

**DEPARTMENT OF PLANNING**

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

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

December 11, 2018

Clarkstown Planning Board  
10 Maple Avenue  
New City, NY 10956

**Tax Data:** 43.15-1-44

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

**Map Date:** 10/9/2018

**Date Review Received:** 11/5/2018

**Item:** *CHASE BANK (C-3625)*

Site plan for the proposed partial demolition of an existing commercial building, and construction of a two-story, 44.5 foot high, 9,722 sq. ft. bank with remote ATM and 98 parking spaces. The parcel is located on 2.05 acres in the H-1 zoning district.

Northwest corner of North Main Street and New Hempstead Road/Congers Road

**Reason for Referral:**

North Main Street (CR 29), New Hempstead Road/Congers Road (CR 80), Demarest Kill, County office buildings (Sain & Allison Parris)

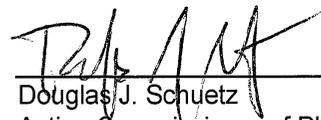
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Recommend the following modifications***

- 1 The comments in the November 14, 2018 letter from the Rockland County Drainage Agency must be met. All required permits must be obtained prior to any construction on the site.
- 2 The comments in the November 29, 2018 letter from the Rockland County Highway Department must be met. All required permits must be obtained prior to any construction on the site.
- 3 The comments in the December 4, 2018 letter from the Rockland County Sewer District No. 1 must be addressed.

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- 4 A review must be completed by the Rockland County Department of General Services, Division of Facilities Management, and any raised comments or concerns addressed.
- 5 The exit drive from the three teller stations is located close to the entrance. This could create a conflict with cars entering/exiting the site. The driveway exit from the teller stations should be moved further north so as to be as far away from the main driveway access as possible.
- 6 The Circulation Plan illustrates the turning radii for vehicles. The plan does not indicate what type of vehicle the circulation plan depicts, or its length. The Town of Clarkstown must review the plans to ensure that the largest fire truck can adequately maneuver the turns on site. It appears that some of the turns are tight, and cannot be accomplished without traveling off of the pavement. This is especially the case in the area around the 10 parking spaces on the east side of the Demarest Kill, and west of the larger parking area.
- 7 The lighting plan must be modified to demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- 8 Low evergreen landscaping or a berm must be provided in front of the exit drive from the three teller areas, along the southern area by the existing Hawthorn trees which are to remain, to help block the headlights from shining into oncoming vehicles traveling on the road.
- 9 All proposed signage shall conform to the town's sign standards.
- 10 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Guidelines for Urban Erosion and Sediment Control.
- 11 We request the opportunity to review any variances that may be needed to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor George Hoehmann, Clarkstown  
Rockland County Department of Highways  
Rockland County Department of Health  
Rockland County Drainage Agency  
Rockland County Sewer District #1  
Rockland County Department of General Services,  
Division of Facilities Management  
  
Core States  
Jennifer M. Porter, Esq. - CSG Law

*\*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.*

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*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.*

