Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

March 30, 2016

Clarkstown Planning Board
10 Maple Avenue
New City, NY 10956

Tax Data: 59.12-1-11 59.16-1-2

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 12/24/2015 **Date Review Received:** 3/4/2016

Item: ***RAMAH DAY CAMP (C-1397P)***

Site plan for the proposed demolition of the existing 1,580 sq. ft. kitchen, and construction of a 3,600 sq. ft., one-story replacement kitchen for a camp located on 35.69 acres in the R-160 zoning district.
North side of Christian Herald Road, between US Route 9W and Mountainview Avenue; approximately 555 feet west of US Route 9W

Reason for Referral:

US Route 9W, Long Path, Village of Upper Nyack

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 7, 2016 letter from the Rockland County Department of Health must be met.

2 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.

3 A review must be completed by the County of Rockland Sewer District #1 and all required permits obtained.

4 The Village of Upper Nyack is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 220 feet east of the eastern property line of the site. As required under Section 239nn of the State General Municipal Law, the Village of Upper Nyack must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the Town of Clarkstown.

RAMAH DAY CAMP (C-1397P)

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.

7 A stormwater pollution prevention plan (SWPPP) was not provided. The SWPPP, if required, shall conform to the current regulations, including the New York State Stormwater Management and Design Manual (January 2015) and local ordinances.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor George Hoehmann, Clarkstown
New York State Department of Transportation
New York - New Jersey Trail Conference
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Office of Fire and Emergency Services

Atzl, Nasher & Zigler P.C.
Village of Upper Nyack

**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.