Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
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Pomona, New York 10970
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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

March 9, 2018

Orangetown Town Board
26 Orangeburg Road
Orangeburg, NY 10962

Tax Data:

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 11/1/2017 **Date Review Received:** 2/14/2018

Item: ***TOWN OF ORANGETOWN - CHILD DAY-CARE CENTER SPECIAL PERMIT (O-2342)***

Zoning Code Amendment to add Child Day-Care Center as a special permit use applicable to mixed-use and mixed-use expansion developments in the LI zoning district. Tax lot 74.15-1-22 is the specific site within the mixed-use development known as Orangeburg Commons, in which the child day-care center is proposed to be located.

Parcels located with frontage on the Palisades Interstate Parkway and with frontage on, and/or with direct access to New York State Route 303

Reason for Referral:

Palisades Interstate Parkway, NYS Route 303, Western Highway, Rockland County Sewer District #1, 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:

***Approve**

Since the proposed zoning code amendment will not have any adverse impacts on any County-wide interests, this matter is remanded for local determination.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
New York State Department of Transportation
Rockland County Department of Highways
Rockland County Sewer District #1
Palisades Interstate Park Commission
Rockland County Drainage Agency

TOWN OF ORANGETOWN - CHILD DAY-CARE CENTER SPECIAL PERMIT (O-2342)

Leonard Jackson Associates
Hocherman Tortorella & Wekstein, LLP

**The proposed action is deemed to have no significant negative impact on nearby municipalities, County or State roads or facilities, County Parks or Drainage Systems or the surrounding Neighborhood Character and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean we endorse this subject action as desirable from the viewpoint of your municipality.*

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.