

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

June 18, 2019

Clarkstown Planning Board
10 Maple Avenue
New City, NY 10956

Tax Data: 35.14-1-42.6

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

Map Date: 4/9/2019

Date Review Received: 5/16/2019

Item: *LANDMARK CORPORATE PARK - JNK PROJECT (C-449DD)*

Amendments to an approved clustered subdivision and site plan for lot #6 on a total of .9835 acres in the M zoning district. Amendments to the subdivision include a change in the front yard and side yard; amendments to the site plan include a reduction in the building footprint from 17,558 sq. ft. to 16,206 sq. ft., adding a third loading dock, restoring the mezzanine, adding an atrium for the building entrance at the northwest corner of the building, slightly reducing in the total square footage, increasing the side yard to the south and moving the front of the building to the east and south to facilitate increased outdoor parking; replacing the underground parking with surface parking, reducing the amount of light manufacturing space, increasing the amount of accessory warehouse/office space, and eliminating the "reserved" parking spaces.

South side of Long Clove Road, approximately 450 feet west of Burts Road off of Route 304, opposite Scratchup Road

Reason for Referral:

Long Path

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 An updated review must be completed by the New York - New Jersey Trail Conference and any concerns addressed.
- 2 The comments in the June 5, 2019 letter from the Rockland County Department of Health must be met.
- 3 The comments in the May 21, 2019 letter from the Rockland County Sewer District No. 1 must be addressed.
- 4 The lighting plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.

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5 Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health for review.

6 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 Standards for Urban Erosion and Sediment Control.

7 There shall be no net increase in the peak rate of discharge from the site at all design points.

8 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.

9 Areas dedicated for snow removal 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 proposed landscaping from being broken from the weight of the snow and from causing salt intrusion to the plants. In addition, designating specific locations on the site for the snow piles will eliminate the loss of parking spaces meant for the employees of the facility.

10 The fire zones must be clearly marked on the site plan. Access to the fire zones shall be unimpeded by other parking areas and maneuverability on the site feasible.

11 The fire department connections shall be designated on the site plan and kept clear for easy access by the emergency response vehicles.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor George Hoehmann, Clarkstown
New York - New Jersey Trail Conference
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Drainage Agency
Civil Tec Engineering & Surveying PC

**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.