



# Rockland County

Ed Day, Rockland County Executive

## DEPARTMENT OF PLANNING

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

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

September 18, 2019

Clarkstown Planning Board  
10 Maple Avenue  
New City, NY 10956

**Tax Data:** 59.18-1-2

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

**Map Date:** 6/21/2019

**Date Review Received:** 8/19/2019

**Item:** *SNAKE HILL ROAD STORAGE (C-1877B REVISED)*

Site plan for the renovation and expansion of an existing 53,462 SF building into a two-story, 103,630 SF self storage facility with reconfigured parking. The existing one-story 5,321 SF building will remain. Several existing yard encroachments will be relocated or removed, including the propane tanks and containers. The parcel is located on 5.98 acres in the M zoning district.

Southwest corner of Snake Hill Road and North Palisades Center Drive, north side of NYS Thruway

### Reason for Referral:

NYS Thruway (NYS Route 87/287)

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***

Our previous review of this parcel, dated September 4, 2019, requested that a review of the site plan be completed by the New York State Department of Transportation (NYS DOT). It has since come to our attention that the NYS DOT does not own any land within 500 feet of the subject site. Due to this, a review does not have to be completed by that department. The following comments address our revised concerns for this proposal:

- 1 A review must be completed by the New York State Thruway Authority and all required permits obtained.
- 2 A review must be completed by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- 3 A review must be completed by the County of Rockland Sewer District No. 1, any comments or concerns addressed, and all required permits obtained.

**SNAKE HILL ROAD STORAGE (C-1877B REVISED)**

4 A review must be completed by the New York State Department of Environmental Conservation due to the presence of endangered species in the area, and any required permits obtained.

5 The site plan indicates the location of the containers to the east of the existing single-story office building will be moved north into the setback area. However, the tree preservation plan shows there are trees in this area. In addition, outdoor storage is not permitted within a setback area. The plan must be updated to illustrate specifically where the containers will be located to ensure they comply with all buffer and yard requirements and do not conflict with any environmental factors.

6 Areas designated for snow removal must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. In addition, providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by customers and employees.

7 All proposed signs must conform to Town standards. If any variances are required, we request the opportunity to review them, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

8 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 Standards for Urban Erosion and Sediment Control.

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

10 The list of drawings indicates many drawings were made on May 30, 2019. However, these drawings have a date of May 31, 2019. The list of drawings shall be updated to correct this so that all materials may remain consistent.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor George Hoehmann, Clarkstown  
New York State Department of Environmental Conservation  
New York State Thruway Authority  
Rockland County Department of Health  
Rockland County Sewer District #1  
  
McLaren Engineering Group  
Remus Architecture  
Atzl, Nasher & Zigler P.C.  
Steven Yassky

*\*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.*