Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

July 11, 2019

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

Tax Data: 19.01-1-1

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 5/10/2019 **Date Review Received:** 6/26/2019

Item: ***GATE HILL DAY CAMP TWO (SP-168D)***

A site plan application to update physical improvements at an existing day camp on 32.10 acres in the RR zoning district. New principal and accessory buildings, open activity areas, and parking areas are proposed.

The southeastern side of Gate Hill Road, approximately 460 feet northeast of Old Gate Hill Road. The site contains Blue Note Lane, which terminates on the western side of Blanchard Road.

Reason for Referral:

Harriman State Park, Blanchard Road (CR 83), Gate Hill Road (CR 106), Old Gate Hill Road (CR 98A), 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 Several of the proposed improvements are located in wooded and/or steep areas. Parking Field D, the stack bus parking area, the archery range, the adventure courses, and the football and soccer fields will require significant clear cutting. The football and soccer fields will require extensive regrading to create a level playing surface. The County is concerned about the loss of natural habitats and vegetation, as well as the general disruption caused by excavation and filling. The Town must consider requiring the applicant to relocate, reduce or eliminate some improvements in order to minimize the loss of wooded areas and the extent of required regrading.

2 In order to ensure compliance with Section 215.18A of the Stony Point zoning regulations, which applies to all properties within the SR-R and RR zoning districts, all areas characterized by a slope in excess of 25% must be shown on the site plan. As per town regulations, the applicant must limit the disturbance to these areas to a maximum of 2,500 square feet.

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3 The map note on the Cover Sheet from previous plans, dated April 2, 2017, restricting amplified music or noise, has been removed from the current plans. The applicant must indicate why this note was removed and clarify if amplified music or noise is proposed. Given the site's close proximity to residences, we recommend that amplified music or noise not be permitted.

4 An emergency access is proposed along the southern perimeter of the site. This will entail the need to regrade and remove vegetation along its path. The applicant must plant evergreen landscaping along the accessway to provide a buffer for the residences to the south.

5 Map note 7 indicates that the parking area will have outdoor lighting. A lighting plan for the parking area 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.

6 An updated review must be completed by the County of Rockland Department of Highways and all concerns addressed and all required permits obtained.

7 The applicant must comply with all comments made by the Rockland County Department of Health in their letter of July 9, 2019.

8 A review must be completed by the Palisades Interstate Park Commission and any comments or concerns addressed.

9 If there is any encroachment into the Federal wetlands, a review must be completed by the United States Army Corps of Engineers and all required permits obtained.

10 An onsite circulation plan that displays drop-off/pick up areas, bus loading/unloading areas, delivery locations, and bus turnaround areas must be provided. In addition, parking fields A,B,C and D are indicated to be gravel. The applicant must demonstrate how drivers will be able to comply with the parking plan indicated on the site plan with no painted lines to delineate parking spaces.

11 The Town fire inspector or the Rockland Office of Fire and Emergency Services must review the site plan to ensure that adequate circulation is provided in the event an emergency arises. This review should include whether the access can accommodate fire equipment, and whether there is adequate water supply for firefighting purposes. In addition, fire lanes must be provided.

12 A landscaping and tree preservation plan shall be submitted for review. Given the extent of the clear cutting being proposed, the applicant must mitigate the removal of vegetation by providing additional landscaping wherever possible. Screening of structures, walls, and activity areas for neighboring properties must be provided.

13 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.

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

15 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.

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16 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Jim Monaghan, Stony Point
Rockland County Department of Health
Rockland County Department of Highways
Rockland County Office of Fire and Emergency Services
Palisades Interstate Park Commission
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.

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.