Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

May 4, 2016

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 77.08-5-49.3

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 N
Map Date: 6/26/2012 **Date Review Received:** 4/12/2016

Item: ***HIGHLAND MEWS AT SPARKILL INTERNAL COMMERCIAL SUBDIVISION (O-1343F)***

Site plan for the proposed internal subdivision of an existing mixed-use building into four units (two on the first floor, and two on the second floor). The building is located in the CS zoning district on .10 acres. The subdivision is necessary in order to rent or transfer ownership of the specific units. No new tax lots are being created.

Southeast side of Main Street, approximately 220 feet northeast of the intersection of Main Street and Union Street

Reason for Referral:

Valentine Avenue/Union Street/Main Street (NYS Route 340), Highland Avenue (US Route 9W), Washington Street (CR 8), Village of Piermont

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 any required permits obtained.

2 Some of the parking spaces to be used for this development are located off-site and across the street. A map showing the parking for the site must be provided. In addition, to ensure safety of pedestrians, a clearly marked pedestrian crosswalk should be provided, if appropriate.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation

HIGHLAND MEWS AT SPARKILL INTERNAL COMMERCIAL SUBDIVISION (O-1343F)

Rockland County Department of Highways

Jorge L. Lopez, Architect, PC
Village of Piermont

**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.