



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

July 16, 2015

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 73.20-1-24

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

Map Date: 5/27/2015

Date Review Received: 6/19/2015

Item: ONE RAMLAND ROAD - GENERATOR LOCATION (O-1079Z)

Site plan for two proposed generators with enclosures for an existing building located on 32.69 acres in the LIO zoning district. A front yard variance will be required due to the placement of the generators.

Northeast corner of Blaisdell Road and Ramland Road

Reason for Referral:

Blaisdell Road (CR 17)

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***

We are reviewing this site plan for the two proposed generator enclosures only. A review of the site plan for the proposed three-story building will be done by us once the Town of Orangetown officially refers that portion to us for review. Any changes to this site plan dated May 27, 2015 must be reviewed by us as well.

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 26, 2015 letter from the Rockland County Department of Health must be met. The applicant may need to register as a Petroleum Bulk Storage facility, depending on the total amount of petroleum to be stored on the proposed.

3 The applicant must obtain any necessary permits from the New York State Department of Environmental Conservation's Division of Air Resources for the proposed generators.

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4 We request the opportunity to review any variances which may be necessary to implement the proposed site plan.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
Rockland County Department of Highways
Rockland County Department of Health
New York State Department of Environmental Conservation
Jay A. Greenwell, PLS, LLC

**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.