Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
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Pomona, New York 10970
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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

January 3, 2017

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 72.08-1-2

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 7/25/2016 **Date Review Received:** 11/29/2016

Item: ***PEARL MONT CORP. - SIGN PLAN (O-1884F)***

Sign plan for eight proposed signs for an existing car wash located on 2.08 acres in the LIO zoning district.

East side of NYS Route 304, west side of the railroad right-of-way, 80 feet north of the New Jersey state line

Reason for Referral:

NYS Route 304, Muddy Creek, Montvale Borough, 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 More details must be provided regarding the proposed signage. Specifically, sign dimensions must be provided, and the applicant must indicate whether the signs will be illuminated, either internally or by indirect lighting. This information is needed in order to determine if the proposed sign are in compliance with the Town's sign standards.

2 All proposed signage shall conform to the town's sign standards.

3 A review shall be completed by the New York State Department of Transportation, any concerns addressed, and any required permits obtained.

4 A review must be completed by the Rockland County Drainage Agency, any concerns addressed, and all required permits obtained.

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5 The Borough of Montvale, NJ is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 80 feet south of the site. As required under Section 239nn of the State General Municipal Law, the Borough of Montvale, NJ must be given the opportunity to review the proposed sign plan and provide any concerns related to the project to the Town of Orangetown.

Douglas J. Schuetz
Acting Commissioner of Planning

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

R A Associates
Borough of Montvale, 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.