

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

August 21, 2020

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

Tax Data:

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

Map Date:

Date Review Received: 7/22/2020

Item: *VILLAGE OF SLOATSBURG/VC-3 VILLAGE CENTER TOD LAW (SL-223A)*

A local law amending the Zoning Code to revise the regulations applicable to the VC-3, Village Center TOD, to address inconsistencies within the adopted law.

East side of Route 17, south side of Municipal Plaza, and west and north sides of Mill Street.

Reason for Referral:

NYS Route 17, Ramapo River, NYS Thruway, Eleanor Burlingham Memorial Park, Nakoma Brook

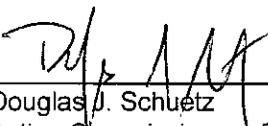
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 Given that there are four reserved sections in the Table of Contents under Zoning District and Zoning Map, it is unclear why The VC-3 Zoning District is not given a unique number. Section 54-20.1 seems subordinate to Section 54-20 rather than a separate category. The VC-3 Village Center Transit Oriented Development District is unrelated to the VC-2 Village Center Extension. The zoning districts must be renumbered so each one has a unique section number in the Zoning Code. This comment also applies to the section reference in the definition of "Country Inn Center" and the Legislative Intent
- 2 In the proposed change from "used" to "made" in Section 54-20.1.E., the word "made" also has a strike through indicated. This must be corrected.
- 3 Section 54-20.1.E.2.(b) includes the bulk requirements for the Country Inn Center use in the VC-3 zoning district. All other uses in this zone are to be included in the Table of Bulk Requirements. It is unclear why the bulk standards for the Country Inn Center use are not a separate entry in the bulk table as this is a more appropriate location than within the text of the Zoning Code. An explanation must be provided.

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- 4 The maximum lot coverage and floor area ratio standards are 40 percent higher for the Country Inn Center use than the other uses permitted in the VC-3 zoning district. It is unclear why a lot coverage of more than 50 percent or a floor area ratio of greater than .50 is needed for this use. Clarification must be provided.
- 5 We note that Section 54-20.1.E.2.(b) does not include a standard for maximum building coverage. The other uses permitted in the VC-3 zoning district are subject to a maximum building coverage of 0.25 or 4,000 square feet. For consistency's sake, all uses in the VC-3 zone must be subject to a maximum building coverage standard.
- 6 The proposed changes to Section 54-20.1.E.4.(d) in the redlined version show the "(d)" crossed out but not replaced. The "(d)" is required to identify the section containing parking area planting standards and must be included in the text.
- 7 Section 54-20.1.E.4.(d) must specify that the landscaping shall include evergreen plantings to screen vehicles year round.
- 8 Section 54-20.1.E.4.(e) has an extra "." at the end that must be eliminated.
- 9 Section 54-20.1.E.8 contains a typographical error. With regard to Open Spaces, the second sentence should read, "To that end, ..." rather than "To that f;nd ..."
- 10 Since the Tuxedo Hudson Company #3 LLC has been open for business, the Village has had the opportunity to assess the adequacy of the existing parking for the permitted uses. In our 2018 review of the original zoning code amendment we recognized that the applicant anticipated that many visitors will travel by train. However, we also noted that residents of other towns and villages in Rockland County will likely drive to this destination. We recommended that additional off-site parking agreements be in place if the proposed parking proves inadequate. This recommendation still stands since the language proposed in Section 54-70.D.5. has the potential to reduce the required parking.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Carl Wright, Sloatsburg
New York State Department of Transportation
Rockland County Drainage Agency
New York State Thruway Authority
Rockland County Division of Environmental Resources
New York State Department of Environmental Conservation
Federal Emergency Management Agency

Thomas Bollatto, Village Clerk

**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.*

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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.