

**DEPARTMENT OF PLANNING**

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

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

July 7, 2016

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 73.20-1-24

**Re: GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M  
**Map Date:** 4/14/2016

**Date Review Received:** 6/10/2016

**Item:** *ONE RAMLAND ROAD GENERATOR PLAN (O-1079CC)*

Site plan for the proposed installation of three, one-story generators for an existing building located on 32.81 acres in the LIO zoning district. A front yard variance will be required due to the placement of the generators.

Northeast corner of Blaisdell Road and Ramland Road

**Reason for Referral:**

Blaisdell Road (CR 17), Federal wetlands

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 must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 The comments in the June 14, 2016 letter from the Rockland County Department of Health must be met. The applicant may need to register as a Petroleum Bulk Storage Facility, depending on the total amount of petroleum to be stored on the site.
- 3 The applicant must obtain any necessary permits from the New York State Department of Environmental Conservation's Division of Air Resources for the proposed generators.
- 4 An updated review must be completed by the U.S. Army Corps of Engineers, and any required permits obtained.

**ONE RAMLAND ROAD GENERATOR PLAN (O-1079CC)**

5 It is not clear if the variance for front yard has been granted, as we have not received any minutes from the June Zoning Board of Appeals meeting, and the bulk table on the plans submitted indicates that a variance is still required. If the variance has been approved, then the map note under the bulk table must cite such, and provide the Zoning Board of Appeals case number and date of the meeting, and the minutes must be forwarded to our office for our records. If not, then we request the opportunity to review the needed variance.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
Rockland County Department of Health  
New York State Department of Environmental Conservation  
United States Army Corps of Engineers  
  
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.*