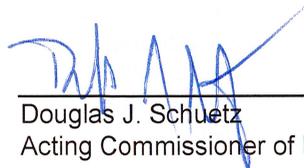




**YEHUDA LEVI (HI-27D)**

- 3 Low evergreen landscaping or a berm must be provided in front of the parking spaces facing the roadway to shield headlights from shining into oncoming vehicles traveling on the road.
- 4 It must be clarified what type of use will be occupying the second story. Will this use also require the storage of materials outdoors? It is impossible to determine the number of required parking spaces without this information. This information must be provided.
- 5 All proposed signage shall be indicated on the site plan, properly set back from the State highway, and shall conform to the municipality's sign standards.
- 6 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- 7 As stated in Section 250-26 Off-street parking, of the Village of Hillburn's Zoning Ordinance, no parking shall be within 15 feet of a street right-of-way line. The current parking spaces appear to be located closer than the required 15 feet, and since the site plan submitted does not illustrate the location of the two new parking spaces, it is impossible to determine if they will comply. All parking must meet this requirement.
- 8 The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is adjacent to the subject parcel in the northwestern portion of the site. As required under Section 239nn of the State General Municipal Law, the Town of Ramapo must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the Village of Hillburn.
- 9 Page 2 of 13 of the Full Environmental Assessment Form does not list any agency in which permits or approvals are required. As a minimum, the Village of Hillburn and the Rockland County Department of Planning must be listed under the appropriate Government Entity.
- 10 A review must be done by the Rockland County Department of Health to ensure compliance with the County's Mosquito Code.
- 11 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
- 12 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

  
\_\_\_\_\_  
Douglas J. Schuetz  
Acting Commissioner of Planning

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

**YEHUDA LEVI (HI-27D)**

Stephen F. Hoppe, L.S.  
Town of Ramapo Planning Board  
Yehuda Levi

*\*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.*

*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.*

