

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

January 12, 2018

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 70.19-1-45

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

Map Date: 6/1/2017

Date Review Received: 12/13/2017

Item: 526 ROUTE 303 (O-1920C)

Site plan to permit internal renovations for an existing one-story commercial building located on 8.75 acres in the LO zoning district. A new site plan review was required so that a parking lot expansion, and three accessory structures (two pre-fab sheds, and a lean-to structure use as a smoking area for employees) can be approved.

West side of NYS Route 303, south side of Glenshaw Street

Reason for Referral:

NYS Route 303

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 and any comments or concerns addressed.
- 2 A bulk table should be provided, showing the required standards, and the existing conditions. This table should include parking requirements as well.
- 3 A portion of the northern parking lot encroaches into the Glenshaw Street right-of-way and the 25' drainage easement. The parking spaces must be relocated out of these two areas.

526 ROUTE 303 (O-1920C)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
New York State Department of Transportation
Rockland County Department of Health
Rockland County Department of Highways

Lan Associates

**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.