



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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

C. SCOTT VANDERHOEF
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

July 18, 2012

ARLENE R. MILLER
Deputy Commissioner

New Square Village Board
766 North Main Street
Spring Valley, NY 10977

Tax Data: 50.07-2-15.6

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

Map Date: 6/19/2012

Date Review Received: 6/22/2012

Item: *TRUMAN AVENUE PHASE 2 (NS-6M)*

Sixteen-lot subdivision of 4.5895 acres in the C-2 zoning district; site plan for multi-family dwellings on 15 of the proposed 16 lots.

East side of Ostereh Boulevard, south side of Roosevelt Avenue

Reason for Referral:

Towns of Clarkstown and 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 The twelve comments in our April 13, 2012 GML review of the subdivision and the thirteen comments in our April 20, 2012 GML review of the site plan are still valid. The following additional comment is applicable to the subdivision.
- 2 Note #2 in the Subdivision Notes on Drawing Number 1 (Subdivision Plat) indicates that Lot #8 is 12,770 SF. The bulk table on the same drawing lists Lot #8 as 15,523 SF. All application materials must be consistent. The lot area of Lot #8 must be clarified.

Thomas B. Vanderbeek, P.E.
Commissioner of Planning

cc: Mayor Mates Friesel, New Square
Rockland County Drainage Agency
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Office of Fire and Emergency Services

TRUMAN AVENUE PHASE 2 (NS-6M)

Brooker Engineering, PLLC
Towns of Clarkstown and Ramapo
Moleston Fire District
New York State Department of State,
Division of Code Enforcement and Administration
45 Bypass Corporation

**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.