

THRUWAY PLAZA (C-2043K)

4 The comments in the June 5, 2019 letter from the Rockland County Department of Health must be addressed.

5 The Village of Spring Valley is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 445 feet north of the subject property line. As required under Section 239nn of the State General Municipal Law, the Village of Spring Valley must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the Town of Clarkstown.

6 Several variances are required in order to implement the site plan. Since this is new development, the design should not necessitate the need for variances. A reconfiguration of the site plan must be done to alleviate the need for the yard buffers and parking within 30 feet of an entranceway.

7 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 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 patrons and employees of the hotel, convenience store, and restaurants.

8 Backup generators should be provided for the proposed gasoline station and hotel so that in the event of power outages due to storm-related incidents, the fueling stations and hotel are operable for public use.

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 for the proposed gasoline service station, as per code. These tanks must also be registered with them.

10 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. If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed and approved by the Rockland County Department of Health prior to construction in order to ensure compliance with Article II (Drinking Water Supplies) of the Rockland County Sanitary Code and Part 5 of the New York State Sanitary Code.

11 For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction.

12 The arrow pointing south in the eastern parking area is confusing, as it appears to be making this parking area only one way, when in fact it is two way. Another arrow should be provided to indicate that it is a two way parking area.

13 The Town of Clarkstown's sign ordinance is reasonable and must be followed. All proposed signage shall conform to the town's sign standards so that no variances are required.

14 The square footage for the Holiday Inn Express & Suites signs is missing. The square footage for each sign must be provided to determine if the signs are compliant.

15 Since the lot lines are to remain in place, and not be merged, they must also be depicted on the site plan to ensure that all features related to each building are located on the same lot.

16 Parking for each building must be assigned to ensure that sufficient parking is situated where the need is located for each use.

17 Retaining walls that are over four (4) feet in vertical height shall be designed by a licensed New York State Professional Engineer and be in compliance with the NYS Fire Prevention and Building Code. Design plans shall be signed and sealed by the licensed NYS Professional Engineer.

THRUWAY PLAZA (C-2043K)

- 18 The lighting plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- 19 It is acknowledged that the eastern portion of the site is bounded by a vegetative buffer that is located on the New York State Thruway property. However, this area is comprised only of deciduous vegetation. Once the existing site vegetation is removed, the deciduous buffer may not be sufficient to visually shield lighting, buildings, or other site features. Evergreen landscaping must be supplemented along the eastern property line to prevent headlights of vehicles from glaring into the exit ramp from the NYS Thruway. The vegetation should be supplemented from the northern to the southern property boundary along the eastern portion of the site, where necessary.
- 20 The Vehicle Circulation Plans for the fuel tanker and the tractor-trailer traverse into oncoming traffic in order to maneuver within the site. Alternate vehicle routes should be explored within the site to determine if any other routes can resolve this issue.
- 21 The tractor-trailer plans only show a circulation route around the Quick Chek site. Will deliveries by this type of vehicle have to be done to the other uses on site, such as the KFC/Taco Bell or Dunkin Donuts? If so, then the Vehicle Circulation Plan must also highlight routes to these other businesses.
- 22 The Vehicle Circulation Plan for Fire Trucks also depicts that the vehicles will have to cross into oncoming traffic to maneuver the site. In addition, no route is shown by the south western fire lane by the fuel pumps. Alternate routes should be explored that eliminate the need to cross into oncoming traffic. In addition, fire truck turning movements must be provided to the southwestern portion of the site since this is labeled as a fire lane.
- 23 The applicant should consider providing at least one electric charging station for use by its future patrons. This could be located at the hotel or restaurants so that vehicles could be charged while patrons are using the businesses.
- 24 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.
- 25 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).
- 26 We request the opportunity to review the special permit use by the Town Board that is required for the gasoline service center in order to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).



Douglas J. Schuetz
Acting Commissioner of Planning

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

Dynamic Engineering
Village of Spring Valley Planning Board

THRUWAY PLAZA (C-2043K)

**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.