



# Rockland County

Ed Day, Rockland County Executive

## DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center

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**Douglas J. Schuetz**  
Acting Commissioner

**Arlene R. Miller**  
Deputy Commissioner

October 31, 2019

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

**Tax Data:** 66.69-1-2.10

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

**Map Date:** 7/30/2019

**Date Review Received:** 10/15/2019

**Item:** *RIVER RIDGE ESTATES (LOT 9) (SN-34BB)*

Site and landscape plans 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:

Hillside Avenue (US Route 9W)

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 done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- 2 Portions of the proposed retaining wall are up to 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.

In addition, retaining walls that are over four (4) feet in vertical height shall be designed by a licensed New York State Professional Engineer and be in compliance with the NYS Fire Prevention and Building Code. Design plans shall be signed and sealed by the licensed NYS Professional Engineer.

**RIVER RIDGE ESTATES (LOT 9) (SN-34BB)**

- 3 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
- 4 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 5 Several trees are proposed to be planted within the undisturbed conservation easement. Can the trees be planted without disturbing the slopes or the rest of the site? If not, these trees need to be relocated to a different area outside the conservation easement.
- 6 The location of the conservation easement must be clearly delineated in the field prior to any grading or construction on the site to ensure there is no encroachment.
- 7 The vicinity Map must contain a north arrow.

  
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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.*

*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.*