



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

July 15, 2015

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 73.10-1-6 73.10-1-5 73.10-1-4

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

Map Date: 6/9/2015

Date Review Received: 6/16/2015

Item: *THE CLUB AT PEARL RIVER (AKA THE POINTE AT LAKE TAPPAN) - WATER MAIN (O-1856V)*

Site plan for the Utilities Plan showing the adjustment of the new location of the water main, for a proposed 159-unit adult rental complex, plus caretaker's apartment, in the OP and PAC zoning districts on 45.1 acres.

South side of Veterans Memorial Drive, west side of S. Blue Hill Road

Reason for Referral:

Veterans Memorial Drive (CR 20), S. Blue Hill Road (CR 23), Blue Hill Road West (CR 23A), Borough of River Vale, NJ

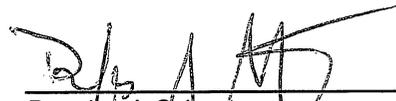
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 As indicated in the June 22, 2015 letter from the Rockland County Department of Health, the revised water main plans must be submitted to them for review and approval.
- 2 A review must be completed by United Water New York and any comments or concerns addressed.
- 3 An updated review must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 4 The following additional comments are offered strictly as observations and are not part of our General Municipal Law (GML) review. The board may have already addressed these points or may disregard them without any formal vote under the GML process.

THE CLUB AT PEARL RIVER (AKA THE POINTE AT LAKE TAPPAN) - WATER MAIN (O-1856V)

4.1 The tax map number on the application form is listed as 73.1 and not 73.10. This should be corrected to ensure that there is no confusion with the tax map number.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
Rockland County Department of Health
Rockland County Department of Highways
Rockland County Office of Fire and Emergency Services
United Water of New York
John Meyer Consulting

**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.