



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

Building T
Pomona, NY 10970
(845) 364-3434
Fax: (845) 364-3435

C. SCOTT VANDERHOEF
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

ARLENE R. MILLER
Deputy Commissioner

October 10, 2013

Suffern Village Board
61 Washington Avenue
Suffern, NY 10901

Tax Data: 54.35-2-29 54.35-2-10 54.35-2-8 54.35-2-6

Re: **GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M
Map Date: 9/30/2013

Date Review Received: 9/3/2013

Item: **ORANGE AVENUE ZONING PETITION (SU-312E)**

A proposed amendment to the Zoning Code to change the zoning designation of five parcels totaling 1.48 acres from CB (Central Business) to TDD (Transit Development District.) A 111-unit multi-family residential community is proposed on the site.
East side of Orange Avenue, north side of Chestnut Street

Reason for Referral:

NYS Route 202, NYS Route 59

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***

This department has reviewed several proposals for multi-family residential development on this site over the last five years. The Village's Urban Renewal Plan recommended a new zoning district, MR-70, with a residential density of 70 units per acre, a building height of seven stories and a maximum development coverage of .70. In our August 8, 2008 GML review, we raised concerns about the overall scale and density proposed. We did not believe that it was appropriate in a suburban village.

The Urban Renewal Plan was subsequently revised and a less dense MR-60 zone was proposed for this site. The maximum residential density was reduced to 60 units per acre and the building height was limited to six stories. The .70 development coverage was maintained. In our January 20, 2009 GML review, this department continued to recommend that the residential density be limited to 50 units per acre.

The current zoning petition seeks to establish a new Transit Development District with a maximum residential density of 75 units per acre and 100 percent development coverage. There are no yard requirements. The building height has been reduced from seven to six stories at the request of the

ORANGE AVENUE ZONING PETITION (SU-312E)

Village's Planning Board.

This department is supportive of smart growth and transit oriented development. We recognize that this is an ideal site for denser residential development given its proximity to the train station and the Lafayette Avenue commercial corridor. Convenient commuting options, and a vibrant village center within walking distance, will appeal to the target population of single and married professionals, and down-sizing baby boomers and empty nesters. An appropriately-sized multifamily housing development has the potential to enhance the economic vitality of Suffern's commercial district. A pedestrian-friendly development that can take advantage of existing infrastructure while augmenting the Village's sense of place can meet the goals and objectives of smart growth and transit oriented development if it respects the existing community character.

We believe that the proposed residential density and the liberal bulk requirements are a departure from what currently exists in the Village of Suffern, as well as Rockland County. This site is a gateway to Suffern's business center for transit users exiting the train station, and for drivers heading north on Orange Avenue. An opportunity exists to create a visually appealing site that will welcome visitors and residents. As currently conceived, it will not be possible to enhance this development with streetscape features such as benches, landscaping, planters or artwork. Development coverage of 100 percent does not lend itself to any street level amenities. The current proposal consists of the building, paved parking areas and sidewalks. By establishing more restrictive standards for density and development coverage, additional land area will be available for streetscape enhancements that will benefit the building residents as well as those who live, work and shop in the Village of Suffern.

1 Except when in an urban renewal zone, the overall scale and density proposed in this zoning petition are not appropriate for a suburban village. The Village must consider the cumulative impact of this high density zoning designation. The ability of the existing infrastructure to accommodate this increased residential density must be evaluated. Allowing 111 units on this site could overburden local roads, as well as the sewer system, stormwater management systems and the public water supply. Its impact on the community character of the surrounding neighborhoods must also be examined. We recommend that a reduced maximum residential density and a lower development coverage standard be considered. This will allow for street level amenities that will enhance the site and integrate it within the surrounding neighborhood.

2 A review shall be completed by the New York State Department of Transportation and all required permits obtained.

3 It is our understanding that the parking standard is now 1.5 spaces per unit with a combination of on-site and off-site parking. The zoning petition must specify the off-site parking arrangements at site plan approval.

4 The proposed multi-family residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

5 A review must be completed by the County of Rockland Office of Fire and Emergency Services, the Village fire inspector and the Suffern Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.



Thomas B. Vanderbeek, P.E.
Commissioner of Planning

cc: Mayor Dagan Lacorte, Suffern
New York State Department of Transportation

ORANGE AVENUE ZONING PETITION (SU-312E)

Rockland County Department of Health
Rockland County Drainage Agency
Rockland County Sewer District #1
Rockland County Office of Fire and Emergency Services
Brooker Engineering, PLLC
New York State Department of State,
Division of Code Enforcement and Administration
Suffern Fire District
Joshua Goldstein

**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.

