



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

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Acting Commissioner

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June 4, 2015

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

**Tax Data:** 77.10-3-65

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

**Map Date:** 4/16/2015

**Date Review Received:** 5/12/2015

**Item:** *PETER & ELIZABETH BARSANTI (O-2269)*

Variances to permit an addition to an existing single-family dwelling located in the R-15 zoning district on .22 acres. Since this parcel is divided by two district boundaries (a portion is in the Borough of Northvale, NJ), Section 5.12 - Lot Divided by District Boundary applies. Required variances include: greater than permitted floor area ratio and building height, and less than needed front yard.

Northeast corner of Stephens Road and Andre Avenue

**Reason for Referral:**

Borough of Northvale, NJ

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 Borough of Northvale, NJ is the reason this proposal was referred to this department for review. The municipal boundary is along the southwestern property line of the site. As required under Section 239nn of the State General Municipal Law, the Borough of Northvale, NJ must be given the opportunity to review the proposed variances and provide any concerns related to the project to the Town of Orangetown. In addition, since the property straddles the state lines, the applicant may also be required to have a review and permits obtained from the Borough of Northvale, NJ.



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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown

**PETER & ELIZABETH BARSANTI (O-2269)**

Robert Hoene, Architect A.I.A.  
Borough of Northvale, NJ

*\*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.*