



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

September 4, 2019

Sloatsburg Planning Board
Village Hall
96 Orange Turnpike
Sloatsburg, NY 10974

Tax Data: 38.44-1-1

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

Map Date: 5/22/2019

Date Review Received: 8/16/2019

Item: *SEVEN LAKES PLAZA LLC (SL-225)*

Site plan for the conversion of an existing personal service business to a retail convenience store located on 0.74 acres in the VC-1 zoning district. The three existing apartments on the second floor will remain. West side of Orange Turnpike, approximately 27 feet south of Municipal Plaza

Reason for Referral:

Orange Turnpike (NYS Route 17)

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 A review must be completed by the New York State Department of Transportation, any comments or concerns addressed, and all required permits obtained.
- 2 A review must be completed by the County of Rockland Department of Health, any comment or concerns addressed, and any required permits obtained.
- 3 A review must be completed by the County of Rockland Sewer District #1, any comments or concerns addressed, and all required permits obtained.
- 4 The building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

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- 5 A review must be completed by the Rockland County Office of Fire and Emergency Services, the Village of Sloatsburg Fire Inspector, or the Sloatsburg Fire Department to ensure that there is sufficient maneuverability on site for fire trucks, in the event an emergency arises.
- 6 As per Section 54-19.C.2. of the Village Zoning Code, mixed residential and nonresidential uses are permitted by Special Permit, granted by the Planning Board. Due to the first floor being converted from a personal service business to a retail convenience store, a Special Permit may be required.
- 7 As per Section 54-65.B. of the Village Zoning Code, only two signs are permitted, where six to eight are proposed. In addition the façade sign is larger than permitted, as it is 30 inches, when only two feet is permitted. Lastly, only one, 10 SF freestanding sign is permitted, however two 48 SF signs are proposed. Variances will be required for the proposed signs.
- 8 Parking space #2 is located too close to the staircase and access aisle for the handicap parking space. Due to this, pedestrian and/or vehicular conflicts are possible. Because 14 spaces are provided when only 12 are required, this space shall be eliminated or relocated to a new, safer location.
- 9 Areas designated for snow removal must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. In addition, providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by customers.
- 10 The dumpster enclosure illustrated on the site plan will be inaccessible to sanitation works if a vehicle is parked in spaces #9 and #10. The enclosure must be relocated to an area that will not impede traffic and where access can be provided.
- 11 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 Standards for Urban Erosion and Sediment Control.
- 12 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 13 A landscaping plan shall be provided which has low evergreen landscaping supplementing the area along the State highway to block the headlights of parked cars from shining into such highway.
- 14 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- 15 The Referral Form incorrectly lists the zoning district as V1. This shall be corrected to the VC-1 zoning district. If the public hearing notice was issued with incorrect information, a new one must be reissued.
- 16 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.
- 17 The map notes must include all information, including district details.
- 18 We request the opportunity to review any variances and/or special permits 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).

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19 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Carl Wright, Sloatsburg
Rockland County Department of Health
Rockland County Sewer District #1
New York State Department of Transportation
Rockland County Office of Fire and Emergency Services
Sloatsburg Fire District
New York State Department of State
Archifuture P.C.

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**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.

