Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

May 1, 2018

Orangetown Zoning Board of Appeals
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 69.10-2-21 69.14-1-28

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 3/12/2018 **Date Review Received:** 4/10/2018

Item: ***HENRY KAUFMANN CAMP GROUND INC. (O-1061L)***

Variances to permit improvements to an existing camp located on 105.914 acres in the R-80 zoning district. The required variances are needed for the Bronx House Site Area, as the proposal does not comply with Section 4.32(B)Camps which states: "No building, tent, activity area or recreation facility shall be less than 300 feet from any lot line. Variances for a ballfield, homebase pavilion, aquatic center, restrooms and office, playfield, bio-rentention area #1, #2, and #3

West side of Sickletown Road, north side of Blauvelt Road/Sickletown Road, east end of S. Reld Drive

Reason for Referral:

Sickletown Road (CR 23), Nauraushaun Brook, 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 As indicated in the March 12, 2018 letter from the Rockland County Drainage Agency, the applicant is in violation of the Rockland County Stream Control Act, due to unauthorized construction completed without the proper procedures being followed. The steps outlined in their letter must be addressed, so as to rectify all outstanding violations.

2 The comments in the April 19, 2018 letter from the Rockland County Department of Health must be met.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
Rockland County Department of Highways

HENRY KAUFMANN CAMP GROUND INC. (O-1061L)

Rockland County Drainage Agency
Rockland County Department of Health
Federal Emergency Management Agency

Stantec

**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.