



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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C. SCOTT VANDERHOEF
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

October 17, 2013

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 50.14-4-33

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

Date Review Received: 9/17/2013

Map Date: 7/2/2012

Item: 7-11 CONVENIENCE STORE - SIGN PLAN (R-2356F)

Sign plan for the installation of a 33 SF wall sign, a 3 SF interior window sign, a 27 SF wall sign, and a 36 SF double-faced pylon sign for a convenience store on .3673 acres in an NS zoning district. Southeast corner of Eckerson Road and North Main Street

Reason for Referral:

North Main Street (NYS Route 45), Eckerson Road (CR 74), Village of Spring Valley

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:

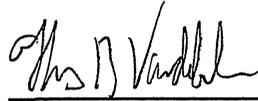
****Disapprove***

1 The proposed free-standing sign is within the required minimum distance from the street line. This site is located at the intersection of a state highway and a county road, both of which are heavily traveled. Inadequately set back signs can impede the safe and efficient flow of traffic along North Main Street and Eckerson Road. The free-standing sign must be set back the required ten feet from the street line. A setback waiver shall not be granted.

With regard to the other sign plan features, we offer the following recommendations:

- 2 A review shall be completed by the New York State Department of Transportation and all required permits obtained.
- 3 A review must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 4 The free-standing sign must also comply with the Town's sign regulations for height and area.
- 5 The wall mounted signs and the interior signs must comply with the Town's sign standards.

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

cc: Supervisor Christopher St. Lawrence, Ramapo
New York State Department of Transportation
Rockland County Department of Highways
Langan Engineering & Environmental Services
Village of Spring Valley
North Shore Neon Sign Company

Benjamin Weisel

Rockland County Planning Board Members

**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.