



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

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax. (845) 364-3435

EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

September 16, 2014

ARLENE R. MILLER  
Deputy Commissioner

Orangetown Zoning Board of Appeals  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 77.11-2-42

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

**Map Date:** 7/30/2014

**Date Review Received:** 8/15/2014

**Item:** *DEL PONTE ADDITION (O-252M)*

Variations to permit an addition above the garage to an existing single-family residence in the R-15 zoning district on .27 acres, with greater than the permitted floor area ratio and building height. Northeast corner of Washington Street and Paul Court

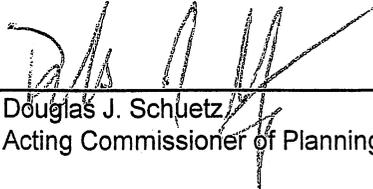
**Reason for Referral:**

Washington Street (CR 8)

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. Since evergreen vegetation and a basketball court have been located within the sight distance easement, the County Highway Department must determine if there is still adequate sight distance at the intersection of Paul Court and Washington Street.
- 2 The survey of the property should be updated to reflect the existing in ground swimming pool, basketball court, any other changes to the site, since when the survey was done in 1982.

  
\_\_\_\_\_  
Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
Rockland County Department of Health  
Hess Architects

**DEL PONTE ADDITION (O-252M)**

*\*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.*