



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

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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

July 23, 2014

ARLENE R. MILLER  
Deputy Commissioner

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

**Tax Data:** 73.16-2-67

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

**Map Date:** 6/25/2014

**Date Review Received:** 7/10/2014

**Item:** *SCOTT & JAMIE SILVER (O-429A)*

Variations to permit construction of a screened-in porch for an existing single-family dwelling on .37 acres in the R-22 zoning district. Required variations include: floor area ratio, front yard, and side yard. Southeast corner of Betsy Ross Drive and Bunker Hill Road

**Reason for Referral:**

Blaisdell Road (CR 17)

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 any required permits obtained.
- 2 The building/demolition permit application and the cover sheet from the Town of Orangetown both indicate that a variance for side yard is required, because the yard is proposed to be only 15.5 feet from the property line. The bulk table and the dimensions shown on the site plan both show that a side yard of 21.4 feet is being proposed. This discrepancy must be resolved.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
Michael Esmay Architect

**SCOTT & JAMIE SILVER (O-429A)**

*\*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.*