

**DEPARTMENT OF PLANNING**

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**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

November 15, 2016

Montebello Zoning Board of Appeals  
One Montebello Road  
Suffern, NY 10901

**Tax Data:** 49.13-1-13

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

**Map Date:** 7/15/2008

**Date Review Received:** 10/7/2016

**Item:** *STONEHEDGE FARMS (M-136B)*

Waiver of the current land use moratorium in order to proceed with a proposed subdivision of 16.68 acres in an ER-80/Rural Preservation Overlay zoning district. The application was last reviewed by the Planning Board in 2008.

East side of Spook Rock Road, 265 feet south of Topaz Court

**Reason for Referral:**

Spook Rock Road (CR 85), Town of Ramapo, Rockland Community College, Federal Wetlands

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:

***\*Disapprove***

The temporary moratorium on subdivision, site plan and variance applications was adopted so the Village could undertake the review and analysis required to update its comprehensive development plan. The six-month time frame is reasonable. The moratorium shall be upheld.



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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Lance Millman, Montebello  
Rockland County Department of Highways  
Rockland County Drainage Agency  
United States Army Corps of Engineers  
Rockland Community College  
  
William D. Youngblood Land Surveying, P.C.  
Town of Ramapo

**STONEHEDGE FARMS (M-136B)**

Marsel Amona

Rockland County Planning Board Members

*\*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.*