

**DEPARTMENT OF PLANNING**

Dr. Robert L. Yeager Health Center  
50 Sanatorium Road, Building T  
Pomona, New York 10970  
Phone: (845) 364-3434 Fax: (845) 364-3435

**Douglas J. Schuetz**  
*Acting Commissioner*

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

August 16, 2017

Nyack Planning Board  
9 North Broadway  
Nyack, NY 10960

**Tax Data:** 65.28-1-10

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

**Map Date:** 7/18/2017

**Date Review Received:** 7/21/2017

**Item:** *HUDSON RIVER HEALTHCARE - SITE IMPROVEMENTS (N-180)*

A site plan application to replace and relocate retaining walls and add drainage improvements to an existing medical office building on 0.336 acres in the Residential Mixed Use (RMU) zoning district. The western side of North Highland Avenue, approximately 180 feet north of High Avenue.

**Reason for Referral:**

North Highland Avenue (US Route 9W), New York State Thruway 87/287.

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 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 2 A review shall be completed by the New York State Thruway Authority and any required permits obtained.
- 3 A review must be completed by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.
- 4 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.
- 5 There shall be no net increase in stormwater runoff from the site.

**HUDSON RIVER HEALTHCARE - SITE IMPROVEMENTS (N-180)**

6 The project description states that the number of parking spaces will increase from ten to twelve as a result of the improvements. The existing site plan only shows nine parking spaces and no proposed parking plan has been provided. A proposed site plan showing site improvements, a trash enclosure, and a parking plan that conforms to the Village of Nyack standards, must be provided.



---

Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Jen White, Nyack  
New York State Department of Transportation  
New York State Thruway Authority  
Rockland County Department of Health  
The Chazen Companies

*\*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.*