



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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C. SCOTT VANDERHOEF  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

November 14, 2013

ARLENE R. MILLER  
Deputy Commissioner

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 68.14-2-23      68.14-2-21

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

**Map Date:** 10/2/2013

**Date Review Received:** 10/31/2013

**Item:** *DOMINIK & WHITE SITE PLAN (O-2236C)*

Site plan for the proposed construction of two dwellings in the R-15 zoning district on a total of 1.03 acres.

East side of Fillmore Street, north side of Old Pascack Road, west side of Buchanan Street, opposite Adams Court

**Reason for Referral:**

Old Pascack Road (CR 30), Pascack Brook

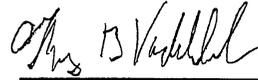
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Recommend the following modifications***

1. A review must be completed by the County of Rockland Department of Highways and all required permits obtained.
2. As per the August 12, 2013 letter from the Rockland County Department of Health, if it is determined that a storm water management system is required to remediate the increase in impervious coverage, an application must be made to them for review of the system for compliance with the County Mosquito Code.
3. Land area within the road widening easement should not be included as part of the lot area count for proposed Lot #3. This will result in having less than the required lot area, and therefore a variance will also be required for lot area for Lot #3. In addition, measurements for side yard should be take only to the dedication line, not the existing property line.
4. There shall be no net increase in the peak rate of discharge from the site at all design points.

**DOMINIK & WHITE SITE PLAN (O-2236C)**

5 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.



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Thomas B. Vanderbeek, P.E.  
Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
Rockland County Drainage Agency  
Rockland County Department of Health  
Robert E. Sorace, PLS

*\*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.*