COUNTY OF ROCKLAND

DEPARTMENT OF PLANNING

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County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

ARLENE R. MILLER
Deputy Commissioner

May 30, 2014

Chestnut Ridge Planning Board
277-279 Old Nyack Turnpike
Chestnut Ridge, NY 10977

Tax Data: 63.13-1-16

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

Map Date: 4/8/2014 **Date Review Received:** 4/30/2014

Item: ***777 CHESTNUT RIDGE ROAD/STAND-BY GENERATOR INSTALLATION (CR-13P)***

Site plan for the installation of an emergency generator as a back-up power source for an existing office building on 3.043 acres in an NS zoning district. The 150 KW stand-by generator will be installed on a 96 SF concrete slab.

Northwest side of Chestnut Ridge Road, opposite Red Schoolhouse Road

Reason for Referral:

NYS Route 45, Red Schoolhouse Road (CR 41)

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 The applicant must obtain any necessary permits from the New York State Department of Environmental Conservation's Division of Air Resources for the proposed generator.

2 This department's mapping records indicate that this 3.043-acre site is comprised of one tax parcel, Lot 63.13-1-16. According to the Town of Ramapo Assessor's Office, a lot line disclaimer was filed with the County of Rockland in 2007 eliminating Lots 17 and 18. The application materials must be revised to reflect this lot line disclaimer.

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

cc: Mayor Rosario Presti, Jr., Chestnut Ridge
New York State Department of Transportation
New York State Department of Health
Rockland County Department of Highways

777 CHESTNUT RIDGE ROAD/STAND-BY GENERATOR INSTALLATION (CR-13P)

Rockland County Department of Health

George R. Tomosoiu - R.A.

William J. Myrtle

**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.