

CONGREGATION VAYOEL MOSHE SATMAR OF MONSEY INC (R-2651A)

5 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. As discussed below, the onsite circulation is awkwardly designed.

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 40 increase over the maximum permitted development coverage, as well as several yard and setback variances. The ability of the existing infrastructure to accommodate nonconforming facilities 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. We continue to recommend that the building footprint be reduced to more closely conform to the R-15A bulk standards for this use.

7 The number of stories and the total floor area must be provided, as well as a floor area calculation. Based on the bulk table, a 7,843 SF building is proposed. The building footprint is approximately 4,500 SF. The parking calculation indicates that the worship area is 3,000 SF. What is the intended use of the remaining floor area? Clarification must be provided.

8 The parking calculation provided on the site plan is incomplete. The parking requirement for houses of worship is one space per 200 square feet of floor area or five seats' capacity, whichever is greater. By our calculation, 20 parking spaces are required. The parking calculation must be corrected.

9 It is unclear why 23 parking spaces are provided when fewer are required. The additional spaces increase the impervious surface area. An explanation must be provided as less parking spaces will reduce the extent of the variance required for development coverage.

10 The applicant shall consider using pervious pavers in the parking area to reduce the degree of impervious surface non-conformance.

11 It will be difficult for vehicles parked in the two westernmost parking spaces to maneuver out of these spots without a turnaround area. An appropriately sized turnaround area must be provided at the western end of the parking lot.

12 The fire zone will be inaccessible if vehicles are parked in the westernmost spaces. Feasible fire zones must be provided. Access to the fire zones shall be unimpeded by other parking areas and maneuverability on the site feasible.

13 The fire department connections shall be designated on the site plan and kept clear for easy access by the emergency response vehicles.

14 The existing driveways on the south side of Grove Street must be shown on the site plan.

15 A drop off area must be provided at the building entrance. The current configuration is unsafe as congregants will have to walk between parked vehicles to access the main entrance. Access to these parking spaces will be prevented when congregants are dropped off leading to congestion at the site entrance.

16 Vehicle maneuverability will be difficult in the proposed parking lot. The current layout will result in unsafe on-site circulation and must be redesigned. The applicant shall consider a second entrance on Remsen Avenue to facilitate traffic flow.

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- 17 The southerly two parking spaces are too close to the site entrance and exit. The potential for traffic conflicts with vehicles entering and exiting the site is great. As noted above, more parking spaces are proposed than required. These two spaces shall be eliminated.
- 18 Given the site circulation issues mentioned above, we believe it will be difficult for sanitation workers to access the garbage enclosure in its proposed location. Access will be further hampered if vehicles are parked in the northeast space or the space to the south of the access aisle. The garbage enclosure must be relocated.
- 19 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- 20 A landscaping plan shall be submitted for our review.
- 21 Areas designated for snow removal must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. This will help to protect any proposed landscaping from damage due to the weight of the snow and salt intrusion. In addition, providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by congregants.
- 22 A scale and north arrow must be provided on the vicinity map.
- 23 General Note 9 must be revised to specify Section 239L and M of the General Municipal Law as this is a site plan application not a subdivision.
- 24 General Note 10 must be eliminated as this is not a residential site plan.
- 25 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
- 26 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.



Douglas J. Schuetz
Acting Commissioner of Planning

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

Civil Tec Engineering & Surveying PC

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Grove Realty Holdings LLC

Mona Montal, Chief of Staff

**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.