

AKTINA MEDICAL (C-1309H (REVISED))

- 6 A review must be completed by the Rockland County Office of Fire and Emergency Services, the Town of Clarkstown Fire Inspector, or the Congers Fire Department to ensure that the Vehicular Circulation Path - Fire Truck Plan provides for sufficient maneuverability on site for fire trucks, in the event an emergency arises.
- 7 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.
- 8 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 9 As shown on the site plan, a variance will be required for the location of the sign. The sign must be relocated so it is fully on the applicant's property and not on the land owned by the New York State Department of Transportation. This will eliminate the need for the variance.
- 10 A note should be placed on the zoning compliance table that a variance is required for maximum lot coverage. This should also be indicated in the project narrative. In addition, to help reduce the extent of the lot coverage variance required for the site, pervious pavers and/or other porous materials should be used wherever possible, such as for the sidewalks.
- 11 A review must be completed by the Rockland County Department of Health to ensure the existing well is in compliance with Article II of the Rockland County Sanitary Code.
- 12 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.
- 13 All fire lanes and connections must be shown on the site plan. Vehicles must not be permitted to park in the fire lanes.
- 14 The site plan indicates the lot line between the two parcels is to be eliminated. Once this has been approved, a filed map cannot be used to convey property, nor can the tax maps be updated with the lot changes, until the deeds are filed with the County Clerk, conveying the portions of the lots that are required to achieve the lot configuration indicated on the map. The applicant and the Town must make sure that the deeds are properly filed with the Rockland County Clerk to ensure that the tax maps are properly updated.
- 15 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).



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor George Hoehmann, Clarkstown
New York State Department of Transportation
Palisades Interstate Park Commission
Rockland County Department of Health
Rockland County Office of Fire and Emergency Services
Rockland County Sewer District #1

DCAK MSA Architecture and Engineering
Congers Fire Department

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

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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.