



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

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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

September 29, 2014

ARLENE R. MILLER  
Deputy Commissioner

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 74.18-3-32

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

**Map Date:** 7/15/2014

**Date Review Received:** 8/29/2014

**Item:** *MIELE COMMERCIAL SUBDIVISION (O-1736L)*

Site plan and 17-lot commercial subdivision of 11.5 acres in the LI and LO zoning districts. The property is partially developed and leased to various commercial corporations; no improvements are proposed. East side of Western Highway, northeast of Independence Avenue, west side of the New York Central Railroad

**Reason for Referral:**

Western Highway (CR 15), Palisades Interstate Parkway

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 Our previous review dated February 11, 2013, copy enclosed, is still valid.
- 2 The comments and concerns raised in the April 17, 2014 (should be dated March 17, 2014) letter from the Rockland County Department of Highways must be addressed. All required permits must be obtained.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
Rockland County Drainage Agency  
Rockland County Department of Health  
Palisades Interstate Park Commission  
Brooker Engineering, PLLC

**MIELE COMMERCIAL SUBDIVISION (O-1736L)**

*\*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.*