



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

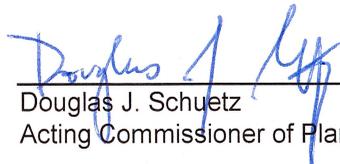
4 Given the volume of traffic along the State highway, and the commercial nature of the corridor, it is imperative that all proposed signage conforms to the village's sign standards. Granting sign variances along this busy corridor will set a precedent for other commercial uses to request similar exemptions, thereby negatively impacting the safe and efficient flow of traffic on Route 59.

5 The intensity of the candle lumens for all lighting must be less than 0.1 at the property line.

6 While we recognize that the parallel sign variances for signage that does not face a street will not directly impact the State highway, the granting of these variances can still set a precedent, and encourage other nearby commercial uses along the State highway to request similar exemptions which could ultimately impact the corridor. The Village's zoning standards are reasonable as written, and must be followed. However, if your Board finds there is a pattern of this type of sign variance requests, particularly for properties that front on State highways, and that some rationale exists for lessening the Village's standards, we suggest a recommendation be made to the Village Board to revise the sign standards. These revisions could be only for those parcels that front high-volume traffic corridors, such as the State highways.

7 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.

  
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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.*

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*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.*

