

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

April 29, 2016

Haverstraw Planning Board
One Rosman Road
Garnerville, NY 10923

Tax Data: 24.12-2-1 25.05-3-2 25.05-3-1

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

Map Date: 3/28/2016

Date Review Received: 4/8/2016

Item: *JCC MANHATTAN - CAMP SETTOGA (H-111E)*

Site plan for the proposed construction of a challenge course and playground, and installation of two gardens for an existing camp located on 21.196 acres in the CR zoning district.

West side of Call Hollow Road, approximately 1,780 feet north of Camp Hill Road

Reason for Referral:

Call Hollow Road (CR 75), Harriman State Park, Village of Pomona, Mahwah River

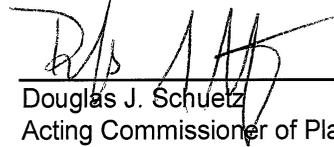
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 An updated review must be completed by the County of Rockland Department of Highways and all required permits obtained. The comments in the March 21, 2016 letter from the Rockland County Highway Department must be met.
- 2 An updated review must be completed by the Rockland County Drainage Agency and any required permits obtained.
- 3 An updated review must be completed by the Palisades Interstate Park Commission any comments or concerns addressed.

JCC MANHATTAN - CAMP SETTOGA (H-111E)

4 The Village of Pomona is one the reasons this proposal was referred to this department for review. The municipal boundary is directly east of the site along Call Hollow Road. As required under Section 239nn of the State General Municipal Law, the Village of Pomona must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the Town of Haverstraw.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Howard Phillips, Haverstraw
Palisades Interstate Park Commission
Rockland County Department of Highways
Rockland County Drainage Agency
Rockland County Department of Health

Atzl, Nasher & Zigler P.C.
Village of Pomona
Ira Emanuel P.C.

**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.