



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

January 5, 2017

Sloatsburg Planning Board
Village Hall
96 Orange Turnpike
Sloatsburg, NY 10974

Tax Data: 38.50-1-1.2 38.50-1-1.1

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date: 11/7/2016

Date Review Received: 11/30/2016

Item: 100 STERLING MINE ROAD, LLC. (SL-206A)

Sie plan for an 11,800 SF addition to an existing manufacturing facility on 5.71 acres in an IP zoning district. The two lots will be merged.

Northeast side of Sterling Mine Road, 230 feet north of Sebastian Court

Reason for Referral:

Sterling Mine Road (CR 72), Nakoma Brook, Town of Ramapo, NYS Wetlands

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 A review must be completed by the Rockland County Highway Department and all required permits obtained.
- 2 The applicant must comply with the Rockland County Drainage Agency's letter of June 22, 2016.
- 3 As required by the Rockland County Stream Control Act, the subdivision plan/tax lot merger 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.
- 4 A review must be completed by the New York State Department of Environmental Conservation and all required permits obtained.

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5 The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 365 feet south of the site. As required under Section 239nn of the State General Municipal Law, the Town of Ramapo must be given the opportunity to review the proposal and provide any concerns related to the project to the Village of Sloatsburg.

6 The applicant must comply with the conditions of the Rockland County Sewer District # 1's letter of December 5, 2016.

7 The applicant must comply with the conditions of the Rockland County Health Department's letter of December 12, 2016.

8 The floodplain Administrator for the Village of Sloatsburg shall certify that the proposed construction is in compliance with the floodplain regulations of the Village and the Federal Emergency Management Agency.

9 The ten southwestern parking spaces are located beyond the property line. A portion of the van space also extends past the property line. Vehicles parked in spaces 11 through 17 will have to reverse off the property to access the driveway. All required parking must be located on the site. Since more parking is proposed than required, the ten off-site spaces must be eliminated. Spaces 11 through 17, and the van space must be relocated or reconfigured so that all parking maneuvers can be accommodated on the site.

10 The proposed parking on the southwest side of the building does not conform to the requirements of Section 54-70.B. since the van space and spaces 11 through 17 are within 15 feet of the right of way, and spaces 1 through 10 are in the right of way. A variance from Section 54-70.C. will be required for the van space and spaces 11 through 17, as parking is not permitted in the required front yard of sites in the IP zone. As noted above, spaces 1 through 10 must be eliminated. The remaining spaces must be relocated.

11 Access to the dumpsters and northeastern row spaces will be difficult given the proximity of the truck space. A truck maneuvering into or out of this space will prevent access to the rear of the site. The dumpsters, and spaces 42 through 51, must be relocated to a more accessible area on the site.

12 A truck maneuvering plan must be provided for the entire site. It does not appear that an oversized vehicle can easily navigate from the Sterling Mine Road entrance to the rear of the site. The access aisle varies in width from 25 to 30 feet and is not a straight road. We are particularly concerned about the very constrained area near the northeast corner of the existing building, and the proximity of the proposed parking spaces along the northeastern property line.

13 The proposed addition and the existing industrial building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

14 A review must be completed by the Rockland County Office of Fire and Emergency Services, the Village Fire Inspector, or the Sloatsburg Fire Department to ensure that there is sufficient maneuverability on site for fire trucks, in the event an emergency arises.

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15 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.

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 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.

19 The site plan shall include a net lot area calculation so the deductions for the environmentally constrained land area can be properly evaluated. General Note 12 does not provide sufficient detail for such an evaluation.

20 The General Notes on the site plan must include school and fire district information, as well any other relevant district details. Note 7 must be corrected to indicate that SUEZ is the water supplier.

21 The bulk table includes incorrect standards for minimum lot area and maximum floor area ratio in the IP zoning district. This information must be corrected.

22 The following additional comment is offered strictly as an observation and is not part of our General Municipal Law (GML) review. The board may have already addressed this point or may disregard it without any formal vote under the GML process.

If the pavement on the west side of the existing building and proposed addition is not needed, we recommend that it be eliminated and this area be restored to its natural state given its proximity to the wetland buffer.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Carl Wright, Sloatsburg
Rockland County Department of Highways
Rockland County Drainage Agency
New York State Department of Environmental Conservation
Rockland County Sewer District #1
Rockland County Department of Health
Federal Emergency Management Agency
United States Army Corps of Engineers
New York State Department of State
Rockland County Office of Fire and Emergency Services
Sloatsburg Fire District
Léhman & Getz, P.C.

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Town of Ramapo

Martin Lichtman

**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.