



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

September 23, 2015

Stony Point Planning Board
74 East Main Street
Stony Point, NY 10980

Tax Data: 20.10-2-65

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

Map Date: 8/28/2015

Date Review Received: 9/1/2015

Item: *H.L.F. ESTATE (SP-819)*

Three-lot subdivision of 18.18 acres in the R-1 zoning district. A conditional use is also proposed to allow each lot to be used as a two-family dwelling.

Northwest corner of Filors Lane and Central Highway

Reason for Referral:

Filors Lane (CR 98), Central Highway (CR 33), Federal Wetlands

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 completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 A review shall be completed by the United States Army Corps of Engineers and any required permits obtained.
- 3 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.
- 4 The comments in the September 10, 2015 letter from the Rockland County Department of Health must be met.
- 5 The bulk table measurements seem to be incorrect, particularly for Lot #3. The bulk table must be updated to reflect the correct proposed and existing bulk measurements.

H.L.F. ESTATE (SP-819)

6 General Map Note #10 must be changed to indicate that the plat does not conflict with GML 239 N, instead of 239 K, as Section K no longer exists.

7 The subdivision must comply with the Special Requirements as noted in Section 215-16A. for any of the lots that are under water or within a stream, within easements or rights-of-way for overhead utilities, with slopes over 25%, within a designated street line, or within any freshwater wetland. Since several of these criteria exist on the site, a breakdown for each component must be provided with deductions taken for each of the lot areas. This might result in Lot #1 having to be slightly large in land area in order to meet the minimum lot area.

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 There shall be no net increase in the peak rate of discharge from the site at all design points.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Geoffrey Finn, Stony Point
Rockland County Department of Highways
Rockland County Department of Health
Rockland County Drainage Agency
United States Army Corps of Engineers
Atzl, Nasher & Zigler P.C.

**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.