Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

February 23, 2017

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

Tax Data:

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: **Date Review Received:** 1/25/2017

Item: ***TOWN OF STONY POINT-LED SIGNS EMERGENCY SERVICES & 1ST RESPONDERS (SP-826A)***

Zoning Code Amendments to the Sign Law of the Town of Stony Point, to allow emergency service organizations and first responders to install and use LED signs for the purpose of publishing and posting messages to inform the public of emergency situations or other community information.

Throughout the Town

Reason for Referral:

State and County roads, county stream, county park

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

In our previous review of the proposed zoning code amendments, we raised several issues that we felt needed to be addressed in order for the new use to be regulated appropriately. These latest revisions of the amendments to the Town of Stony Point zoning ordinance has incorporated most of our concerns, and we believe that it is a much better document. We still have one minor concern that was not addressed, and offer the following recommendations:

1 Before the law is adopted, a list must be generated as to the organizations that are permitted to have these type of signs, and their location specified.

2 A review must be completed by the New York State Department of Transportation, and any raised concerns addressed.

TOWN OF STONY POINT-LED SIGNS EMERGENCY SERVICES & 1ST RESPONDERS (SP-826A)

3 A review must be completed by the Rockland County Department of Highways, and any raised concerns addressed.

Douglas J. Schuetz
Acting Commissioner of Planning

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

**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.