

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

July 13, 2016

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

Tax Data: 20.07-2-68.1

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

Map Date: 6/14/2016

Date Review Received: 6/21/2016

Item: **SCHASSLER PLACE (SP-824)**

Conditional use permit to legalize an existing two-family dwelling located in the R-1 zoning district on .52 acres. Variances for lot area and front setback will be required.

East side of Schassler Place, approximately 368 feet north of Washburns Lane

Reason for Referral:

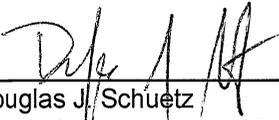
Washburns Lane (CR 100), Route 201 (CR 106)

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 concerns addressed and any required permits obtained.
- 2 A north arrow must be added to the site plan map, as well as map notes indicating district information.
- 3 Several notes in the signature blocks refer to a subdivision plat. Since this application is in for a conditional use permit, these signature block notes must be corrected.
- 4 We request the opportunity to review any variances which may be necessary to implement the conditional use.

SCHASSLER PLACE (SP-824)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Jim Monaghan, Stony Point
Rockland County Department of Highways
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.