

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

February 6, 2017

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

Tax Data: 15.19-2-78

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

Map Date: 1/3/2017

Date Review Received: 1/12/2017

Item: *DR. NEEMA NARANG (SP-825A)*

Site plan to convert the uses within an existing building from the second floor to the first floor, and vice versa. Currently two rental apartments are located on the first floor and a doctor's office on the second floor. These are proposed to be reversed. The 5,600 sq. ft. building is located on .60 acres in the BU zoning district.

West side of US Routes 9W/202, approximately 35 feet south of Smith Street

Reason for Referral:

US Routes 9W/202, Main Street (CR 108)

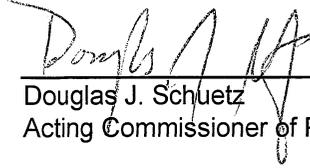
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 A review shall be completed by the New York State Department of Transportation, any concerns addressed, and all required permits obtained.
- 2 Since the site is within 500 feet of Main Street, a County highway, a review must be completed by the County of Rockland Department of Highways and any concerns addressed and required permits obtained.
- 3 The comments in the January 19, 2017 letter from the Rockland County Department of Health must be addressed.
- 4 All signage shall conform to the town's sign standards.
- 5 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.

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6 An optional parking layout is provided on Drawing #2 of 2. No explanation is provided as to why this alternate layout is proposed. This layout provides one additional parking space, but also covers a greater extent of the site with impervious surfaces. It must be clarified what the benefits are to this alternate parking layout.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Jim Monaghan, Stony Point
New York State Department of Transportation
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.