

**DEPARTMENT OF PLANNING**

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

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

August 11, 2017

Orangetown Town Board  
26 Orangeburg Road  
Orangeburg, NY 10962

**Tax Data:**

**Re: GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M

**Map Date:**

**Date Review Received:** 7/19/2017

**Item:** *TOWN OF ORANGETOWN - HISTORIC PRESERVATION AMENDMENTS (O-1878B)*

Proposed Local Law concerning demolition of buildings and signage in Historic Districts.  
Tappan and Palisades Historic Districts

**Reason for Referral:**

Main Street/Western Highway (CR 15), Old Tappan Road/Washington Street (CR 8), Closter Road (CR 4), NYS Route 303, Palisades Interstate Parkway, US Route 9W, Palisades State Park, Tallman Mountain State Park, Sparkill Creek, Long Path Hiking Trail.

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 Rockland County Historic Preservation Board and any concerns addressed.
- 2 The SEQRA Short Environmental Assessment Form is incomplete and must be completed.



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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Historic Preservation Board  
Rockland County Department of Highways  
New York State Department of Transportation  
Rockland County Drainage Agency  
Palisades Interstate Park Commission  
New York - New Jersey Trail Conference

## **TOWN OF ORANGETOWN - HISTORIC PRESERVATION AMENDMENTS (O-1878B)**

*\*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.*