

**DEPARTMENT OF PLANNING**

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

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

January 27, 2017

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 76.08-1-4      76.08-1-3

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

**Map Date:** 11/11/2016

**Date Review Received:** 12/30/2016

**Item:** *SKAE TRAINING - SHED & ANTENNA PLANS (O-1891T)*

Site plan to allow a proposed 6' x 6' shed and 75' antenna on a site that contains a training center, and is located on 14.97 acres in the LIO zoning district.

East side of Blaisdell road, north side of the New Jersey/New York boundary, approximately 545 feet south of Ramland Road

**Reason for Referral:**

Blaisdell Road (CR 17), Borough of Old Tappan, NJ, Federal wetlands

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 No narrative or other information was provided regarding the 75' high antenna or the shed. Is this a satellite television antenna, wireless telecommunication facility, or some other type of antenna? Is the shed an equipment building for the antenna, or a stand-alone structure? This must be clarified in order to determine what regulations to apply for the proposed antenna and shed.

If a satellite television antenna is proposed, then the provisions in Section 8.14 of Chapter 43 are applicable, and all criteria, including manufacturer information, dimensions (width, depth and height), and screening must be provided. If the proposal is for a wireless telecommunication facility, then Section 8.15 of Chapter 43 is applicable to the facility. More detailed information must be provided in order to do a proper evaluation of the site, determine which section of the Zoning Ordinance is applicable, and ensure that the proposal is in compliance.

2 A review must be completed by the County of Rockland Department of Highways and any concerns addressed and required permits obtained.

**SKAE TRAINING - SHED & ANTENNA PLANS (O-1891T)**

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



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Douglas U. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown  
Rockland County Department of Highways  
Rockland County Department of Health  
United States Army Corps of Engineers  
  
Sparaco & Youngblood, PLLC  
Borough of Old Tappan, 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.*