

ROUTE 202 BUSINESS PARK (R-1360D)

2 The site plan indicates 337 parking spaces are proposed, with an additional 28 loading docks for trucks. Only one access point to the site is depicted to accommodate these vehicles. This is not adequate for a site of this size and uses of this magnitude. In addition, a variance is required for the access point being within 300 feet of a residential zone. The single access point may cause additional traffic conflicts and will place an unnecessary burden on Ladentown Road, thereby affecting the nearby residential zone. A second access point must be included in the design of the site to better facilitate ingress/egress from the site and to help reduce the burden on Ladentown Road.

3 The Fire Truck Maneuver Plan illustrates that trucks will encroach into many parking spaces in the western parking area and four spaces in the northeastern parking area. This is not an acceptable situation. These parking areas must either be redesigned to eliminate this encroachment, or designated for compact cars only and it must be demonstrated that these compact car parking spaces will not be encroached upon by the fire truck turning movements. The size of the building must be reduced so a better design layout can be achieved. This will reduce the number of parking spaces needed, and therefore, will allow for more room for fire trucks to safely maneuver throughout the site.

4 The Fire Truck Maneuver Plan also shows that the fire trucks will encroach into the northern loading areas when turning. In addition, if trucks are parked in the northernmost loading area, the fire truck will be unable to make the turn as illustrated. The site must be designed so that safety issues are not compromised. As stated above, the size of the buildings must be reduced to better facilitate the safe maneuverability of fire trucks throughout the site.

The following comments address our additional concerns about the proposal:

5 A review must be completed by the New York State Department of Transportation, any comments or concerns addressed, and any required permits obtained.

6 The applicant must comply with the comments made by the Rockland County Department of Health in their letter of August 7, 2020

7 The applicant must comply with the comments made by the Rockland County Sewer District No. 1 in their letter of August 7, 2020.

8 The proposed office and light industrial warehouse buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

9 The Village of Pomona is one of the reasons this proposal was referred to this department for review. The municipal boundary is opposite Camp Hill Road, approximately 36 feet west of the site. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Village of Pomona must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Village of Pomona must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

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- 10 A review of the Fire Truck Maneuver Plan must be completed by the Rockland County Office of Fire and Emergency Services, the Town of Ramapo Fire Inspector, or the Moleston Fire Department to ensure that there is sufficient maneuverability on site for fire trucks, in the event an emergency arises.
- 11 The Truck Maneuver Plan only illustrates the trucks' ingress/egress of the site. This plan must be expanded to include the trucks' maneuverability throughout the site, as the trucks will be required to access the warehouse use located at the eastern portion of the site.
- 12 Fire lanes must be designated on the site plan and shown to be accessible. In addition, fire connections must also be shown.
- 13 The site plan depicts a striped area by the entrance to the site at Ladentown Road. It must be clarified if this is to be painted, or if a raised median is proposed. If the latter is proposed, the area must be redesigned, as the Truck and Fire Truck Maneuver Plans show vehicles traveling over this area to access/exit the site.
- 14 The Grading Plan is incomplete, as it only shows the contour lines on the driveways. A grading plan shall be provided that shows the contour lines and spot elevations for the entire site. Detention/retention basins, either above or below grade, must also be illustrated. In addition, the top and bottom elevations of the walls must be provided so their heights are known.
- 15 The project narrative indicates a traffic study was performed and attached to the document. However, the study was not provided. The traffic study shall be provided, and include a traffic analysis for the trucks required for the light industrial use. The analysis shall include the number of truck movements into and out of the site on a daily basis, hours that trucks will be entering and leaving, and peak periods of movement.
- 16 The site is constrained by steep slopes. A map must be provided that shows the steep slopes. In addition, a lot area calculation must be provided so its accuracy can be verified.
- 17 The width of Ladentown Road, as well as the Designated Street Line (DSL) must be provided on the site plan. All measurements shall be taken from the DSL. This may result in additional yard variances being required.
- 18 There is no delineation for the individual loading stalls shown on the site plan. Schematic sheet A-300, East Elevation depicts four loading stalls between each building entrance. However, based on the width of the loading areas on the site plan, only three loading stalls may be accommodated. The individual loading stalls must be illustrated to ensure there is enough space to accommodate what is proposed.
- 19 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. Providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by employees. This is especially critical since only the minimum number of spaces are being provided.
- 20 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.
- 21 The existing well must be shown on the site plan and properly decommissioned prior to its removal. The Rockland County Department of Health must be notified of the intent to decommission the well, and monitor the process to ensure that it is done in compliance with the specifications of Article II of the Rockland County Sanitary Code. All required permits must be obtained from them.
- 22 A landscaping plan shall be provided which has low evergreen landscaping supplementing the parking and loading areas to prevent vehicle headlights from shining onto neighboring properties. Screening is required along the western edge of the property to shield the site from the adjacent residential district.

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23 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.

24 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.

25 A utility plan shall be provided.

26 The site is currently comprised of two lots. The applicant must merge the lots so the entire building and accessory facilities are located on the same lot. Once the lot merger has been approved, a filed map cannot be used to convey property, nor can the tax maps be updated with the lot changes, until the deeds are filed with the County Clerk, conveying the portions of the lots that are required to achieve the lot configuration indicated on the subdivision map. The applicant and the Town must make sure that the deeds are properly filed with the Rockland County Clerk to ensure that the tax maps are properly updated.

27 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. A letter from the public water supplier, stamped and signed by a NYS licensed professional engineer, shall be issued to the municipality, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.

28 If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed by the Rockland County Department of Health prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Further, both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.

29 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.

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 Standards 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 The project narrative, dated May 18, 2020, states that no bulk variances are required. However, the bulk table provided on the site plan, dated May 4, 2020, indicates a variance for side yard will be required. It appears the variance for three feet, stated in the bulk table, is required for the space between the western buffer and the northwestern parking area. If so, this must be delineated and labeled on the site plan. The project narrative must also be updated to include this variance.

33 Section B of the Full Environmental Assessment Form should be updated to include the Rockland County Department of Planning as a County agency. The NYS Department of Transportation and the Village of Pomona must also be added to this Section.

34 The vicinity map shall show the zoning of the surrounding area. This will help to provide a better understanding of the impact the proposed uses will have on the surrounding neighborhood.

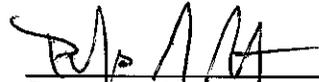
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35 The site plan indicates the project is located within the Village of Pomona. This must be corrected to the Town of Ramapo.

36 We request the opportunity to review any variances that may be needed to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

37 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.

38 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 Office of Fire and Emergency Services
Rockland County Sewer District #1
Moleston Fire District

Brooker Engineering, PLLC
Village of Pomona

Mona Montal, Chief of Staff
Rockland County Planning Board Members

**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.