

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

February 28, 2018

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 70.18-2-17

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

Map Date: 1/26/2018

Date Review Received: 1/30/2018

Item: *LINEN CHOICE FINAL SITE PLAN (O-1307GG)*

Site plan for the proposed construction of a 175,625 sq. ft. warehouse/office building located on 14.28 acres in the LI zoning district. The building is proposed to be built in two phases. Phase I will consist of a 105,641 sq. ft. warehouse and 10,100 sq. ft. office building; Phase II will consist of a 57,984 sq. ft. warehouse and 1,900 sq. ft. office building. A total of 75 parking spaces are proposed, and 29 loading berths. It is anticipated that 30 employees will be working at the site at full build-out. Access is being provided via an access easement over tax lot 70.18-2-16 to Glenshaw Street.

East side of Clarke Rail Trail, approximately 1,070 feet west of NYS Route 303; 118 feet south of Murphy Court

Reason for Referral:

Western Highway (CR 15)

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 February 7, 2018 letter from the Rockland County Department of Health must be addressed.
- 2 An updated review must be completed by the County of Rockland Department of Highways and all concerns addressed and all required permits obtained.
- 3 The applicant must obtain any necessary permits from the New York State Department of Environmental Conservation's Division of Air Resources for the proposed facility.
- 4 Since the parcel to the north is owned by Suez, and contains public water-related appurtenances, a review must be completed by them, and any concerns addressed.

LINEN CHOICE FINAL SITE PLAN (O-1307GG)

5 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the entire site. These measures must meet the latest edition (November 2016) of the New York State Guidelines for Urban Erosion and Sediment Control.

6 There shall be no net increase in the peak rate of discharge from the site at all design points.



Douglas J. Schuetz
Acting Commissioner of Planning

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

Maser Consulting P.A.

**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.