



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

May 19, 2015

Hillburn Planning Board
31 Mountain Avenue
Hillburn, NY 10931

Tax Data: 47.14-2-42

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

Map Date: 7/3/2014

Date Review Received: 4/27/2015

Item: *MS REALTY OF NEW YORK, LLC (Hi-3F)*

Site plan for internal changes to a commercial/warehouse building on 3.2 acres in an HC zoning district. The second floor office space was damaged after a sprinkler flood. It will not be rebuilt as office space; it will be used for storage.
East side of Route 17, approximately 675 feet north of Sixth Street

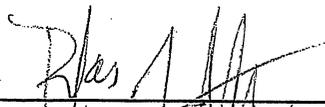
Reason for Referral:

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 Given the site's location on a state highway, the Village shall be satisfied that there is adequate on-site parking for the linen and trucking companies.
- 2 If the interior space is reconfigured in the future, a site plan application must be submitted for our review. The site plan shall include a bulk table and parking requirements.
- 3 The proposed commercial/warehouse building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Craig Flanagan, Jr., Hillburn
New York State Department of Transportation
Artistic Building Design Studio

MS REALTY OF NEW YORK, LLC (Hi-3F)

New York State Department of State,
Division of Code Enforcement and Administration
Solomon Reisman, President

**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.