



**COUNTY OF ROCKLAND**  
DEPARTMENT OF PLANNING

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County Executive

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DOUGLAS J. SCHUETZ  
Acting Commissioner

March 27, 2015

ARLENE R. MILLER  
Deputy Commissioner

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

**Tax Data:** 57.67-1-1.2

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

**Map Date:** 1/28/2015

**Date Review Received:** 2/26/2015

**Item:** *SPRING VALLEY HOTEL (SV-444DD)*

Special permit application to allow the construction of a proposed five-story, 87 room business hotel with an indoor swimming pool, in the PLI zoning district on 1.7 acres.

East end of Spring Valley Market Place, north of the NYS Thruway, south of the railroad

**Reason for Referral:**

NYS Thruway, Town of Clarkstown

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 Village shall be satisfied that the proposed special permit use complies with the standards outlined in Sections 225-27 and 225-28.C., and all applicable bulk standards.
- 2 A review must be completed by the New York State Thruway Authority and any required permits obtained.
- 3 The conditions and comments in the March 17, 2015 letter from the Rockland County Sewer District No. 1 must be met.
- 4 A review must be completed by the County of Rockland Department of Health and all required permits obtained.
- 5 A review must be completed by Orange & Rockland since parking and other site improvements are located within their right-of-way. Any raised concerns or comments must be addressed.

**SPRING VALLEY HOTEL (SV-44DD)**

6 The Town of Clarkstown is one of the reasons this proposal was referred to this department for review. The municipal boundary is along the northern property line of the parcel, and approximately 50 feet south of the parcel. 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 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 Clarkstown must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Town of Clarkstown must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

7 A review shall be completed by New Jersey Transit, with particular attention to the drainage flow being directed onto their property. Any raised comments or concerns must be satisfactorily addressed.

8 The site plan notes several joint easement for both Orange & Rockland and New York Telephone. Since New York Telephone no longer exists, these easement notations must be updated to the correct entity. The phone service company who now has control over these easements must be contacted so that they can review the proposal, since parking and other site improvements are proposed within their right-of-way.

9 The site plan shows an easement to Spring Valley Water Company. Is this the correct, updated entity since Spring Valley Water Company no longer exists? Since parking and other site improvements are being proposed within this easement area, United Water must review the proposed site plan. Any comments or concerns raised must be addressed.



Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Demeza Delhomme, Spring Valley  
New York State Thruway Authority  
Rockland County Sewer District #1  
Rockland County Department of Health  
Orange and Rockland Utilities  
United Water of New York  
Bertin Engineering  
Town of Clarkstown  
New Jersey Transit  
Verizon Telephone

**SPRING VALLEY HOTEL (SV-444DD)**

*\*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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