

HAMPTONBURGH DISTRIBUTION (C-1993E)

- 5 As indicated in the September 10, 2018 letter from the Rockland County Department of Health, if a stormwater management system is required to remediate the increase in impervious surface, an application must be made to them for review of the system to ensure compliance with the County Mosquito Code.
- 6 A review shall be completed by the New York State Department of Environmental Conservation, to ensure that all necessary steps have been completed regarding the remediation of the contaminates of the site.
- 7 By State Law, the applicant must register with the local fire inspector, using Form 209U, for the proposed storage of the bulk chemical materials.
- 8 Under SARA - Title 3, the applicant must register with the Rockland County Fire Training Center.
- 9 The applicant must provide as-built drawings and other documentation to New York State Department of Environmental Conservation, Region 3, that illustrate the design and installation of the petroleum bulk storage tanks, as per code. These tanks must also be registered with them.
- 10 Since the project includes both tax parcels, 65.10-1-10 and 11, the site plan should depict both lots, and the property tax ID# for both lots must be provided.
- 11 A north arrow for the Area Map and the Vicinity Map must be provided, especially since their orientation is different than the site plan map. In addition map notes, that include district information, should be provided.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor George Hoehmann, Clarkstown
New York State Department of Transportation
Rockland County Division of Environmental Resources
Rockland County Solid Waste Authority
Rockland County Department of Health
Rockland County Sewer District #1
New York State Department of Environmental Conservation
Rockland County Office of Fire and Emergency Services

Bell Engineering, PLLC

Clarkstown Planning Board, Attention Joe Simoes

**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.