

**DEPARTMENT OF PLANNING**

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

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

April 19, 2018

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 74.07-1-15.1

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

**Map Date:** 3/22/2018

**Date Review Received:** 3/26/2018

**Item:** **125 SOUTH GREENBUSH ROAD (O-1853N)**

Internal commercial subdivision of an existing 336,070 sq. ft. building located on 24.53 acres in the LI zoning district, into four rentable units. Site plan to allow the installation of six proposed exterior loading docks for Unit B.

East side of S. Greenbush Road, opposite of Mountainview Avenue

**Reason for Referral:**

S. Greenbush Road (CR 11), NYS Route 303, Clausland Mountain Park, 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 The comments in the March 28, 2018 letter from the Rockland County Highway Department must be met.
- 2 If required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.
- 3 The Town of Orangetown Planning Board must ensure that sufficient parking is provided for the four separate uses that will now occupy the subdivided building. The parking layout must delineate the specific areas dedicated for each unit.
- 4 A review must be completed by the County of Rockland Division of Environmental Resources and any comments or concerns addressed.

**125 SOUTH GREENBUSH ROAD (O-1853N)**

5 An accessway for Clausland Mountain Park exists along the southern boundary of the parcel. Also along the boundary of the site is parking that is used for truck trailer storage. A berm or evergreen landscaping must be planted along the southern boundary to shield the outside storage of trucks from the county parkland.

6 Map Note #6 on the subdivision plan lists the parcel to be within the LIO zoning district. This should be corrected to be the LI zoning district.



Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown  
Rockland County Department of Highways  
Rockland County Drainage Agency  
Rockland County Division of Environmental Resources  
New York State Department of Transportation  
  
Jay A. Greenwell, PLS, LLC  
Poskanzer Skott Architects  
Donald Brenner

*\*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.*