



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

**EDWIN J. DAY**  
County Executive

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**DOUGLAS J. SCHUETZ**  
Acting Commissioner

**ARLENE R. MILLER**  
Deputy Commissioner

June 22, 2015

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

**Tax Data:** 57.32-1-36      57.32-1-35

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

**Map Date:** 5/14/2015

**Date Review Received:** 5/21/2015

**Item:** *TURNER GARDENS - AMENDED SITE PLAN (SV-795A)*

Revised site for a multi-family development consisting of 23 units in two buildings on 1.29 acres in an R-2 zoning district with a PRD overlay. The existing warehouse building will be separated into two buildings. A second and third story will be added to these structures. The existing single-family residences will be removed. The lot line between the two parcels will be eliminated.

West side of Bethune Boulevard, 533 feet north of Clinton Street and opposite Ben Wild Road

**Reason for Referral:**

Town of Clarkstown

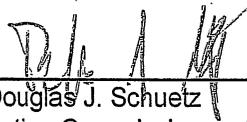
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Recommend the following modifications\****

1. The applicant must satisfactorily address the concerns related to density, community character, traffic, parking, fire safety and drainage problems raised in the Town of Clarkstown Planning Board's letter of June 11, 2015.
2. As required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
3. The proposed residential buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
4. A review must be completed by the County of Rockland Office of Fire and Emergency Services, the fire inspector and the Spring Valley Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.

**TURNER GARDENS - AMENDED SITE PLAN (SV-795A)**

- 5 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of June 2, 2015.
- 6 Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. The water system must be evaluated to determine if the additional water supply demands of the proposed development can be met. Domestic and fire demands of the project must be determined by a Licensed Professional Engineer and provided to the supplier of water for analysis. Demand calculations and results of the analysis must be provided to the Rockland County Department of Health for review.
- 7 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 8 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.
- 9 A stormwater pollution prevention plan (SWPPP) was not provided. The SWPPP, if required, shall conform to the current regulations, including the New York State Stormwater Management and Design Manual (January 2015) and local ordinances.
- 10 Fields of illumination from proposed on-site lighting sources shall not extend beyond the property line.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Demeza Delhomme, Spring Valley  
Rockland County Drainage Agency  
Rockland County Department of Health  
Rockland County Sewer District #1  
Rockland County Office of Fire and Emergency Services  
Spring Valley Fire District  
Atzl, Nash & Zigler P.C.  
Town of Clarkstown  
New York State Department of State,  
Division of Code Enforcement and Administration  
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*\*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.*