

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

August 11, 2017

Suffern Zoning Board of Appeals
61 Washington Avenue
Suffern, NY 10901

Tax Data: 54.43-2-52

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

Map Date: 5/3/2017

Date Review Received: 7/20/2017

Item: *RENATA WITICOWSKA, MD (SU-353)*

Variations to permit the construction, maintenance, and use of a doctor's office on the ground floor, and a residence above, within an existing non-conforming dwelling located in the PO-15 zoning district on .181 acres. The required variations include: greater than permitted maximum development coverage; and less than required parking spaces.

East side of US Route 202, approximately 75 feet south of East Maple Avenue

Reason for Referral:

US Route 202

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 We are concerned that the proposed combined uses will be deficient in parking, particularly since the site is located directly on a busy state highway. Since parking is not available along the State highway, patients, staff, or residents of the site, will have to find alternate parking locations if the onsite parking spaces are all occupied. This will result in an increase in movement into and out of the site. In addition, there is no turnaround area provided for a vehicle to maneuver easily back out of the parking area, in the event all of the parking spaces are occupied, given the tight constraints. Under no circumstances can vehicles back out into the State highway.

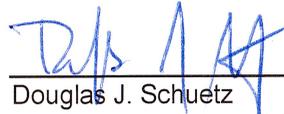
Curbside parking is available along both East Maple Avenue and East Maltbie Avenue, but would require the patient, staff, or resident to first search onsite for parking. The applicant must provide information on the peak parking demands for both uses, and demonstrate that the six parking spaces are adequate to serve both users of the site, especially during peak demand periods. If it is determined that the six parking spaces are not adequate, then an alternate parking arrangement must be provided. Lastly, the Village of Suffern must monitor the site to ensure that adequate parking is provided for the dual uses at all times.

RENATA WITICOWSKA, MD (SU-353)

2 A turnaround area must be provided for the onsite parking spaces. As currently designed, the two easternmost parking spaces will be difficult to maneuver out, given the tight parking area and driveway design. As mentioned above, having a turnaround area is even more crucial, since less than the required number of parking spaces are being proposed, and patients and residents looking for parking spaces will have no place to turnaround if all spots are occupied.

3 To reduce the percentage of the development coverage variance, pervious pavers must be used on the site, wherever possible, including for both the new and existing parking spaces and concrete walks.

4 A review shall be completed by the New York State Department of Transportation, any concerns addressed, and any required permits obtained.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Edward Markunas, Suffern
New York State Department of Transportation

Jay A. Greenwell, PLS, LLC

**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.