

MINISCEONGO PARK (R-1188F)

3 An updated review of the October 24, 2017 site plan shall be completed by the Palisades Interstate Park Commission, and all required permits obtained. The applicant must also comply with the conditions of the Palisades Interstate Park Commission's (PIPC) letter of July 12, 2012. As noted in their letter, clearing and grading are proposed on park property without any discussion with the PIPC. In addition, Route 202 highway improvements are proposed on parkway lands. No construction activity or highway improvements can take place on park or parkway property without consultation and the permission of the PIPC.

It is our long-standing policy to recommend that a 20-foot buffer be maintained along all Park and Parkway property. This buffer shall remain undisturbed by construction vehicles in order to protect the root systems of trees on the Park and Parkway property, as well as the visual integrity of the park lands.

4 The applicant must comply with the conditions of the Rockland County Health Department's letter of January 22, 2018.

5 The applicant must comply with the conditions of the Rockland County Sewer District #1's letter of April 24, 2018.

6 The applicant must comply with the conditions of the Rockland County Highway Department's letter of January 8, 2018.

7 An updated review of the October 24, 2017 site plan shall be completed by the New York State Department of Environmental Conservation, and all required permits obtained from them.

8 If there is any encroachment into the Federal wetlands, a review must be completed by the United States Army Corps of Engineers and all required permits obtained.

9 An updated review of the October 24, 2017 site plan shall be completed by the Rockland County Division of Environmental Resources, and any concerns addressed.

10 The January 13, 2012 drawings submitted with the last site plan application referred by the Town of Ramapo indicated that the Ramapo portion of the site totaled 27.0275 acres. The current site plan specifies 26.5853 acres. General Note 2 on Drawing 3 indicates that the area of the Ramapo tract is 1158,055 SF. This error is repeated for both municipalities on the right side of Sheet 3. The missing comma must be included to avoid confusion. The overall acreage of 53.3 acres stated in the November 1, 2017 "Technical Memorandum for Minisceongo Park" is more than the sum of the area in Haverstraw and Ramapo provided on the current site plan. All application materials must be consistent. The gross lot area and net lot area for Lots 33.06-1-1 and 33.06-1-2, as well as the Haverstraw parcels, must be confirmed.

11 The Utility Responsibility Matrix on the cover sheet incorrectly lists Rockland Electric Company for electricity. This must be changed to Orange and Rockland Utilities. The listed telephone number is also incorrect.

12 Map Note #7 for the Town of Ramapo on Drawing 3 incorrectly lists the Fire District as Monsey Fire Department, not the Moleston/Hillcrest Fire Department. Map Note # 10 incorrectly lists the water supplier as United Water, not SUEZ. These errors are repeated on Drawing 5. The notes must be corrected.

13 The parking table on Drawing 6 specifies that the restaurant on Pad E will have 111 seats. The on-site parking requirement of 74 spaces is based on that number. The label on the building footprint for the restaurant indicates 225 seats. The onsite parking requirement for 225 seats is 150 spaces. The parking field for Pad E is deficient by more than 50 percent if seating is available for 225 patrons. The seating capacity must be clarified.

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14 Snow storage areas are only proposed in Parking Fields A and B in the Haverstraw section of the development; none are located in the Ramapo section. It seems unlikely that all of the snow cleared from the Ramapo parking lots will be pushed or plowed to the Haverstraw parking fields. Up to 68 parking spaces are designated for snow storage, which is quite significant. Given that only the bank on Pad D has more on-site parking than is required, and the restaurant parking on Pad E may be deficient, it is inadvisable to eliminate parking spaces for snow storage in these areas. Specific locations shall be designated on the site plan for snow piles so that adequate parking is available throughout the site, and landscaped areas are not damaged by piles of snow and road salt. Pads C, D and E must have their own designated snow storage areas.

15 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 mixed used development must be held to the requisite minimum standards and comply with all requirements of this code.

16 The Rockland County Office of Fire and Emergency Services, the Town of Ramapo Fire Inspector or the Moleston/Hillcrest Fire Departments must review the October 24, 2017 site plan drawings, including the Fire Apparatus Access and Signage Plan, to ensure the fire zones, location of hydrants, and other emergency related site plan issues are adequately addressed.

17 The lighting plan shows that several foot-candles of light from the site will extend into the State highway right-of-way. All lighting must be contained on site. A lighting plan must be provided that demonstrates that the intensity of the candle lumens is less than 0.1 at the property line.

18 The symbol for fire hydrant 2 is missing on the Water Main and Easement sheet (Drawing 25). The specific location of the fire hydrant must be indicated on the map.

19 The title on Drawing 26 must be revised to indicate SUEZ not United Water New York.

20 It is difficult to determine the wall heights around Pond 4 because the information is covered by other plan features. Given that the wall is as high as eight feet in the northwest corner, it is important that all measurements be provided.

21 Retaining walls that are over four (4) feet in vertical height shall be designed by a licensed New York State Professional Engineer and be in compliance with the NYS Fire Prevention and Building Code. Design plans shall be signed and sealed by the licensed NYS Professional Engineer

22 Additional landscaping must be provided along the walls, to help visually break up their massive length and size, and around the ponds to mitigate the visual impact of the fencing.

23 The proposed monument and pylon signs must conform to all Town sign standards.

24 A bus shelter is proposed to the west of the boulevard entrance on the north side of Route 202. The location of this shelter must be approved by the Rockland County Department of Public Transportation. A concrete pad must be provided that is 11 feet long by 7 feet wide (11'x7'). The Rockland County Department of Public Transportation will supply and install the bus shelter. The County's bus shelter specifications are attached. Ideally, a second bus shelter pad should be provided on the south side of Route 202 opposite the subject site.

25 A review shall be done by the Rockland County Department of Public Transportation to determine the best locations for pick-up of potential TRIPS users.

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26 Transport of Rockland (TOR) operates the 95 bus route along Route 202 so it is likely that some future customers will travel to this site by public transportation. A pedestrian crosswalk must be provided at the boulevard entrance so that public transportation users can safely cross Route 202. The crosswalk must be clearly labeled on the site plan.

27 The Floodplain Administrator for the Town of Ramapo shall certify that the proposed construction is in compliance with the floodplain regulations of the Town and the Federal Emergency Management Agency.

28 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. If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed and approved by the Rockland County Department of Health prior to construction in order to ensure compliance with Article II (Drinking Water Supplies) of the Rockland County Sanitary Code and Part 5 of the New York State Sanitary Code.

29 For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction

30 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.

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

32 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.

33 The site plan for the multi-family housing, and any variances required for the residential structures, are subject to a review by this department as mandated by the New York State General Municipal Law.

34 Since the municipal boundary between the Towns of Haverstraw and Ramapo runs through the project site, a site plan application must also be completed with the Town of Haverstraw. Approval of this site plan application must be conditioned on the completion and approval of the remainder of the site located within the Town of Haverstraw.

35 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.

36 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

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Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Michael B. Specht, Ramapo
New York State Department of Transportation
Palisades Interstate Park Commission
Rockland County Drainage Agency
Rockland County Division of Environmental Resources
New York State Department of Environmental Conservation
United States Army Corps of Engineers
Rockland County Department of Health
Rockland County Sewer District #1
New York State Department of State
Rockland County Office of Fire and Emergency Services
Moleston/Hillcrest Fire District
Rockland County Department of Public Transportation

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**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.

