



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

June 25, 2015

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 42.10-2-1

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

Map Date: 5/15/2015

Date Review Received: 5/21/2015

Item: *SUMMIT PARK (R-2502A)*

Site plan for Building A, and a portion of Building E, which are to be transferred to a private entity that will assume operation of the skilled nursing facility and the long term acute care hospital. The subject site is part of a 95.4-acre parcel on the County of Rockland's government campus located at the Robert L. Yeager Health Center. It is located in an RR-50 zoning district. The applicant and the County of Rockland will enter into a Reciprocal Easement Agreement for use of the parking areas, driveways, roads and sidewalks.

Southeast side of Sanatorium Road, west side of Route 45

Reason for Referral:

Sanatorium Road (CR 51), Village of New Hempstead, NYS Route 45

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 Rockland County Sewer District No. 1's letter of June 1, 2015.
- 2 The applicant must comply with the condition of the Rockland County Health Department's letter of May 26, 2015.
- 3 The Village of New Hempstead is one the reasons this proposal was referred to this department for review. The municipal boundary is along Sanatorium Road. As required under Section 239nn of the State General Municipal Law, the Village of New Hempstead must be given the opportunity to review the proposed subdivision and provide any concerns related to the project to the Town of Ramapo.

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- 4 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 5 Building A and the portion of Building E to be transferred must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 6 The bulk table references the Reciprocal Easement Agreement (REA) only with regard to the required parking for this use. All easements to be provided by the REA must be noted on the Planimetric Site Layout Plan and in the General Notes.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
Rockland County Department of Highways
Rockland County Sewer District #1
Rockland County Department of Health
New York State Department of Transportation
Moleston Fire District
Brooker Engineering, PLLC.
Village of New Hempstead
New York State Department of State,
Division of Code Enforcement and Administration
Summit Park Acquisition Group

**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.