



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

November 4, 2013

ARLENE R. MILLER
Deputy Commissioner

Clarkstown Planning Board
10 Maple Avenue
New City, NY 10956

Tax Data: 58.10-2-96

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

Map Date: 10/9/2013

Date Review Received: 10/21/2013

Item: *BARDONIA FOUR CORNERS (C-3513D)*

Site plan for a proposed 4,000 sq. ft., one-story commercial building, on .53 acres, in the LS zoning district.

Southwest corner of Ludvigh Road and NYS Route 304

Reason for Referral:

NYS Route 304, Palisades Interstate Parkway

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:

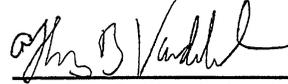
****Recommend the following modifications***

- 1 An updated review shall be completed by the New York State Department of Transportation and all required permits obtained.
- 2 An updated review must be completed by the County of Rockland Sewer District #1, and all required permits obtained.
- 3 The comments raised in the October 22, 2013 letter from the Rockland County Department of Health must be addressed.
- 4 We understand that the applicant has a letter from the owner of the parcel to the south, stating that he has no objection to the proposed grading on his site. However, this does not address the regrading that is proposed on the property adjacent to the subject site to the west, owned by Barbara Brennan. The site grading plan dated October 9, 2013 still shows that the northeast portion of this adjacent site is proposed to be regraded. Permission must be obtained by this adjacent property owner to regrade on their property, or a redesign must be do that eliminates this regrading.

BARDONIA FOUR CORNERS (C-3513D)

5 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.

6 There shall be no net increase in the peak rate of discharge from the site at all design points.



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

cc: Supervisor Alex Gromack, Clarkstown
New York State Department of Transportation
Palisades Interstate Park Commission
Rockland County Department of Health
Rockland County Sewer District #1
Atzl, Scatassa & Zigler P.C.

**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.