

**DEPARTMENT OF PLANNING**

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

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

August 2, 2018

Haverstraw Zoning Board of Appeals  
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:** 6/27/2018

**Date Review Received:** 7/5/2018

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

A variance application to allow amendments to an existing site plan for a summer day camp located on 21.2 acres in the CR zoning district. Proposed amendments to the site plan include: adding general notations; reconfiguring the parking area, and adding circulation controls, a bus loading and drop-off area with stacking for five full-sized buses, a turnaround loop, and designated bus parking spaces and staff parking; removing the old amphitheater, and replacing it with a pervious surface, re-orienting it, and adding new seating, stages, and shading; relocating the basketball court to the southwesterly corner and adding a second basketball court adjacent to it; resurfacing the existing tennis courts and adding two new courts to the west; expanding an existing garden; adding two daytime cabins, two wooden platforms, and a zipline; improving stormwater management and adding a stormwater basin; adding site lighting improvements, and adding ADA accessible walkways. Variances are requested for minimum lot area and front, side, and rear yards for multiple improvements.

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***

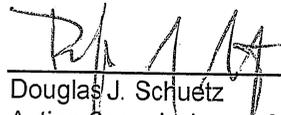
- 1 A review must be completed by the Palisades Interstate Park Commission and any comments or concerns addressed.
- 2 The applicant must comply with all comments made by the Rockland County Department of Highways in their letter of July 16, 2018.

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- 3 An updated review must be completed by the County of Rockland Department of Health and all required permits obtained from them.
- 4 An updated review must be completed by the County of Rockland Drainage Agency and all required permits obtained from them.
- 5 The Village of Pomona is one of the reasons this proposal was referred to this department for review. The municipal boundary is adjacent to the eastern property line, along Call Hollow Road. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and county-wide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner which is supportive of the goals and objectives of the general area.

The Village of Pomona must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Village of Pomona must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

- 6 The site plan provided indicates a new playground is proposed east of the amphitheater and a playground expansion is proposed west of the pool. These features are not included in the narrative. The applicant must clarify if these features are intended to be included in this updated site plan. If they are, a revised application with an updated narrative must be submitted and the public hearing notice must be reissued if it contains inaccurate information.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Howard Phillips, Haverstraw  
Palisades Interstate Park Commission  
Rockland County Department of Health  
Rockland County Department of Highways  
Rockland County Drainage Agency  
  
Milone & MacBroom  
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.*

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*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.*

