

**DEPARTMENT OF PLANNING**

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**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

October 14, 2016

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 74.19-1-2

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

**Map Date:** 9/19/2016

**Date Review Received:** 9/23/2016

**Item:** *CARIBBEAN FOOD DELIGHTS (O-1676J)*

Pre-preliminary site plan for the proposed additions to an existing commercial facility located on 10.06 acres in the LI zoning district.

Southeast corner of NYS Route 303 and the Exit 5 ramp for the Palisades Interstate Parkway

**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:

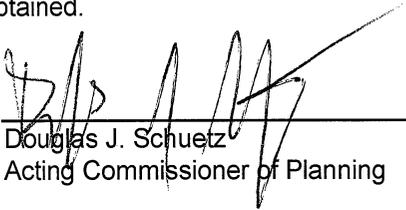
***\*Recommend the following modifications***

1 While we realize that the proposal is in for pre-preliminary and preliminary site plan review, there is a lot of detail lacking on the site plan that must be provided before the next submission, so that a thorough evaluation can be done. These include, but are not limited to the following:

- The existing square footage of the building, as well as the proposed square footage must be provided. This is critical in determining the number of parking spaces required, as well as to ensure that all bulk requirements are being met.
- A bulk table listing both the existing and proposed measurements for all standards, including yards, height, and floor area ratio. In addition, parking calculations must be provided based on the new floor area ratio.
- A vicinity map, with scale and north arrow, must be provided.
- A legend, general map notes, and property information (owner, districts, tax parcel #, etc.) must be provided for the site.

**CARIBBEAN FOOD DELIGHTS (O-1676J)**

- A narrative that describes the proposed project additions must be provided.
- 2 A review shall be completed by the New York State Department of Transportation, any concerns addressed, and all required permits obtained.
- 3 The comment in the September 28, 2016 letter from the Rockland County Department of Health must be met.
- 4 The comments in the October 7, 2016 letter from the Rockland County Drainage Agency must be met.
- 5 A review must be completed by the Palisades Interstate Park Commission and any comments or concerns addressed.
- 6 A landscaping plan that meets all Town requirements, including the Route 303 Overlay Zone, shall be provided.
- 7 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- 8 If there is any encroachment into the Federal wetlands, a review must be completed by the United States Army Corps of Engineers and all required permits obtained.

  
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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  
United States Army Corps of Engineers  
  
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*\*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.*

*Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.*