



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

April 29, 2014

ARLENE R. MILLER
Deputy Commissioner

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 68.16-1-9

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

Map Date: 3/17/2014

Date Review Received: 4/4/2014

Item: *THE SALOON (O-1512H)*

Site plan for a proposed 4,127 sq. ft. addition to an existing commercial building on .33 acres in the CC zoning district. Two parking scenarios are provided.

North side of E. Central Highway, approximately 50 feet east of NYS Route 304

Reason for Referral:

E. Central Highway (CR 30), NYS Route 304, Muddy 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***

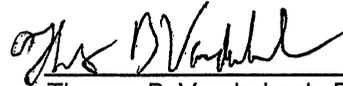
- 1 An updated review must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 An updated review shall be done by the New York State Department of Transportation, and all required permits obtained.
- 3 An updated review must be completed by the Rockland County Drainage Agency, and all required permits obtained.
- 4 The comments in the April 14, 2014 letter from the Rockland County Department of Health must be met.
- 5 Two development scenarios are provided, both utilizing the adjacent parcel, tax lot 68.16-1-4.1, to provide parking access to the site. A cross access easement must be obtained from the owner of this parcel before the parking lot on tax parcel 68.16-1-7 can be utilized as configured, and access to the rear of the subject parcel can occur.

THE SALOON (O-1512H)

6 Scenario B shows circulation movement in the rear of the site. An arrow facing south seems to be in error, as there is no place for a vehicle to turnaround in the access coming off of West Central Avenue, and the plan shows that this access is one way, going the other direction. This arrow must be removed.

7 It is not clear in Scenario A what is intended in the rear of the site. If the parking lot encroachment from Tax lot #68.16-1-4.1 is not corrected, and vehicles continue to park right up to the encroachment line, is there sufficient room for vehicles to access the rear from NYS Route 304? The access from the NYS Route 304 is only 5 feet wide, without encroaching into Tax lot #68.16-1-8. Is parking proposed in the rear? The aerial photography shows that vehicles currently park in the rear. How do they currently get access - from West Central Avenue? Where will delivery vehicles park in Scenario A? Is the access off of West Central Avenue one way? If not, how will cars exiting the site avoid conflicts with those entering the site? More detailed information must be provided about the intended use of the rear yard, access issues, and parking availability in Scenario A.

8 A map date must be added to the plans prepared by Barbara Marks Architect.



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
Leonard Jackson Associates
Barbara Marks Architect

**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.