Rockland County

Ed Day, Rockland County Executive

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

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

April 11, 2016

Orangetown Zoning Board of Appeals
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 73.10-1-4

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

Date Review Received: 3/11/2016

Item: ***THE CLUB AT PEARL RIVER - MONUMENT SIGN (O-1856Z)***

Variances to permit the installation of an illuminated monument sign for a planned adult community located on 45.1 acres in the OP and PAC zoning districts. The monument needs variances for greater than permitted square footage and to allow it to be illuminated.

South side of Veterans Memorial Drive, west side of S. Blue Hill Road

Reason for Referral:

Veterans Memorial Drive (CR 20), S. Blue Hill Road (CR 23), Blue Hill Road West (CR 23A), Borough of River Vale, NJ

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:

***Disapprove**

1 The Town's zoning standards are reasonable and should be followed. The granting of these variances can set a precedent and encourage other housing development along County highways to request similar exemptions. Oversized signs and improperly illuminated signage can have an adverse effect on the safe and efficient flow of traffic along County highways. If your Board finds there is a pattern of requests for sign variances and that some rationale exists for lessening the Town's standards, we suggest a recommendation be made to the Town Board to revise the sign standards for developments on County highways.

Arlene Miller
for Douglas J. Schuetz
Deputy ~~Acting~~ Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
Rockland County Department of Highways

THE CLUB AT PEARL RIVER - MONUMENT SIGN (O-1856Z)

Donald Brenner
Borough of River Vale, NJ

Rockland County Planning Board Members

**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.