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

January 24, 2019

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

Tax Data: 14.04-1-26 19.02-1-3 19.02-1-1.1
19.02-4-1

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 N
Map Date: 9/22/2018 **Date Review Received:** 12/27/2018

Item: ***TOWN OF STONY POINT - PATRIOT HILLS LOT LINE CHANGE (SP-814A)***

A lot line amendment for four lots with a total of 299.1 acres in the SR-R zoning district and the Letchworth Village - Redevelopment Incentive Overlay District.
The northern side of Willow Grove Road (CR 98), opposite Letchworth Village Road (CR 94) and bounded by the Palisades Interstate Parkway on the western boundary.

Reason for Referral:

Palisades Interstate Parkway, Willow Grove Road (CR 98), Letchworth Village Road (CR 94), Minisceongo Creek, Town of Haverstraw, State property (Letchworth Village)

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 The Town of Haverstraw is one of the reasons this proposal was referred to this department for review. The municipal boundary is within the Willow Grove Road right-of-way, along the southern property line. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

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The Town of Haverstraw must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

2 A review must be completed by the County of Rockland Drainage Agency and any required permits obtained from them.

3 As required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.

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

5 No distances from buildings to the proposed property plans are shown on the site plan. Public parks, playgrounds, and outdoor recreation facilities within the SR-R zoning district do not need to comply with the bulk requirements of any use group. However, this information must be provided so that the Planning Board can base its determination on complete and accurate information and in anticipation of any future development within the Letchworth Village - Redevelopment Incentive Overlay District.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Jim Monaghan, Stony Point
Rockland County Department of Highways
Rockland County Drainage Agency
Rockland County Department of Health
Palisades Interstate Park Commission

Atzl, Nasher & Zigler P.C.
Town of Haverstraw Planning Board
New York State Office of General Services

**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.