



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

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax. (845) 364-3435

EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

ARLENE R. MILLER  
Deputy Commissioner

July 16, 2015

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 71.09-1-43

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

**Map Date:**

**Date Review Received:** 6/17/2015

**Item:** **BRACKEN SITE PLAN (O-625G)**

Site plan for the replacement of a retaining wall and patio, and installation of a hot tub, for an existing single-family dwelling located on 1.67 acres in the R-22 zoning district and critical environmental area. East side of Tweed Boulevard, approximately 1,860 feet south of Clausland Mountain Road

**Reason for Referral:**

Tweed Boulevard (CR 5), Clausland Mountain Park, US Route 9W

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 all required permits obtained.
- 2 The comments in the June 22, 2015 letter from the Rockland County Department of Health must be addressed. In particular, it is indicated that the proposed retaining wall may be in conflict with the existing septic system. This issue must be satisfactorily addressed.
- 3 A review must be completed by the County of Rockland Drainage Agency and any comments addressed.
- 4 The plans prepared by Thomas W. Skrable, P.E., P.P., C.M.E. must have a date provided. This is especially critical if any revisions are to occur.

**BRACKEN SITE PLAN (O-625G)**

5 The easternmost portion of the wall is significant in height, ranging from 11 feet in the southeastern corner to 14 feet in the northeastern corner. To avoid such massive walls, a tiered system of walls with terraces should be considered. This would allow landscaping between the sets of walls, helping to break up the massive structure, and screening the walls from the riverside views.



---

Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
Rockland County Department of Health  
Rockland County Division of Environmental Resources  
New York State Department of Transportation  
Thomas W. Skrable, P.E., P.P., C.M.E.

*\*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.*