



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

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EDWIN J. DAY  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

February 19, 2014

ARLENE R. MILLER  
Deputy Commissioner

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 74.12-1-29      74.16-1-1

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

**Map Date:** 1/20/2014

**Date Review Received:** 1/23/2014

**Item:** *ST. THOMAS AQUINAS COLLEGE - KRAUS FITNESS CENTER (O-1084JJ)*

Site plan for a proposed fitness center addition to the existing gymnasium, to an existing college in the R-40 zoning district on the 27.5 acre-portion of a campus that totals 47.0 acres.

North side of NYS Route 340, south side of Kings Highway, approximately 2,000 feet southeast of NYS Route 303

**Reason for Referral:**

NYS Route 340, Sparkill, RC Sewer District #1, Clausland Mountain County Park

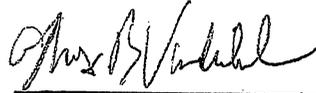
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Recommend the following modifications***

- 1 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 2 As per the January 29, 2014 letter from the Rockland County Department of Health, an application must be made to them for review of the stormwater management system for compliance with the County Mosquito Code.
- 3 A review must be completed by the County of Rockland Drainage Agency and any required permits obtained.
- 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.

**ST. THOMAS AQUINAS COLLEGE - KRAUS FITNESS CENTER (O-1084JJ)**

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



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

cc: Supervisor Andrew Stewart, Orangetown  
New York State Department of Transportation  
Rockland County Department of Health  
Rockland County Division of Environmental Resources  
Rockland County Drainage Agency  
Rockland County Sewer District #1  
Atzl, Scatassa & Zigler P.C.

*\*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.*