

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

April 17, 2017

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 77.08-5-48.2

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

Map Date: 8/12/2016

Date Review Received: 3/17/2017

Item: *QUINN DEVELOPMENT LLC (O-847H)*

Site plan to permit the installation of a temporary play area for a use located on .08 acres in the CS zoning district. Two existing parking spaces will be used for the playground area.
North side of Union Street, approximately 60 feet east of Washington Street

Reason for Referral:

Union Street/Washington Street/Valentine Avenue (NYS Route 340), Main Street (CR 8), Village of Piermont

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 any required permits obtained.
- 2 A review must be completed by the County of Rockland Department of Highways, all comments or concerns addressed, and all required permits obtained.
- 3 The site plan is lacking several features that must be provided. These include the parking requirement versus what is proposed, a vicinity map, and map notes that list all appropriate information, including the district information. These features must be included on the site plan.

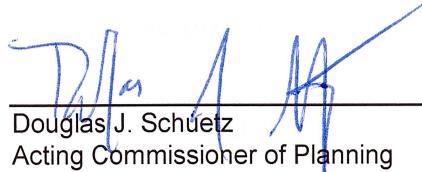
QUINN DEVELOPMENT LLC (O-847H)

4 As indicated above, the site plan did not include a bulk table or any bulk requirements. Two onsite parking spaces are being proposed to be converted for use for the playground area. Without parking calculations, it is impossible to determine if adequate parking is still being provided for the site. A parking table with calculations must be provided; indicating what is existing, proposed, and required. Since the parking is tied to all three parcels, the calculation must include the parking requirements for all three parcels. It must also be noted if a parking variance would be required.

5 The information provided indicates that this is a temporary play area. It must be noted as to the proposed time frame for the temporary play area.

6 The Village of Piermont is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 330 feet northeast of the site. As required under Section 239nn of the State General Municipal Law, the Village of Piermont must be given the opportunity to review the proposed subdivision and provide any concerns related to the project to the Town of Orangetown.

7 We request the opportunity to review any variances which may be necessary to implement the proposed site plan.



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

George Hodosh Associates - Architects, P.C.
Village of Piermont

**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.