



# Rockland County

Ed Day, Rockland County Executive

## DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center  
50 Sanatorium Road, Building T  
Pomona, New York 10970

Phone: (845) 364-3434 Fax: (845) 364-3435

**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

November 4, 2016

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 71.05-1-23 71.05-1-22

**Re: GENERAL MUNICIPAL LAW REVIEW:** Section 239 N

**Map Date:** 10/3/2016

**Date Review Received:** 10/6/2016

**Item:** *HAWKS VIEW ESTATES SUBDIVISION (O-1779C)*

Four-lot subdivision of two combined lots that total 2.862 acres, and are located in the R-22 zoning district and critical environmental area.

East side of South Boulevard, north side of Tweed Boulevard, at the intersection of South Boulevard, N. Tweed Boulevard, and Clausland Mountain Road

**Reason for Referral:**

South Boulevard/Clausland Mountain Road (CR 28), Tweed Boulevard (CR 5), Biauvelt State Park, Clausland Mountain 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:

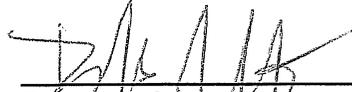
***\*Recommend the following modifications***

- 1 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.
- 2 The comments in the September 28, 2016 and October 12, 2016 letters from the Rockland County Department of Health must be met.
- 3 An updated review must be completed by the County of Rockland Department of Highways, and as indicated in the July 25, 2016 letter from them, all required permits must be obtained.
- 4 An updated review must be completed by the County of Rockland Division of Environmental Resources and any comments or concerns addressed.
- 5 An updated review must be completed by the Palisades Interstate Park Commission and any comments or concerns addressed.

**HAWKS VIEW ESTATES SUBDIVISION (O-1779C)**

6 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.

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



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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Drainage Agency  
Rockland County Department of Highways  
Rockland County Department of Health  
Rockland County Division of Environmental Resources  
Palisades Interstate Park Commission  
  
Jay A. Greenwell, PLS

*\*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.*

*Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.*