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COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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County Executive

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DOUGLAS J. SCHUETZ
Acting Commissioner

December 15, 2014

ARLENE R. MILLER
Deputy Commissioner

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 68.11-3-40 68.11-3-39

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

Map Date: 11/6/2014

Date Review Received: 11/12/2014

Item: **HILLSIDE COMMERCIAL PARK (O-2140G)**

Site plan for the proposed construction of three buildings totaling 162,600 sq. ft. and a 2,000 sq. ft. two-story office/watchman's residence, in the LI zoning district on a total of 10.22 acres. Lot #1 will contain two self-storage buildings totaling 94,600 sq. ft. on 6.99 acres; and lot #2 will contain a 68,000 sq. ft. warehouse/light manufacturing building on 3.23 acres.

East side of NYS Route 304, north side of Hillside Avenue, west side of the railroad right-of-way

Reason for Referral:

NYS Route 304, Muddy Creek

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 An updated review shall be completed by the New York State Department of Transportation and all required permits obtained.
- 2 The comments and conditions in the April 30, 2014 letter from the Rockland County Drainage Agency must be met. All required permits must be obtained.
- 3 The comments and conditions in the April 16, 2014 letter from the Rockland County Department of Health must be met.
- 4 An updated review must be completed by the Rockland County Office of Fire and Emergency Services.


HILLSIDE COMMERCIAL PARK (O-2140G)

MOS 71 11/11/11 10:00 AM
5 It should be clarified by the Town if the parking requirement of one space per two employees or 300 square feet of gross floor area needs to be provided for the larger of the two requirements. There is a great deal of discrepancy between having two parking spaces for the number of employees, and the number of parking spaces being dependent on the gross square footage of the floor area, which would require over 500 parking spaces. This must be better defined in the zoning ordinance.

6 The configuration of Road "B" at the northern end of the parcel is still very oddly shaped. The connection with Road "C" is an improvement in the circulation of the two parcels, but it is still unclear why the end of the roadway ends with a "hammerhead." A better designed road connection should be provided.

7 Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. A letter from the public water supplier, stamped and signed by a NYS licensed professional engineer, shall be issued to the municipality, certifying that there will be a sufficient water supply during peak demand periods and in a drought situation.

8 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.



Douglas J. Schuetz
Acting Commissioner of Planning

- cc: Supervisor Andrew Stewart, Orangetown
- New York State Department of Transportation
- New York State Department of Environmental Conservation
- Rockland County Drainage Agency
- Rockland County Department of Health
- Rockland County Office of Fire and Emergency Services
- United States Army Corps of Engineers
- Brooker Engineering, PLLC
- Donald Brenner, Esq.

**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.