COUNTY OF ROCKLAND

DEPARTMENT OF PLANNING

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December 18, 2014

Hillburn Planning Board
31 Mountain Avenue
Hillburn, NY 10931

Tax Data: 47.15-1-4

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

Map Date: 8/7/2013

Date Review Received: 11/20/2014

Item: ***GOOD QUALITY PAPER GOODS (Hi-5X)***

Site plan for a new tenant, a paper goods wholesaler, to lease 4,600 SF of warehouse space in Building 11S/W. The building is located on a 7.824-acre industrial site containing approximately 149,600 SF of leasable area in the LI zoning district.
West side of Route 59, east of Erie Lackawanna Railroad tracks and north of Fourth Street

Reason for Referral:

NYS Route 59, Torne Valley Road (CR 95), Harriman State Park, Ramapo River, NYS Thruway

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 The Village shall be satisfied that the site plan for the entire site meets the requirements of Sections 250-26.D.(5) and (6) of the Village Code, which address the parking requirements for wholesale and warehouse establishments, and industrial and manufacturing establishments. Warehousing uses require one space for each 300 SF of gross floor area, or two spaces for each three employees, whichever is less. Industrial or manufacturing uses require two spaces per three employees computed on the basis of the greatest number of persons to be employed during peak hours of employment, but not less than one parking space for each 300 SF of floor area. The "New Tenant Information" page included with the application materials indicates that there is one employee. The Parking Table on the site plan does not specify the number of employees or parking space required for this use. It is therefore not possible to determine if the proposed use is in compliance with the parking requirement for wholesale and warehouse uses.

All applicable portions of the Village parking requirements shall be referenced in the site plan. While the Parking Table lists each company name and the number of employees, it does not specify the use. It is therefore not possible to determine if the on-site parking requirements are satisfied. Based on the information presented, it appears that there is sufficient overall employee

parking on the site with additional spaces available for customers or clients. However, that may not be the case if the tenant mix changes. The on-site parking requirements must be clearly indicated on the site plan.

2 A review shall be completed by the New York State Department of Transportation and all required permits obtained.

3 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line onto the state road.

4 The application form and the Short Environmental Assessment Form indicate that the site is 8.19 acres. The area of the tract is specified as 7.867 acres on the site plan. All application materials must be consistent.

5 The Parking Table on the site plan does not specify the number of employees for Good Quality Paper Goods in Building 11S/W. It simply states, "No additional employees." The New Tenant Information Form indicates one employee. All application materials must be consistent.

6 The GML Referral Form indicates that the existing building area is 120,000 SF. Based on the information provided in the Parking Table, we calculate that the total building area is 149,600 SF. All application materials must be consistent. Since the on-site parking requirement is related to building square footage, accurate information must be provided.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Craig Flanagan, Jr., Hillburn
New York State Department of Transportation
Rockland County Department of Highways
Palisades Interstate Park Commission
Rockland County Drainage Agency
New York State Thruway Authority
Atzl, Nasher & Zigler, P.C.

Aaron Berger

**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.