



**COUNTY OF ROCKLAND**  
DEPARTMENT OF PLANNING

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October 6, 2015

Orangetown Town Board  
26 Orangeburg Road  
Orangeburg, NY 10962

**Tax Data:** 70.15-1-46      70.15-1-45

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

**Map Date:**

**Date Review Received:** 9/15/2015

**Item:** *TOWN OF ORANGETOWN - ZONE CHANGE R-15 TO CC (575-577 ROUTE 303) (O-2276)*

Zone change and zoning map amendment of one parcel, and a portion of another parcel, totaling 2.89 acres, from the R-15 zone to the CC zoning district. Tax parcel 70.15-1-46 is currently split between these two districts and contains a banquet hall/restaurant. Tax parcel 70.15-1-45 currently contains a residence, but is proposed to be developed as a retail use. This parcel is sandwiched between another commercial use to the south.

East side of NYS Route 303; approximately 150 feet south of Erie Street

**Reason for Referral:**

NYS Route 303, S. Greenbush Road (CR 11), Sparkill Creek

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:

**\*Approve**

1 The proposed zone change of tax parcel 70.15-1-46 will eliminate a tax parcel that is currently split between two zoning districts, though is entirely used as a commercial use. If tax parcel 70.15-1-45 is rezoned, then the current residence could be developed as a non-residential use, being consistent with the adjacent parcels to the north and south. The parcel to the south, tax lot 70.15-1-44 is being used for religious uses, and is a good transitional use from the CC zone to the R-15 zone. Since the proposed zone change proposal will have no adverse impacts on any County-wide interests, this matter is remanded for local determination.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
New York State Department of Transportation

**TOWN OF ORANGETOWN - ZONE CHANGE R-15 TO CC (575-577 ROUTE 303) (O-2276)**

Rockland County Department of Highways  
Rockland County Drainage Agency

*\*The proposed action is deemed to have no significant negative impact on nearby municipalities, County or State roads or facilities, County Parks or Drainage Systems or the surrounding Neighborhood Character and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean we endorse this subject action as desirable from the viewpoint of your municipality.*

*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.*