Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

March 14, 2018

Clarkstown Zoning Board of Appeals
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: 3/18/2014 **Date Review Received:** 2/27/2018

Item: ***RAMAH DAY CAMP RESIDENCE HALL (C-1397Q)***

Modification of the special permit use condition previously granted to allow the operation of a day camp. The applicant wishes to remove the restriction of the camp operation from April 1 through November 1, to instead be permitted year round. The facilities, which include the residence hall, kitchen, dining hall, and recreation facilities, would be used by students of Rockland Country Day School during the school year; and then by the day camp during the summer months. The camp is situated 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

Since the type of use will increase in intensity, it must be verified that sufficient infrastructure capacities are available. Therefore, the following comments apply:

1 A review must be completed by the County of Rockland Department of Health and any required permits obtained.

2 A review must be completed by the County of Rockland Sewer District #1, any comments or concerns addressed, and all required permits obtained.

RAMAH DAY CAMP RESIDENCE HALL (C-1397Q)

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

Ira Emanuel, PC
Village of Upper Nyack Planning Board

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.