

RUBANO SITE PLAN (O-2360A)

- 4 The Village of Grand View-on-Hudson is one of the reasons this proposal was referred to this department for review. The municipal boundary touches the southeastern property line of the site. As required under Section 239nn of the State General Municipal Law, the Village of Grand View-on-Hudson must be given the opportunity to review the proposed subdivision and provide any concerns related to the project to the Town of Orangetown.
- 5 We agree with the comment in the Rockland County Highway Department's letter that the site plan is very difficult to read as drawn. The engineer has provided a plan that contains many layers as one, including: the site plan of the proposal, grading, steep slopes, drainage, tree preservation, erosion control, stormwater, and utilities. Separate plans must be provided so that the map is more decipherable. In addition, the legend must indicate what the shaded area on the map represents. Lastly, the site plan shall contain map notes that list all appropriate information, including the district details. The applicant's engineer has been reminded of this requirement, and the importance of providing these details.
- 6 The narrative only lists tax parcel 71.05-2-24 for the subject site; all other information lists both parcels as part of the application. Tax parcel 71.05-2-29 must also be listed in the narrative. In addition, the narrative states that "access to the property is through permission from abutting land owned by applicant". This language is confusing since the two parcels are owned by the same person. Since tax lot 71.05-2-29 is an integral part of the site plan for the single-family dwelling, by providing access and stormwater basins, and since both lots are very undersized and in the same ownership, the tax parcels must be merged to result in a larger, single parcel.
- 7 The engineer has now drawn a portion of South Broadway on the plans, but the southern portion that intersects with US Route 9W is missing. The complete street must be provided, especially since the access is from this roadway.
- 8 Retaining walls that are over four (4) feet in vertical height shall be designed by a licensed New York State Professional Engineer and be in compliance with the NYS Fire Prevention and Building Code. Design plans shall be signed and sealed by the licensed NYS Professional Engineer.
- 9 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
- 10 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 11 We request the opportunity to review any variances that may be needed to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
New York State Department of Transportation
Rockland County Department of Highways
Rockland County Department of Health

Anthony R. Celentano P.L.S.
Village of Grand View-on-Hudson Planning Board

**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.

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.

