

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

June 5, 2017

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

Tax Data: 77.07-2-1

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 4/20/2017

Date Review Received: 5/2/2017

Item: 115 ROUTE 303 (O-658M)

Sign area variance to permit a new monument sign and four building mounted signs at a proposed self-storage building located on 8.47 acres in the LO zoning district.
Northeast corner of NYS Route 303 and Kings Highway

Reason for Referral:

NYS Route 303, Sparkill Creek, Palisades Interstate Parkway

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 applicant is requesting a sign area variance that exceeds the permitted square footage by over 745%, far exceeding the allowed sign size. The granting of this variance can set a precedent and encourage nearby commercial uses along the State highway to request similar exemptions. The resulting proliferation of oversized signs will have an adverse effect on the safe and efficient flow of traffic along the State highway. 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 on parcels that front high-volume traffic corridors; and that the New York State Department of Transportation is given the opportunity to review any proposed changes.



Douglas J. Schuetz
Acting Commissioner of Planning

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

115 ROUTE 303 (O-658M)

Palisades Interstate Park Commission
Rockland County Drainage Agency
Rockland County Department of Highways
Rockland County Department of Health

Frank G. Relf Architect, P.C.

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.