cannot count wholly for the lot area. Lot area deductions must be applied to Lot #1 to account for the easement.

11 To help reduce the extent of the variances required for development coverage, and to lessen the amount of stormwater runoff from the site, pervious pavers must be provided in the paved surfaces, such as in the parking lot.

12 A play area is labeled on Lot #1. Is this play area also to serve Lot #2? If so, then this must be noted. If not, then a play area must also be provided for Lot #2.

13 The bulk table lists that six parking spaces are required for each lot, and that six are being proposed. However, the site plan illustrates that seven parking spaces are being proposed for each lot. Is handicapped parking required for this application? If so, should one of these spaces be used as the access aisle for a handicapped space? This must be clarified. If no handicapped spaces are required, then the bulk table must be corrected to reflect that seven spaces are proposed.

14 The May 25, 2015 Revised Narrative from Civil Tec lists the required variances for both lots. It is indicated in this letter that a rear yard variance is required because only 7.04 feet is provided. However, the bulk tables on both Drawings No. 1 & 2 of 4 do not indicate that this variance is needed, and lists the distance for the rear yard as 10 feet. It must be clarified if a rear yard variance is required. All application materials must also be consistent.

15 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.

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- 16 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 17 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.
- 18 We request the opportunity to review any variances which may be necessary to implement the proposed subdivision.



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
Rockland County Office of Fire and Emergency Services
Monsey Fire District
Civil Tec Engineering & Surveying PC
Village of Kaser
New York State Department of State,
Division of Code Enforcement & Administration

**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.

