



**COUNTY OF ROCKLAND**  
DEPARTMENT OF PLANNING

EDWIN J. DAY  
County Executive

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

THOMAS B. VANDERBEEK, P.E.  
Commissioner

April 23, 2014

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

**Map Date:** 3/26/2014

**Date Review Received:** 4/3/2014

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

Site plan for the proposed construction of an 11,800 sq. ft. building in the LIO zoning district on 14.97 acres.

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 An updated 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 The comments in the March 17, 2014 and April 1, 2014 letters from the Rockland County Department of Health must be met.

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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 the peak rate of discharge from the site at all design points.

6 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.

7 All proposed signage for the building shall be indicated on the site plan and shall conform to the municipality's sign standards.



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

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
Rockland County Department of Health  
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.*

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*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.*

