



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

May 8, 2014

ARLENE R. MILLER
Deputy Commissioner

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

Tax Data: 68.20-1-1

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

Map Date: 4/3/2014

Date Review Received: 4/15/2014

Item: *VERIZON WIRELESS GENERATOR PERFORMANCE STANDARDS (O-840.5W)*

Performance standard review for a proposed generator for an existing wireless facility located in the LI zoning district on a 7.7-acre parcel.

East side of NYS Route 304 (S. Pearl Street), south side of E. Central Avenue, north side of W. Jefferson Avenue

Reason for Referral:

NYS Route 304, E. Central Avenue (CR 30), Muddy Creek

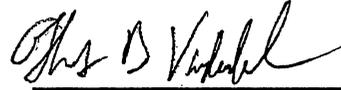
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 The applicant must obtain any necessary permits from the New York State Department of Environmental Conservation's Division of Air Resources for the proposed generator.
- 2 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 3 A review must be completed by the County of Rockland Department of Highways and any required permits obtained.
- 4 A review must be completed by the County of Rockland Drainage Agency and any required permits obtained.

VERIZON WIRELESS GENERATOR PERFORMANCE STANDARDS (O-840.5W)

5 A review must be completed by the County of Rockland Department of Health and any required permits obtained.



Thomas B. Vanderbeek, P.E.
Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
New York State Department of Environmental Conservation
Rockland County Department of Highways
Rockland County Drainage Agency
Rockland County Department of Health
Tectonic

**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.