



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

September 9, 2015

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

Tax Data: 78.17-2-18

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

Map Date: 7/15/2015

Date Review Received: 8/13/2015

Item: *CHUNG RESIDENCE - 246 ROUTE 9W (O-2272)*

Variance for street frontage for a proposed single-family residence located in the R-40 zoning district on 2.2 acres. An attached guest house is also proposed on the site.

Approximately 483 feet west of US Route 9W and 558 feet north of Closter Road

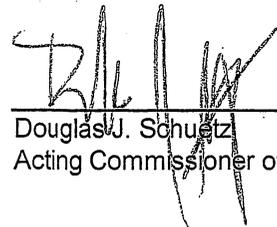
Reason for Referral:

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 shall be completed by the New York State Department of Transportation and all required permits obtained.
- 2 A review shall be completed by the United States Army Corps of Engineers and all required permits obtained.
- 3 A review and all required permits must be obtained by Kinder Morgan for the proposed crossing of the Tennessee Gas right-of-way, located on tax parcel 78.14-1-3, which will be used as the access driveway for the parcel.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
United States Army Corps of Engineers

CHUNG RESIDENCE - 246 ROUTE 9W (O-2272)

Jay A. Greenwell, PLS, LLC

Robert Hoene, Architect
Kinder Morgan

**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.