



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

December 22, 2014

ARLENE R. MILLER
Deputy Commissioner

Hillburn Planning Board
31 Mountain Avenue
Hillburn, NY 10931

Tax Data: 47.15-2-12 47.15-2-11

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

Map Date: 8/7/2014

Date Review Received: 11/20/2014

Item: *SALAMONE REDI-MIX OF NY (Hi-12F)*

Conversion of an existing industrial building on 5.7589 acres in an LI zoning district to be used for the storage and distribution of redi-mix concrete. Some modifications to the site are proposed, including a second-story addition, and the installation of materials storage silos at the rear of the building. Height variances will be required for the building addition and the silos.

Northeast side of Torne Valley Road, 95 feet northeast of Route 59

Reason for Referral:

Torne Valley Road (CR 95), NYS Route 59, Ramapo River, Harriman State Park, 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 A review must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 A review shall be completed by the New York State Department of Transportation and all required permits obtained.
- 3 Given the amount of truck traffic proposed to enter and exit this facility, its location on a county road, and the fact that the site is less than 100 feet from a state highway, a traffic study must be prepared. Torne Valley Road provides access to the Rockland County Solid Waster Management Authority, the Joseph T. St. Lawrence Community, Health and Sports Center and the Torne Valley Vineyards. Close to 100 trucks, plus staff and customers, will make both inbound and outbound trips to redi-mix plant. Traffic along Torne Valley Road and at the Route 59 intersection will be affected. The study must evaluate whether a traffic light is warranted at this intersection.

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4 The height variances required for this proposal are significant. The building addition requires a 20 percent increase over the maximum permitted building height. The 65-foot silos are 35 feet higher than the permitted maximum; a variance of almost 86 percent is required. At its December 10th meeting, the Rockland County Planning Board passed a resolution recommending disapproval of this proposal. The Board considered the height variance to be excessive. They discussed whether a shorter silo height was feasible. The applicant must provide documentation as to the minimum height requirements for a materials storage silo.

5 A review must be completed by the County of Rockland Department of Health and all required permits obtained.

6 The final disposition of the existing monitoring (test) well must be clarified. If it is to be removed, it must be properly decommissioned prior to removal. The Rockland County Department of Health must be notified of the intent to decommission the wells, and monitor the process to ensure that it is done in compliance with the specifications of Article II of the Rockland County Sanitary Code. All required permits must be obtained from them.

7 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.

8 A landscaping and lighting plan shall be submitted for our review.

9 The areas where the truck parking/waiting will be provided, must be designated on the site plan. Adequate maneuverability on site must be demonstrated to ensure that trucks do not have to queue along the County road.

10 It currently appears that some of the parking/storage infringes onto the adjacent lot to the north, tax lot 47.11-1-1.1. These encroachments must be removed before the final site plan can be approved.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Craig Flanagan, Jr., Hillburn
Rockland County Department of Highways
New York State Department of Transportation
Rockland County Drainage Agency
Palisades Interstate Park Commission
New York State Thruway Authority
Rockland County Department of Health
High Point Engineering
New York State Department of State,
Division of Code Enforcement and Administration
Hillburn Fire District
John Lynch

**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.
