



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

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax. (845) 364-3435

EDWIN J. DAY  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

May 13, 2014

ARLENE R. MILLER  
Deputy Commissioner

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 68.11-3-40      68.11-3-39

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

**Map Date:** 4/8/2014

**Date Review Received:** 4/14/2014

**Item:** *HILLSIDE COMMERCIAL PARK (O-2140F)*

Site plan for the proposed construction of three buildings totaling 168,100 sq. ft. and a 2,000 sq. ft., two-story office/watchman's residence, in the LI zoning district on a total of 10.22 acres. Lot #1 will contain two self-storage buildings totaling 100,100 sq. ft on 6.99 acres; and lot #2 will contain a 68,000 sq. ft. warehouse/light manufacturing building on 3.23 acres.

East side of NYS Route 304, north side of Hillside Avenue, west side of the railroad right-of-way

**Reason for Referral:**

NYS Route 304, Muddy Creek

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 An updated review shall be completed by the New York State Department of Transportation and all required permits obtained.
- 2 The comments and conditions of the April 30, 2014 letter from the Rockland County Drainage Agency must be met. All required permits must also be obtained.
- 3 An updated review shall be completed by the United States Army Corps of Engineers and all required permits obtained.
- 4 An updated review must be completed by the New York State Department of Environmental Conservation and all required permits obtained.
- 5 The comments and conditions in the April 16, 2014 letter from the Rockland County Department of Health must be met.

## HILLSIDE COMMERCIAL PARK (O-2140F)

- 6 An updated review must be completed by the Rockland County Office of Fire and Emergency Services.
- 7 Parking calculations are provided for the warehouse use on Lot #1, but not for the office/watchman's residence. Parking for all uses on Lot #1 must be provided.
- 8 It should be clarified by the Town if the parking requirement of one space per two employees or 300 square feet of gross floor area needs to be provided for the larger of the two requirements. There is a great deal of discrepancy between having two parking spaces for the number of employees, and the number of parking spaces being dependent on the gross square footage of the floor area, which would require 334 parking spaces. This must be better defined in the zoning ordinance.
- 9 Road B with the T-turnaround almost ties into Road C on Lot #2 at the northern end. Why not create a tie-in to each road so that full circulation can be done for both roads and eliminate the T-turnaround? This would decrease pavement area and provide better circulation for all vehicles.
- 10 A narrative and other information shall be provided explaining how the overall stormwater management system for both lots will be designed and maintained.
- 11 Wetlands to be preserved and any wetland buffers or setbacks shall be shown as conservation areas on the site plan.
- 12 All wetland and wetland buffer areas to be preserved shall be clearly marked in the field prior to any clearing or construction. Notes shall be placed on the site plan regarding this field-marking requirement, as well as to explain the long-term use restrictions for these areas, including that no accessory structures or uses shall be placed in these areas.
- 13 The Town shall be satisfied that the landscape and lighting plan meets all Town requirements.
- 14 Any public sewer mains requiring extensions within a right-of-way or an easement shall be reviewed and approved by the Rockland County Health Department prior to construction.
- 15 Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. A letter from the public water supplier, stamped and signed by a NYS licensed professional engineer, shall be issued to the municipality, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.
- 16 If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed by the Rockland County Department of Health prior to construction. In order to complete an application for approval of plans for public water supply improvements, the water supplier must supply an engineer's report pursuant to the "Recommended Standards for Water Works, 2003 Edition," that certifies their ability to serve the proposed project while meeting the criteria contained within the Recommended Standards for Water Works. These standards are adopted in their entirety in 10 NYCRR, Subpart 5-1, the New York State regulations governing public water systems. Further, both the application and supporting engineer's report must be signed and stamped by a NYS licensed professional engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.
- 17 A plan illustrating turning radii for emergency equipment must be provided and demonstrate that the largest fire trucks can maneuver on site.

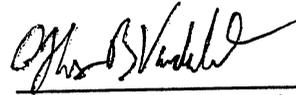
**HILLSIDE COMMERCIAL PARK (O-2140F)**

18 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.

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

20 The Map Notes are numbered incorrectly; Map Note #11 and Map Note #18 are missing on the sheets (Title Sheet & Drawing #1). In addition, the Title Sheet is missing a Map Note for #22. Except for the last five map notes, all notes on both the Title Sheet and Drawing #1 are identical. To maintain identical notes, all notes must be added, as Title Sheet contains 26 "numbered" map notes, while Drawing #1 only contains 23 "numbered" items, and be consistent (Map Note #24 on the Title Sheet is Map Note #23 on Drawing #1). These errors/omissions must be corrected.

21 Except for the Title Sheet, all other drawings provided show a revision date of 03/02/2013, yet the seven tree wells, and building reduction have been made on these maps, reflecting changes to the plans. The revision dates must be updated to be consistent with the actual drawings to avoid confusion.



---

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

- cc: Supervisor Andrew Stewart, Orangetown  
New York State Department of Transportation  
New York State Department of Environmental Conservation  
Rockland County Drainage Agency  
Rockland County Department of Health  
Rockland County Office of Fire and Emergency Services  
United States Army Corps of Engineers  
Brooker Engineering, PLLC  
Donald Brenner, Esq.

*\*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.*

