



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

Building T
Pomona, NY 10970
(845) 364-3434
Fax. (845) 364-3435

EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

September 4, 2015

New Hempstead Planning Board
108 Old Schoolhouse Road
New City, NY 10956

Tax Data: 42.14-1-24

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

Map Date: 7/21/2015

Date Review Received: 8/12/2015

Item: ST. GEORGE CENTER (NH-106D)

Revised site plan for a 6,400 SF church building on 2.595 gross acres (2.465 net acres) in a 1R-35 zoning district. A dry pond is now proposed for drainage mitigation rather than a subsurface system. The parking lot configuration has also been modified.

North side of New Hempstead Road, opposite Sarah Court and 280 feet east of Highridge Road

Reason for Referral:

New Hempstead Road (CR 80)

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 An updated review of the July 21, 2015 site plan must be completed by the County of Rockland Department of Highways and all required permits obtained. The applicant must comply with the conditions of the Highway Department's letter of April 3, 2012.
- 2 The applicant must comply with the conditions of the Rockland County Health Department's letter of August 17, 2015.
- 3 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of August 24, 2015.
- 4 The proposed church building and the single-family residence must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 5 A review must be completed by the County of Rockland Office of Fire and Emergency Services, the Village Fire Inspector and the Moleston Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.

ST. GEORGE CENTER (NH-106D)

6 Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed and approved by the Rockland County Department of Health prior to construction in order to ensure compliance with Article II (Drinking Water Supplies) of the Rockland County Sanitary Code and Part 5 of the New York State Sanitary Code.

7 For installation of a sanitary sewer system, engineering plans and specifications shall be reviewed and approved by the Rockland County Department of Health prior to construction.

8 There shall be no net increase in the peak rate of discharge from the site at all design points.

9 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.

10 A stormwater pollution prevention plan (SWPPP) was not provided. The SWPPP, if required, shall conform to the current regulations, including the New York State Stormwater Management and Design Manual (January 2015) and local ordinances.

11 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line onto the county road or adjacent properties.

12 All proposed signage shall conform to the municipality's sign standards.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Fred Brinn, New Hempstead
Rockland County Department of Highways
Rockland County Sewer District #1
Rockland County Department of Health
Rockland County Office of Fire and Emergency Services
Atzl, Nasher & Zigler P.C.
New York State Department of State,
Division of Code Enforcement and Administration
Varghese Parathuvayalil, 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.