



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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C. SCOTT VANDERHOEF  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

December 9, 2013

ARLENE R. MILLER  
Deputy Commissioner

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 76.08-1-4      76.08-1-3

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

**Map Date:** 11/15/2013

**Date Review Received:** 11/19/2013

**Item: SKAE TRAINING (O-1891F)**

Site plan for the proposed construction of an 11,800 sq. ft. building in the LIO zoning district on 14.97 acres. The two lots are also proposed to have their lot line disclaimed, and combined as one lot.

East side of Blaisdell Road, north side of the New Jersey/New York boundary, approximately 545 feet south of Ramland Road

**Reason for Referral:**

Blaisdell Road (CR 17), Borough of Old Tappan, NJ, Army Corps of Engineers wetlands

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 must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 Since it is proposed that a portion of the site will be built within the Army Corps of Engineers (ACOE) wetlands, and the wetlands filled, a Joint Permit Application is required. The applicant must also demonstrate that all practicable steps have been taken to avoid and minimize impacts to the on-site aquatic resources. A redesign of the project may be required, and consideration of alternative project sites that contain less or no aquatic resources may also be required. Compensatory mitigation can be considered only after avoidance and minimization efforts and consideration of alternatives have been evaluated by the ACOE.
- 3 A review must be completed by the County of Rockland Department of Health and all required permits obtained.

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4 Clearing limit areas must be marked in the field prior to any grading or construction on site to avoid any encroachments into the wetland area.

5 It is not clear how the proposed Astro turf athletic field will be used. Will it be used for club members only, leased out to teams, used by schools, etc.? It is also unclear what sports will be utilizing this field. If a sport such as rugby, football, or lacrosse will be using the field, the team members alone will consist of at least 20 individuals per team; with two teams consisting of at least 40 players. This does not include the spectators, referees, coaches, or other necessary staff (i.e. time keeper, score keeper). Though 39 parking spaces have been provided, 13 more spaces than required, will this be adequate for team members, associated staff, and spectators?

Since Blaisdell Road is a County highway, no overflow parking can be placed within the right-of-way. The applicant must further clarify who will be using the field, and the type of activities that will be played on it, and show that adequate parking is being provided.

6 No fields of illumination shall shine into the County right-of-way.

7 As required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.

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 latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.

9 There shall be no net increase in the peak rate of discharge from the site at all design points.

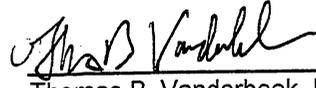
10 The Borough of Old Tappan, New Jersey is one of the reasons this proposal was referred to this department for review. The municipal boundary is directly adjacent to the site to the south. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas.

In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Borough of Old Tappan, NJ must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Borough of Old Tappan must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

11 We request the opportunity to review any variances which may be necessary to implement the proposed site plan.

**SKAE TRAINING (O-1891F)**



Thomas B. Vanderbeek, P.E.  
Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
Rockland County Department of Health  
Rockland County Drainage Agency  
United States Army Corps of Engineers  
Sparaco & Youngblood, PLLC  
Borough of Old Tappan, NJ

*\*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.*

