

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

October 7, 2019

Nyack Village Board
9 North Broadway
Nyack, NY 10960

Tax Data:

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

Map Date:

Date Review Received: 9/17/2019

Item: VILLAGE OF NYACK - AMENDMENTS TO STORMWATER LEGISLATION (N-193)

Amendments to the Zoning Code (Chapter 360) and Stormwater Management sections (Chapter 295) of the Nyack Village Code. The amendments provide an update to the Village laws last revised in 2004, and clarify the water quality controls applicable to developments in the Village, including clarification as to which projects require a complete Stormwater Pollution Prevention Plan.

Throughout the Village

Reason for Referral:

State roads and NYS Thruway; County parks; Long Path; Towns of Clarkstown & Orangetown; Villages of South Nyack and Upper Nyack

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:

****Approve***

Since the proposed amendments to the Stormwater Management and zoning chapters will have no adverse effect on any County-wide interest, we remand this matter for local determination.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Donald N. Hammond, Nyack
Rockland County Department of Health
New York State Department of Transportation
New York State Thruway Authority
New York - New Jersey Trail Conference
Rockland County Division of Environmental Resources

VILLAGE OF NYACK - AMENDMENTS TO STORMWATER LEGISLATION (N-193)

Towns of Clarkstown & Orangetown
Villages of Upper Nyack & South Nyack

Jennifer Hetling

**The proposed action is deemed to have no significant negative impact on nearby municipalities, County or State roads or facilities, County Parks or Drainage Systems or the surrounding Neighborhood Character and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean we endorse this subject action as desirable from the viewpoint of your municipality.*

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.