



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

EDWIN J. DAY
County Executive

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

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

June 19, 2015

Spring Valley Planning Board
200 N. Main Street
Spring Valley, NY 10977

Tax Data: 57.39-2-44

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

Map Date:

Date Review Received: 5/21/2015

Item: **NANCY LAMAUTE (SV-828)**

Site plan application for the installation of a 5.23 KW solar roof-mounted system consisting of 16 solar panels on the roof of an existing single-family residence on .46 acres in an RSH zoning district. West side of Memorial Park Drive, approximately 240 feet south of Clinton Street

Reason for Referral:

Pascack 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 A review shall be completed by the Rockland County Drainage Agency and any required permits obtained.
- 2 An application to the Planning Board for site plan approval must be accompanied by a layout plan or survey map depicting the subject site and the surrounding area. The map shall include a bulk table. A project narrative must also be submitted.
- 3 The proposed roof-mounted solar panel installation must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 4 Additional information must be provided about the solar inverter. What is the size of this equipment? Where will it be placed? Does it conform to the applicable bulk requirements?

NANCY LAMAUTE (SV-828)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Demeza Delhomme, Spring Valley
Rockland County Drainage Agency
Rockland County Office of Fire and Emergency Services
Spring Valley Fire District
Town of Clarkstown
Infinity Solar Systems
New York State Department of State,
Division of Code Enforcement and Administration
Nicholas Glogowski

**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.