

ZONING

215 Attachment 1

Town of Stony Point

Appendix to § 215-134 Zoning Action Referral to the Rockland County Commissioner of Planning

To comply with Article 12B, §§ 239-l and 239-m of the General Municipal Law, any zone change, special permit, variance, use permit, site plan, change in the Official Map or other zoning amendment under consideration by a Municipal Board that pertains to real property in the following locational categories shall be referred to the Rockland County Commissioner of Planning for review prior to final action by that Municipal Board: real property within 500 feet of a:

- A. Municipal boundary.
- B. County or state park existing or proposed.
- C. Right-of-way of any existing or proposed county or state road/parkway/thruway.
- D. Right-of-way of any existing or proposed county drainage channel or stream for which the county has established channel lines.
- E. Boundary of any existing or proposed county- or state-owned land on which a public building or institution is situated.

In addition, all condominium proposals under consideration by a Municipal Planning or Town/Village Board shall be referred to the Rockland County Commissioner of Planning for review prior to final action by that Municipal Board, regardless of where they are located within the municipality as stated under Real Property Law § 339-f, as amended by Chapter 705 of the Laws of 1980.

Within 30 days after receipt of a full statement of such referred matter, the Rockland County Commissioner of Planning shall report its recommendations thereon to the referring municipal agency, accompanied by a full statement of the reasons for such recommendations. When the thirtieth day falls on a Saturday, Sunday or holiday, the report shall be due on the next business day.

If the Rockland County Commissioner of Planning fails to report within such period of 30 days or such longer period as may have been agreed upon by it and the referring agency, the municipal body having jurisdiction to act may do so without such report.

If the Rockland County Commissioner of Planning disapproves the proposal or recommends modification thereof, the municipal agency having jurisdiction shall not act contrary to such disapproval or recommendation except by a vote of a majority plus one of all the members thereof and after the adoption of a resolution fully setting forth the reasons for such contrary action.

Within seven days after final action by the municipal agency having jurisdiction on the recommendations, modifications or disapproval of a referred matter, such municipal agency shall file a report of the final action it has taken with the Rockland County Commissioner of Planning.