



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

April 25, 2014

ARLENE R. MILLER
Deputy Commissioner

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

Tax Data: 77.08-5-41

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

Map Date: 3/31/2014

Date Review Received: 4/4/2014

Item: *GRACE TABERNACLE, INC. (O-2155F)*

Variances to permit the proposed conversion of an existing two-story commercial building to a church, and a proposed addition, for a parcel on .26 acres in the CS zoning district. Required variances include front yard and side yard.

Southeast side of Washington Street (Main Street), approximately 290 feet north of Sparkill Avenue

Reason for Referral:

Washington Street/Main Street (CR 8), Union Street/NYS Route 340, Sparkill 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 must be completed by the County of Rockland Department of Highways and all required permits obtained.

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
New York State Department of Transportation
Atzl, Nasher & Zigler P.C.

GRACE TABERNACLE, INC. (O-2155F)

**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.