

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

April 18, 2016

Airmont Planning Board
251 Cherry Lane
P.O. Box 578
Tallman, NY 10982

Tax Data: 55.12-1-54

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 3/7/2016

Date Review Received: 3/14/2016

Item: *ALLEGRO OFFICE BUILDING (A-194)*

Site plan for a 29,400 SF, three-story office building on a 2.314-acre parcel that is in both the R-40 and NS zoning districts.

East side of South DeBaun Avenue, approximately 520 feet south of the intersection of Route 59

Reason for Referral:

NYS Route 59

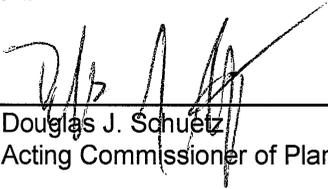
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 2 A review must be completed by the United States Environmental Protection Agency and the New York State Department of Environmental Conservation since the site has been designated as an Environmentally Sensitive Area (ESA).
- 3 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of March 18, 2016.
- 4 The applicant must comply with the conditions of the Rockland County Health Department's letter of March 22, 2016.
- 5 The applicant must comply with the conditions of the Rockland County Drainage Agency's letter of April 4, 2016.

ALLEGRO OFFICE BUILDING (A-194)

- 6 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.
- 7 The proposed office building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 8 A review of the July 16, 2015 fire truck turning analysis must be completed by the County of Rockland Office of Fire and Emergency Services, the Village Fire Inspector or the Tallman Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 9 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 10 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.
- 11 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.
- 12 The proposed monument sign must conform to the municipality's sign standards.
- 13 The zoning district boundaries must be shown on the layout plan.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Philip Gigante, Airmont
New York State Department of Transportation
United States Environmental Protection Agency
Rockland County Sewer District #1
Rockland County Department of Health
Rockland County Drainage Agency
New York State Department of State,
Division of Code Enforcement & Administration
Tallman Fire District
Rockland County Office of Fire and Emergency Services
Leonard Jackson Associates

Allegro Equities, 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.*

ALLEGRO OFFICE BUILDING (A-194)

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.

