



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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C. SCOTT VANDERHOEF  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

October 18, 2013

ARLENE R. MILLER  
Deputy Commissioner

Clarkstown Planning Board  
10 Maple Avenue  
New City, NY 10956

**Tax Data:** 59.18-1-22

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

**Map Date:** 9/30/2013

**Date Review Received:** 9/23/2013

**Item:** *ROUTE 303 TEMPORARY STATE POLICE & NYSTA MAINTENANCE FACILITY (C-6B)*

Site plan for the proposed improvements and additional parking spaces for an existing commercial building in the RS zoning district on 4.368 acres.

North side of the NYS thruway, east side of NYS Route 303, southeast side of N. Greenbush Road

**Reason for Referral:**

NYS Thruway, NYS Route 303, Mountainview Nature Park

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 all required permits obtained.
- 2 A review must be completed by the New York State Thruway Authority and any required permits obtained.
- 3 As indicated in the September 25, 2013 letter from the Rockland County Department of Health, an application must be made to them for review of the Stormwater Management System for compliance with the County Mosquito Code.
- 4 A review must be completed by the County of Rockland Division of Environmental Resources and any concerns addressed.
- 5 The site location plan, Drawing #6, should not show existing trees that are proposed to be removed, within the new parking and storage areas. This is confusing, and makes it seem that the trees, particularly within the storage area, will remain. Only trees to remain should be shown on the site plan that highlights the new features.

**ROUTE 303 TEMPORARY STATE POLICE & NYSTA MAINTENANCE FACILITY (C-6B)**

6 A new feature is proposed on the site plan, located adjacent to the southwest corner of the building. An arrow points to the feature and states "hedge." Drawing #5 also has an arrow showing that this is a "relocated tire storage shed" but Drawings #4, 6, 7, 8, 9, and 10 only show the arrow indicating that this feature is a "hedge." To clarify this feature, all drawings should indicate that this new feature is the "relocated tire storage shed."

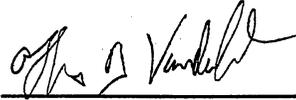
7 Section 12.6.3.3 of the County of Rockland's Sanitary Code states that new fuel burning equipment installations or modifications to existing fuel burning equipment installations that have an input capacity of less than 500,000 BTU per hour are excepted from the provisions of Subsection 12.6.1 of this Article. If the proposed generator has an input capacity of more than 500,000 BTU per hour, a review must be completed by the County of Rockland Department of Health and all required permits obtained.

8 Fields of illumination for the proposed lighting must not shine into the State highway.

9 Any proposed signage shall be indicated on the site plan, properly set back from the State highway, and shall conform to the municipality's sign standards.

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



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

cc: Supervisor Alex Gromack, Clarkstown  
New York State Thruway Authority  
New York State Department of Transportation  
Rockland County Division of Environmental Resources  
Rockland County Department of Health  
Tappan Zee Constructors, 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.*