



COUNTY OF ROCKLAND

DEPARTMENT OF PLANNING

Building T

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C. SCOTT VANDERHOEF

County Executive

August 1, 2005

SALVATORE CORALLO

Commissioner

ARLENE MILLER

Deputy Commissioner

Village of Nyack Planning Board

9 North Broadway

Nyack, NY 10960

Tax Data: 65.35-1-7

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

Map Date: 06/07/2005

Date Review Received: 06/29/2005

Item: THRUWAY REALTY INC. - 51 ROUTE 59 (N-139E)

Revised site plan to convert an existing gas station with three bays used for automobile repair to a self-service gasoline station with a convenience store on 0.49 acres in a C-2 zoning district. The proposed changes include conversion of the existing 1,776 s.f. building to a convenience store, the addition of a 24' x 74' canopy over existing gasoline dispensers, revised signage and a revised parking layout.

Southeast corner of Waldron Avenue and State Route 59.

Reasons for Referral: State Route 59, New York State Thruway, Town of Clarkstown

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 all required permits obtained. The review should address any concerns related to stormwater runoff from the site.
2. A review shall be completed by the New York State Thruway Authority and any required permits obtained.
3. A review shall be completed by the Rockland County Department of Health and all required permits obtained.
4. The concerns raised in the July 15, 2005 letter from the Town of Clarkstown should be addressed.
5. A signage and lighting plan that meets all Village requirements shall be provided. The lighting plan shall show fields of illumination and demonstrate that no light will enter the State road right-of-way.
6. A landscaping plan that meets all Village requirements shall be provided. The landscape plan shall include evergreen landscaping placed along Route 59 to block headlights from shining into the

State road right-of-way.

7. There shall be no net increase in stormwater run-off from the site.
8. 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 New York State Guidelines for Urban Erosion and Sediment Control.
9. Water is a limited resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Towns, Villages and County with an adequate supply of water. Prior to approval of the proposed project, a letter from the public water supplier shall be issued, indicating that there will be a sufficient water supply during peak demand periods and in a drought situation.
10. We request the opportunity to review any variances that may be needed to implement the revised site plan.

The following additional comments are offered strictly as observations and are not part of our required General Municipal Law (GML) review. The board may have already addressed these points or may disregard them without any formal vote required under the GML process.

1. The subject site and the sites at 21, 23, 28 and 31 Route 59 have recently undergone or are proposed to undergo redevelopment for new uses. These sites are located in an area that was identified in the Village of Nyack Draft Comprehensive Master Plan as the “Thruway Area of the Gateway” and as located within a “Possible Redevelopment Area.” The draft plan discussed pursuing a design image for this area other than a typical suburban corridor. We suggest that the Board may wish to coordinate how these sites are designed in order to better assure that the appearance and function of this gateway to the Village is enhanced. As examples, design of signage, landscaping and architectural elements could possibly be coordinated.
2. The Village of Nyack Draft Comprehensive Plan also identified the intersection of Waldron Avenue and State Route 59 as a location where intersection improvements may be implemented. If the possible intersection improvements have been defined, the proposed revised site plan should be designed so as to minimize possible interference with the future intersection improvements.


Salvatore Corallo
Commissioner of Planning

**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.

c: Mayor John Shields, Nyack
New York State Department of Transportation
New York State Thruway Authority
Rockland County Department of Health
Town of Clarkstown
William J. Welsh, Kato Services, Inc.
Del Ahmed

SITE VISIT REPORT: July 29, 2005, approximately 4:30 pm

Item: THRUWAY REALTY INC. - 51 ROUTE 59 (N-139E)

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Southeast corner of Waldron Avenue and State Route 59.

To the west, on the opposite side of Waldron Avenue, is a gas station.

The site appeared to be as described in the application. No particular on-site traffic circulation issues were in evidence, and neither were any issues related to vehicular movement into and out of the site in evidence.

Most of the site is paved and there is no landscaping to block headlights or enhance the site appearance along Route 59.

For one year, during 2003 and 2004, I used this gas station weekly and for gasoline purchase and periodically to have my car serviced or repaired. During this period, I noted no planning related issues on the site, except perhaps high imperious area, which is typical for such sites. During this period, the site appeared to be used exclusively for gasoline sales and automobile repairs.