Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

June 19, 2017

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 74.07-1-7

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 3/29/2017 **Date Review Received:** 5/18/2017

Item: ***NOLAN MONUMENT ADDITION (O-1701P)***

Site plan for a proposed 16' x 22' (352 sq. ft.) addition to an existing monument sales and office building located on .46 acres in the CC zoning district and Route 303 Overlay Zone. No additional variances are required to implement the proposed site plan.
West side of NYS Route 303, 300 feet north of Mountainview Avenue

Reason for Referral:

NYS Route 303, Greenbush Road (CR 11), Sparkill Creek

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, any concerns addressed, and all required permits obtained.

2 A review must be completed by the County of Rockland Drainage Agency, and all required permits obtained.

3 Map Note #15 must be updated to reference Suez as the water supplier.

4 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.

5 A signage plan that conforms to the Town's standards must be submitted for review. The signs must be kept out of the State right-of-way.

6 A landscaping plan that meets all Town requirements shall be provided.

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7 The proposed plans shall comply with the Route 303 Overlay Zone, to the extent applicable.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
Rockland County Department of Highways
Rockland County Department of Health
Rockland County Drainage Agency

Jay A. Greenwell, PLS

**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.