



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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DOUGLAS J. SCHUETZ
Acting Commissioner

March 20, 2015

ARLENE R. MILLER
Deputy Commissioner

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

Tax Data: 66.78-1-29

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

Map Date: 2/19/2015

Date Review Received: 2/23/2015

Item: *EAGLE ROCK MANAGEMENT (SN-31B)*

Site plan for the proposed demolition of an existing in-ground swimming, and construction of 27 additional parking spaces, due to the proposed taking of land to accommodate the new NY Bridge alignment by the NYS Department of Transportation. The rear setbacks are revised, and a new parking area is being located in the location of the swimming pool. The site is located on 3.25 acres in the RG-A zoning district, and is being reduced in size by .075 acres.

West side of Piermont Avenue, east side of the NYS Thruway, opposite Salisbury Place

Reason for Referral:

NYS Thruway, Town of Orangetown, Village of Grand View-on-Hudson

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***

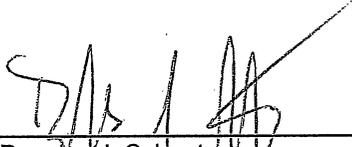
1 The Town of Orangetown and the Village of Grand View-on-Hudson, are two of the reasons this proposal was referred to this department for review. The municipal boundary for the Village of Grand View-on-Hudson is along the southern property line of the parcel. The boundary for the Town of Orangetown is just east of the site along the Hudson River, as well as just west of the site. 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; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of

EAGLE ROCK MANAGEMENT (SN-31B)

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 Town of Orangetown and the Village of Grand View-on-Hudson must be given the opportunity to review the proposal and its impact on community character, water quantity and quality, drainage, and stormwater runoff. The areas of countywide concern noted above that directly impact the Town of Orangetown and the Village of Grand View-on-Hudson must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

- 2 Fields of illumination from proposed on-site lighting sources shall be provided on the site plan, and the light source glare shall not extend beyond the property line onto the Thruway property.
- 3 The site plan (Drawing No. 2) should clearly note that the parking spaces within the cross-hatched area are to be removed. In addition, the parking analysis on Drawing No. 3 should list the number of spaces to be removed due to the land taking by the NYS Thruway/Department of Transportation for the bridge alignment project.
- 4 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.
- 5 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 6 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.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Bonnie Christian, South Nyack
New York State Thruway Authority
New York State Department of Transportation
Rockland County Department of Health
Brooker Engineering, PLLC
Town of Orangetown
Village of Grand View-on-Hudson

**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.