



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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THOMAS B. VANDERBEEK, P.E.
Commissioner

March 27, 2014

ARLENE R. MILLER
Deputy Commissioner

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

Tax Data: 68.07-1-15.2

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

Map Date: 12/30/2013

Date Review Received: 2/27/2014

Item: *WALSH SUBDIVISION/MAY ROAD (CR-127D)*

Site plan to amend a filed subdivision plan to allow the redrawing of the clearing limit line to permit the removal of additional trees on a .665 acre parcel in the R-35 zone. This lot was created as part of a two-lot subdivision of 1.482 acres approved in 2005. It is currently undeveloped.

Terminus of May Road, 885 feet west of Laurel Road

Reason for Referral:

Town of Orangetown

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***

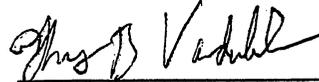
1 The Town of Orangetown is the reason this proposal was referred to this department for review. The municipal boundary is along the eastern property line of the site. This area of Orangetown is zoned R-15, a medium density residence district. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Town of Orangetown must be given the opportunity to review the proposal and its impact on

WALSH SUBDIVISION/MAY ROAD (CR-127D)

community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Town of Orangetown must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

- 2 The revised clearing limit line must be clearly delineated in the field prior to any grading or construction on site, to avoid the removal of any trees required to be saved.
- 3 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 4 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.



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

cc: Mayor Rosario Presti, Jr., Chestnut Ridge

Centerpoint Engineering
Town of Orangetown
James Walsh

Rowan Hughes

**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.