

DEPARTMENT OF PLANNING

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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 - TEMPORARY LEASING SIGNS (O-1856AA)*

Variations to allow ten temporary leasing signs for a planned adult community located on 45.1 acres in the OP and PAC zoning district. Variations required include: 1) more than one permitted business sign (10 are proposed); 2) more than one advertising sign at the entrance no larger than 2 sq. ft. (10 signs for a total of 224 sq. ft. are proposed); 3) allowing directional signs and more than four in number; and 4) greater than permitted temporary advertising sign where one 4 sq. ft. sign is permitted, and 10 signs that are 224 sq. ft. in total are proposed.

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:

****Recommend the following modifications***

- 1 A review must be completed by the County of Rockland Department of Highways to ensure that the placement of the temporary signs does not impede sight distance. Any required permits must be obtained.

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2 The Town must monitor the site to ensure that these temporary signs are only posted for a period of no more than 30 days, as specified in Section 4.28.(a) of the Zoning Ordinance. If the time period expires, is an extension of time permitted? Does the Zoning Board need to approve this extension of time? Is a referral to the County needed again? These issues must be addressed as well.

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

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

Donald Brenner
Borough of River Vale, NJ

**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.