

**DEPARTMENT OF PLANNING**

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**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

March 31, 2016

Clarkstown Planning Board  
10 Maple Avenue  
New City, NY 10956

**Tax Data:** 64.10-2-4      64.10-2-3

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

**Map Date:** 2/16/2016

**Date Review Received:** 3/10/2016

**Item:** *HALMAR INTERNATIONAL (C-276D)*

Re-subdivision of two lots totaling 1.78 acres in the LIO zoning district into one lot. Site plan for the proposed demolition of an existing one-story metal building, and construction of a 15,240 sq. ft. two-story addition to an existing 11,287 sq. ft. building.

South side of Rose Road, approximately 255 feet southeast of the NYS Route 59 roadway

**Reason for Referral:**

NYS Route 59, 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 The comments in the March 15, 2016 letter from the New York State Department of Transportation must be met. All required permits must be obtained.
- 2 As indicated in the March 14, 2016 letter from the Rockland County Department of Health, an application must be made to them for review of the stormwater management system to ensure compliance with the County Mosquito Code.
- 3 As required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
- 4 Double asterisks must be added to the parking calculation section of the site plan to indicate that a variance for the loading docks is required.

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5 A review must be completed by the County of Rockland Office of Fire and Emergency Services, the local fire department, or the Town Fire Inspector to ensure that there is sufficient maneuverability on site for emergency vehicles.

6 All lighting shall be contained on site and shall not shine into the State highway right-of-way.

7 Areas dedicated for snow piles must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. This will help to protect the landscaping, located in the islands, from being broken from the weight of the snow and from causing salt intrusion to the plants. In addition, providing specific locations on the site for the snow piles, especially since only a minimum number of parking spaces is being provided, will eliminate the loss of parking spaces meant for the patrons and employees of the business

8 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.



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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor George Hoehmann, Clarkstown  
New York State Department of Transportation  
Palisades Interstate Park Commission  
Rockland County Department of Health  
Rockland County Drainage Agency  
Atzl, Nasher & 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.*

*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.*