

## DEPARTMENT OF PLANNING

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**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

June 5, 2017

Upper Nyack Planning Board  
328 North Broadway  
Upper Nyack, NY 10960

**Tax Data:** 60.10-1-18

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

**Map Date:** 12/14/2016

**Date Review Received:** 5/4/2017

**Item:** *FELLOWSHIP RECONCILIATION, INC. (UN-88)*

Special permit to permit an existing building, located on 1.64 acres in the R-2 zoning district, to function as a "place of assembly" so that it can host occasional large gatherings for the purpose of providing training and seminars relevant to their mission, as well as event serving the Village of Upper Nyack and the greater Rockland community.

East side of N. Broadway, approximately 400 feet north of Wynddown Road

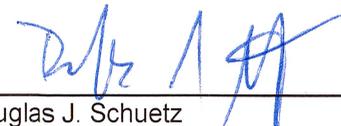
### Reason for Referral:

Town of Clarkstown (at the Hudson River)

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 As suggested in the May 15, 2017 letter from the Town of Clarkstown, the Village of Upper Nyack Planning Board must review the parking needs for the proposed use and determine if adequate parking is available on site or nearby along the local roads.
- 2 The site plan should be updated to illustrate the striping for the individual parking spaces available on site. In addition, a parking table, with a parking calculation must be provided so that it can be determined how many parking spaces would be required.



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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Karen Tarapata, Upper Nyack  
Rockland County Department of Health  
Rockland County Sewer District #1

**FELLOWSHIP RECONCILIATION, INC. (UN-88)**

Robert E. Sorace, PLS  
Town of Clarkstown Planning Board

*\*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.*