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

April 22, 2015

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

Tax Data: 74.19-1-3

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

Map Date: 1/15/2015 **Date Review Received:** 3/23/2015

Item: ***ORGANIC RECYCLING (O-738X)***

Special permit renewal to operate an existing compost facility on 31.07 acres in the LI zoning district and Route 303 Overlay Zone.
Northeast side of the Palisades Interstate Parkway, south side of Jim Dean Drive

Reason for Referral:

NYS Route 303, Palisades Interstate Parkway, 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:

Recommend the following modifications

1 A review shall be done by the Rockland County Drainage Agency to ensure that the applicant continues to be in compliance with any requirements from this agency.

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

3 A review must be completed by the Palisades Interstate Park Commission and any raised comments or concerns addressed.

4 A review shall be completed by the New York State Department of Transportation and any required permits obtained.

5 The Town shall be satisfied that all of the applicable provisions of the Route 303 Overlay Zone have been addressed to the extent applicable and appropriate.

ORGANIC RECYCLING (O-738X)

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
Palisades Interstate Park Commission
Rockland County Drainage Agency
Rockland County Department of Health
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.