



**49 & 51 ROUTE 59 - CHASE BANK (N-139G)**

- 6 The comment in the June 16, 2017 letter from the Town of Clarkstown Planning Board must be addressed.
- 7 As this is a very busy intersection, the Village of Nyack should restrict left hand turns into the site from NYS Route 59, by redesigning the access from the state highway.
- 8 The design of the drive-thru lanes does not permit a by-pass lane. If a patron accidentally enters the queue for the drive-thru lane, or changes their mind about continuing ahead, there is no exit way available to by-pass the drive-thru lanes. This must be factored into the design of the site.
- 9 Documentation (Certificate of Completion) must be provided showing that any contaminants on the site have been properly and thoroughly remediated, as this was a former gasoline service station.
- 10 The proposed location of the dumpster must be shown on the site plan, and located so that it does not impede access into or out of the site, or conflict with the onsite parking.
- 11 A driveway is proposed along the western portion of NYS Route 59, but ends before the driveway for the site. The sidewalk should be extended to the eastern property boundary of the site, and should be provided along the north/south property boundary as well. A sidewalk along Waldron Avenue is especially critical since the Long Path, a regional hiking trail, traverses along this portion of the road before crossing and continuing north along Mountainview Avenue.
- 12 Given the volume of traffic along the State highway, and the commercial nature of the corridor, it is imperative that all proposed signage conforms to the village's sign standards. Granting sign variances along this busy corridor will set a precedent for other commercial uses to request similar exemptions, thereby negatively impacting the safe and efficient flow of traffic on Route 59.
- 13 The lighting plan must be redesigned so that the intensity of the candle lumens is less than 0.1 at the property line.
- 14 Areas designated for snow removal must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. This will help to protect the proposed landscaping from damage due to the weight of the snow and salt intrusion. In addition, providing specific locations on the site for the snow piles will reduce the use of parking spaces meant for the patrons of the site, especially since only the minimum number of parking spaces are being provided.
- 15 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.
- 16 There shall be no net increase in the peak rate of discharge from the site at all design points.

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17 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.

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.

18 The complete tax parcel identification number must be provided on the plans. Currently, only the block and lot numbers are listed. The Map # must also be provided.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Jen White, Nyack  
New York State Department of Transportation  
New York State Thruway Authority  
New York - New Jersey Trail Conference  
Rockland County Department of Health  
Rockland County Sewer District #1  
New York State Department of Environmental Conservation  
  
Core States Architecture and Engineering P.C.  
Town of Clarkstown Planning Board

*\*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.*

