Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

October 12, 2016

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

Tax Data: 15.02-3-29 15.02-3-28 15.02-3-27 15.02-3-26

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 8/18/2016 **Date Review Received:** 9/16/2016

Item: ***RED RIDGE PARK - TWO (SP-578G)***

Site plan for the proposed removal of nine old cabins and houses, and replacement with seven manufactured homes that meet the code. The parcel is located on 4.84 acres in the MHC zoning district. A new retention basin is proposed in the northeast corner of the site, and a portion of Thamsen Drive is to be removed, with a new access for six of the units provided further west on Hastings Lane.

North side of Hastings Lane, west side of US Routes 202/9W

Reason for Referral:

US Routes 202/9W

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 An updated review shall be completed by the New York State Department of Transportation. The comments in their February 17, 2016 letter must be met. All required permits must be obtained.

2 The comments in the September 22, 2016 letter from the Rockland County Department of Health must be met.

3 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.

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

RED RIDGE PARK - TWO (SP-578G)

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Jim Monaghan, Stony Point
New York State Department of Transportation
Rockland County Department of Health

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.

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.