



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

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax. (845) 364-3435

EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

September 25, 2014

ARLENE R. MILLER  
Deputy Commissioner

South Nyack Planning Board  
Village Hall  
282 South Broadway  
South Nyack, NY 10960

Tax Data: 66.69-~~Z~~-2.10

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

Map Date: 6/16/2014

Date Review Received: 6/19/2014

Item: **RIVER RIDGE ESTATES - LOT #9 (SN-34Z - REVISED)**

Site plan for the proposed construction of a single-family dwelling on .48 acres in the R-12 HC zoning district.

East side of Willow Court, approximately 15 feet south of College Avenue

**Reason for Referral:**

US Route 9W (Hillside Avenue)

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***

It has been brought to our attention by the Village of South Nyack Planning Board that in 2008 a review was undertaken of the grading plans for the proposed 18-lot subdivision associated with this parcel. During this review process, the individual house and driveway locations were determined, as well as the required grading and location/height of the required retention walls. Due to the steepness of the site, the South Nyack Planning Board recognized that many of the walls would be over ten feet in height. To help with the individual site development, the Village Planning Board approved the grading plan, and has used it as a basis for site construction.

Our previous review dated July 1, 2014 included a condition that the massive walls should be stepped or terraced, with five foot landscaped areas between the terraced areas, and should not exceed four feet in height. Since this requirement would change the grading plan, and impact the house locations that have already been pre-determined, we are eliminating this condition from our review. We are thereby amending our July 1, 2014 review to the following:

1 A review must be done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.

**RIVER RIDGE ESTATES - LOT #9 (SN-34Z - REVISED)**

2 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 Guidelines for Urban Erosion and Sediment Control.

3 There shall be no net increase in the peak rate of discharge from the site at all design points. The Village should ensure that the rip-rap apron leading from the proposed dwelling will not cause drainage issues to the adjacent downhill parcel.



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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Bonnie Christian, South Nyack  
New York State Department of Transportation  
Rockland County Department of Health  
Pietrzak & Pfau Engineering & Surveying, PLLC

*\*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.*



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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

July 1, 2014

ARLENE R. MILLER  
Deputy Commissioner

South Nyack Planning Board  
Village Hall  
282 South Broadway  
South Nyack, NY 10960

**Tax Data:** 66.69-2-2.10

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

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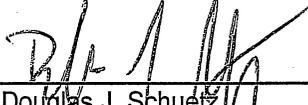
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- 3 There shall be no net increase in the peak rate of discharge from the site at all design points. The Village should ensure that the rip-rap apron leading from the proposed dwelling will not cause drainage issues to the adjacent downhill parcel.

**RIVER RIDGE ESTATES - LOT #9 (SN-34Z)**

4 Portions of the proposed retaining wall are over 10 feet in height. To break up these massive walls, the walls should not exceed four (4) feet in height from the finished grade and be stepped or terraced. The width of the terraced area between any two (2) four-foot or less vertical retaining walls shall be at least five (5) feet. Terraces between retaining walls shall be permanently landscaped or re-vegetated. These retaining walls shall be screened by vegetation or faced with wood, stone or other earth colored materials that blend with the surrounding natural landscape.



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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Bonnie Christian, South Nyack  
New York State Department of Transportation  
Rockland County Department of Health  
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