



# Rockland County

Ed Day, Rockland County Executive

## DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center  
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**Douglas J. Schuetz**  
*Acting Commissioner*

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

July 10, 2019

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

**Tax Data:**

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

**Map Date:**

**Date Review Received:** 6/19/2019

**Item:** *VILLAGE OF NEW HEMPSTEAD - MINIMUM OFF-STREET PARKING SPACES (NH-129)*

Zoning code amendment to Local Law Section 290-62 Schedule of Parking and Loading Requirements to omit the requirement for 1 garage space of Minimum Off Street Parking for Single-Family Dwellings. Throughout the Village

**Reason for Referral:**

State and County roads; County facilities; Villages of Spring Valley, New Square, Wesley Hills, and Pomona; Town of Ramapo

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 With the change of requiring one garage space and one outdoor space to only one outdoor space, the number of required parking spaces has been reduced. The Village should instead require two outdoor spaces.
- 2 Under no circumstances can parking be permitted within the right-of-way or designated street line of any State or County highway.
- 3 The Village must ensure that the reduction in garage parking does not result in vehicles parking within local road rights-of-way or roads becoming more difficult to traverse if parking occurs on both sides, especially for emergency vehicles.

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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Abe Sicker, New Hempstead  
Rockland County Department of Highways

**VILLAGE OF NEW HEMPSTEAD - MINIMUM OFF-STREET PARKING SPACES (NH-129)**

New York State Department of Transportation

Town of Ramapo  
Villages of New Square, Pomona,  
Spring Valley, Wesley Hills

*\*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.*