Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
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Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene Miller
Deputy Commissioner

March 10, 2016

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 70.15-1-47

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 12/14/2015 **Date Review Received:** 2/10/2016

Item: ***GEORGE'S AUTO BODY (O-1316C)***

Site plan for the proposed rebuilding of an existing auto body shop destroyed by a fire, located in the CC zoning district on .418 acres. A 2,218 sq. ft. addition to the rear of the building is also proposed, for a total of 4,563 sq. ft.

Southeast corner of NYS Route 303 and East Erie Street

Reason for Referral:

NYS Route 303, Greenbush Road (CR 11)

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 A lighting plan shall be provided that shows fields of illumination. Lighting shall not shine beyond the property line or into the State highway right-of-way.

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 All proposed signage shall be indicated on the site plan and shall conform to the municipality's sign standards.

GEORGE'S AUTO BODY (O-1316C)

5 Additional landscaping could be planted in the area that is shown to be "proposed striping on exist macadam." In addition, the areas along NYS Route 303 between the sidewalk and the area illustrated with the "+" symbol could be enhanced with landscaping to better define and separate the driveway area from the sidewalk and street. This additional landscaping would help to reduce the impervious surface and provide a more aesthetically pleasing site.

6 We request the opportunity to review any variances which may be necessary to implement the proposed site plan.

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
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.

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.