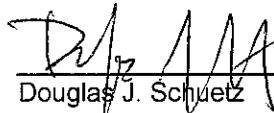


THRUWAY PLAZA (C-2043M)

- 4 An updated review must be completed by the Rockland County Department of Health. In addition, the comments raised in their November 13, 2019 letter must be addressed.
- 5 An updated review must be completed by the New York State Department of Environmental Conservation. In addition, the comments raised in their July 11, 2019 letter must be addressed.
- 6 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.
- 7 A review must be completed by the Rockland County Office of Fire and Emergency Services, the Town of Clarkstown Fire Inspector, or the Nanuet Fire Department to ensure that there is sufficient maneuverability on site for fire trucks, in the event an emergency arises.
- 8 Several variances are required in order to implement the site plan. In a meeting held between our department and the applicant to discuss these variances, the applicant indicated that they are proposing to demolish two of the three existing buildings on the site. Only the existing fast food restaurant and the cell tower are to remain. Various aspects of the site were explained during the meeting to justify the need for some of the variances. Future reviewing of the site should explore whether any of the variances can be reduced or eliminated, if possible.
- 9 An area in the northwest of the site is dedicated for snow removal. The applicant has indicated that, in the interest of preserving parking and landscaping throughout the site, having one snow storage area is the most ideal option for the site. The applicant must ensure that this area will be sufficient to store the amount of snow that may build up across the entire site. Insufficient parking can result in traffic conflicts with vehicles searching for parking spaces, both internally and externally, so it is therefore important that the snow piles do not occupy needed spaces. If necessary, the northern area demarked as land banked parking may be designated for snow storage until the time when these parking spaces are required.
- 10 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.
- 11 The letter from Dynamic Engineering Consultants, dated May 22, 2020, states that the applicant is no longer seeking a variance for parking within 30 feet of an entrance. However, General Note 6D. on Sheet 3 indicates a variance for this is required. The General Notes must be updated to remove the reference to this variance.
- 12 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.
- 13 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.
- 14 The proposed monument LED gas price, 'QuickChek', & hotel signs are set 20 feet back from the Right-of-Way when 25 feet is required. In addition, the maximum sign area for wall signs is 15% of the business frontage, with a maximum of 150 SF, per tenant. Four wall signs are proposed for the hotel, each with 175 SF, for a total of 700 SF. The signage plan on Sheet 7 must indicate that variances are required for monument sign setback and sign area for the Holiday Inn Express & Suites.

THRUWAY PLAZA (C-2043M)

- 15 Sheet 4 notes that the existing lot line will be disclaimed to create one larger lot. Once the lot merger has been approved, the map and the deeds must be filed with the County Clerk, showing the lot line disclaimer. The applicant and the Town must make sure that the deeds are properly filed with the Rockland County Clerk to achieve this new lot configuration.
- 16 Since 18 spaces (and 18 banked spaces) required to meet the parking needs for the proposed uses are located in the northwestern portion of the site, a sidewalk and crosswalk must be provided so that staff and patrons can safely walk between the parking spaces and the locations to which they serve.
- 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.
- 18 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.
- 19 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 20 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).
- 21 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. Schjeltz
Acting Commissioner of Planning

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

Dynamic Engineering Consultants, PC
Village of Spring Valley Planning Board
Nanuet 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. 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.

THRUWAY PLAZA (C-2043M)

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.