



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

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**C. SCOTT VANDERHOEF**  
County Executive

**THOMAS B. VANDERBEEK, P.E.**  
Commissioner

October 24, 2013

**ARLENE R. MILLER**  
Deputy Commissioner

Ramapo Zoning Board of Appeals  
237 Route 59  
Suffern, NY 10901

**Tax Data:** 50.06-4-28

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

**Map Date:** 9/8/2013

**Date Review Received:** 9/20/2013

**Item:** *PINE VALLEY REHABILITATION CENTER (R-689H)*

Variances for maximum development coverage, and wall height and setback along the northerly property line, for a revised site plan for an existing 200-bed rehabilitation center/skilled nursing care facility/assisted living facility on 4.562 acres in an R-15 zoning district. The revisions include a block wall patio, reconfigured parking areas, a new generator pad, and drainage improvements.

West side of Route 45, 750 feet south of Bristol Lane

**Reason for Referral:**

NYS Route 45, Village of New Hempstead

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:

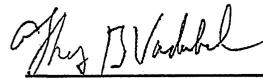
***\*Recommend the following modifications***

- 1 The applicant must comply with the conditions of the New York State Department of Transportation's letter of August 27, 2013.
- 2 Map Note # 8 states that a variance is required for maximum development coverage. It indicates that the development coverage is 53.40 percent. The bulk table includes a proposed development coverage of 58.42 percent. All application materials must be consistent.
- 3 The General Municipal Law referral form references a June 23, 2013 map date. The map submitted with this application has a last revision date of September 8, 2013. All application materials must be consistent.

**PINE VALLEY REHABILITATION CENTER (R-689H)**

4 The Village of New Hempstead is one of the reasons this proposal was referred to this department for review. The New Hempstead municipal boundary is 250 feet north of the northern property line of the subject site. This area of New Hempstead is zoned 2R-15, a medium-density residential zoning district. 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; the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas; drainage; community facilities; official municipal and county development policies, as may be expressed through comprehensive plans, capital programs or regulatory measures; and such other measures as may relate to the public convenience, to governmental efficiency, and to achieving and maintaining a satisfactory community environment. 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 Village of New Hempstead 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 Village of New Hempstead must be considered and satisfactorily addressed, as well as any additional concerns about the proposed variances.



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

cc: Supervisor Christopher St. Lawrence, Ramapo  
New York State Department of Transportation  
Thomas W. Skrable, P.E.  
Village of New Hempstead

Efraim Steif

*\*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.*