



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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DOUGLAS J. SCHUETZ
Acting Commissioner

April 2, 2015

ARLENE R. MILLER
Deputy Commissioner

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 74.15-1-21 74.15-1-22

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

Map Date: 2/27/2015

Date Review Received: 3/3/2015

Item: *THE SHOPS AT ORANGEBURG COMMONS/ORANGEBURG COMMONS (O-1876V)*

Site plan for a proposed 18,304 sq. ft. retail building to be tied into an existing 224,846 sq. ft. mixed-use development on a total of 16.76 acres in the LI zoning district and Route 303 Overlay Zone. Amended site plan for the existing mixed-use development for regrading of an area approximately 20 feet wide along the western boundary of the site.

West side of NYS Route 303, south side of Stevens Way, east side of the railroad

Reason for Referral:

NYS Route 303, Palisades Interstate Parkway, Western Highway (CR 15)

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 Though the property is not listed on the State or National Registers, the existing house on the site is an historic structure of significance, identified in the book "Pre-Revolutionary Dutch Houses and Families in Northern New Jersey and Southern New York" as the Abram Lent house c.1752. The Rockland County Historic Sites and Survey also includes this house in its inventory. Orangetown historians have indicated that this house is "an outstanding example of the steep equilateral gable roof over a house two full rooms in depth." It is our understanding that a demolition permit has already been issued for this structure.

This building is an irreplaceable historic structure in the Town of Orangetown and every effort should be made to preserve the building, either intact or by moving it to another location, rather than having it demolished.

2 A review must be completed by the New York State Office of Parks, Recreation and Historic Preservation so that they can provide input on how to best protect the historic resource on site.

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- 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 conditions in the March 11, 2015 letter from the Rockland County Department of Health must be met.
- 6 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 7 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.
- 8 The location of the monument sign, and any other identification signs must be shown on the site plan, and conform to the Town's sign standards.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
Palisades Interstate Park Commission
Rockland County Department of Highways
Rockland County Department of Health
New York State Office of Parks, Recreation and Historic Preservation
Leonard Jackson Associates

**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.