



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

Building T

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

October 30, 2014

ARLENE R. MILLER
Deputy Commissioner

Hillburn Zoning Board of Appeals
31 Mountain Avenue
Hillburn, NY 10931

Tax Data: 47.15-1-1

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

Map Date: 9/30/2014

Date Review Received: 10/6/2014

Item: *UNITED WATER NEW YORK/RAMAPO VALLEY WELL FIELD #84 (HI-25D)*

Rear yard variance to allow a 415 sq. ft. add-on water treatment building to the existing Ramapo Valley Well Field Pumping Station for the purpose of Ground Water Under Direct Influence of Surface Water improvements on a 6.87-acre parcel in the LI zoning district.
Southwest side of NYS Route 59, 1,200 feet northwest of Fourth Street

Reason for Referral:

NYS Route 59, Ramapo River, NYS Thruway, Torne Valley Road (CR 95), NYS Route 17

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 applicant must comply with the conditions of the New York State Department of Transportation's letter dated July 23, 2014 if any work is proposed within the State right-of-way.
- 2 A review must be completed by the County of Rockland Drainage Agency and all required permits obtained.
- 3 The Floodplain Administrator for the Village of Hillburn shall certify that the proposed construction is in compliance with the floodplain regulations of the Village and the Federal Emergency Management Agency.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Craig Flanagan, Jr., Hillburn
New York State Department of Transportation

UNITED WATER NEW YORK/RAMAPO VALLEY WELL FIELD #84 (HI-25D)

New York State Thruway Authority
Rockland County Drainage Agency
Rockland County Department of Highways
Federal Emergency Management Agency
BS & J Engineers, 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.