



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

September 28, 2015

ARLENE R. MILLER
Deputy Commissioner

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

Tax Data: 77.10-3-3

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

Map Date: 8/12/2015

Date Review Received: 9/1/2015

Item: *JOHN GUARINO (O-2274)*

Variations to allow construction of a second-story addition to an existing single-family dwelling located on .33 acres in the R-15 zoning district. The property straddles the State line, so Section 5.12 (lots divided by district boundary) applies to this parcel. Required variations include: floor area ratio, rear yard, and building height.

South side of Old Tappan Road, just east of Hickory Hill Road

Reason for Referral:

Old Tappan Road (CR 8), Northvale Borough, NJ, Old Tappan Borough, 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***

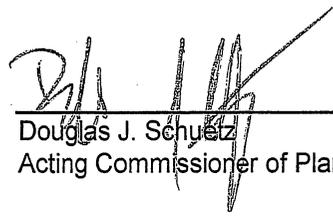
1 The Borough of Northvale, NJ is one of the reasons this proposal was referred to this department for review. The site straddles the municipal and state boundaries, and is partially located within New Jersey. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and county-wide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction.

In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner which is supportive of the goals and objectives of the general area.

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 variations and provide any concerns related to the project to the Town of Orangetown.

JOHN GUARINO (O-2274)

2 A review must be completed by the County of Rockland Department of Highways and all required permits obtained.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
Rockland County Department of Highways
Rockland County Department of Health
Jorge L. Lopez, Architect, PC
Boroughs of Northvale and Old Tappan, 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.