



**COUNTY OF ROCKLAND**  
DEPARTMENT OF PLANNING

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County Executive

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DOUGLAS J. SCHUETZ  
Acting Commissioner

January 6, 2015

ARLENE R. MILLER  
Deputy Commissioner

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 74.10-1-67

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

**Map Date:** 12/10/2014

**Date Review Received:** 12/11/2014

**Item:** *ORANGETOWN SHOPPING CENTER (O-1112S)*

Final site plan for the proposed improvements to an existing shopping center on 10.98 acres in the CS zoning district. Improvements to the site include: 1) a new primary entrance off of Orangeburg Road; 2) abandoning the present access off of Oak Street; 3) construction of a 2,500 sq. ft. commercial building with a drive-through lane; 4) a deceleration lane along the eastbound lane of Orangeburg Road; 5) removal of the old pylon sign and replacement with a new pylon sign; 6) construction of a new sidewalk along the south side of Orangeburg Road between Oak Street and Dutch Hill Road; 7) reconfiguration of the lower parking lot including the addition of parking spaces and the installation of bollards; 8) installation of new stairways and a pedestrian ramp to make them ADA compliant; 9) upgrading the lighting; 10) construction of new concrete walls along the northern and southern perimeters of the new concrete pad area; 11) installation of pedestrian connections to Orangeburg Road; and 12) supplemental landscaping at the new entrance.

South side of Orangeburg Road, east side of Dutch Hill Road, west side of Oak Street, north side of Highview Avenue

**Reason for Referral:**

Orangeburg Road (CR 20), Palisades Interstate Parkway

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:

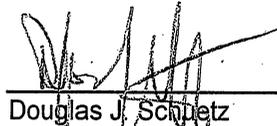
***\*Recommend the following modifications***

- 1 An updated review must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 The conditions in the December 15, 2014 letter from the Rockland County Department of Health must be met.

**ORANGETOWN SHOPPING CENTER (O-1112S)**

3 The application form indicates that the property is 10.98 acres while the Overall Layout Plan indicates that it is 10.59 acres. The lot area must be consistent on all documents.

4 Drawings SD-4.0 and SD-4.1 contain a new General Map note #7 that indicates that lawn areas and perennial/annual planting beds will be used for snow pile storage during winter months. The note further indicates that care will be taken not to use the shrub/tree planting beds. The storage of snow on plant/shrub beds may not only result in the breakage of shrubs due to the weight and plowing of the snow, but also of salt intolerances that plants cannot survive. The lawns and perennial/annual plant beds that the applicant proposes to use for snow storage are only located in the northern portion of the site, and are relatively small in size in comparison to the amount of parking area that would need to be plowed. To ensure that these plant beds are not damaged from the snow storage, plant species that are salt-tolerant must be planted in the areas where the snow storage is planned. In addition, due to the limitation in the lawn and perennial/annual plant bed areas on site, the applicant must still designate snow storage areas.



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Douglas J. Schletz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
Rockland County Department of Health  
Rockland County Planning Board  
Palisades Interstate Park Commission  
Atlantic Consulting & Engineering 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.*