



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

September 29, 2015

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 75.05-1-7.1

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

Map Date: 8/27/2015

Date Review Received: 9/11/2015

Item: *KENNEY DECK PLANS (O-2275)*

Site plan for proposed new decking and stairs for an existing dwelling located on .71 acres in the R-22 zoning district and the Critical Environmental Area.

East side of US Route 9W, west side of the Village of Grand View-on-Hudson boundary; approximately 420 feet north of the Village of Piermont boundary along US Route 9W

Reason for Referral:

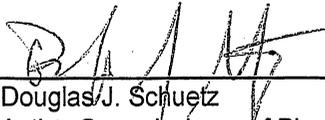
US Route 9W, Tweed Boulevard (CR 5), Villages of Grand View-on-Hudson & Piermont, River Road (CR 1), Clausland Mountain Park

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 any required permits obtained.
- 2 The Villages of Grand View-on-Hudson and Piermont are two of the reasons this proposal was referred to this department for review. The municipal boundary for Grand View-on-Hudson is along the eastern boundary of the subject site; and approximately 300 feet north of the subject property line. As required under Section 239nn of the State General Municipal Law, the Villages of Grand View-on-Hudson and Piermont must be given the opportunity to review the proposed subdivision and provide any concerns related to the project to the Town of Orangetown.
- 3 A bulk table must be added to the site plan, highlighting the required, as well as the proposed measurements.

KENNEY DECK PLANS (O-2275)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
Rockland County Department of Highways
Rockland County Division of Environmental Resources
Rockland County Department of Health
Robert Hoene, Architect
Villages of Grand View-on-Hudson & Piermont

**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.