COUNTY OF ROCKLAND

DEPARTMENT OF PLANNING

Building T
Pomona, NY 10970
(845) 364-3434
Fax. (845) 364-3435

EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

May 15, 2015

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 71.05-2-20

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

Map Date: 4/22/2015 **Date Review Received:** 4/30/2015

Item: ***MICHAEL & JILL SHAW (O-2268)***

Site plan for a proposed mud room/powder room addition to an existing single-family residence located on 1.03 acres in the R-22 zoning district and critical environmental area.

East side of US Route 9W, west side of Hader Park, approximately 550 feet south of Old Mountain Road

Reason for Referral:

US Route 9W, Village of Grand View-on-Hudson, River Road

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 all required permits obtained.

2 The comments in the May 7, 2015 letter from the Rockland County Department of Health must be met.

3 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.

4 There shall be no net increase in the peak rate of discharge from the site at all design points.

MICHAEL & JILL SHAW (O-2268)

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 Department of Health
Atzl, Nasher & Zigler P.C.
Village of Grand View-on-Hudson

**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.