



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

October 9, 2018

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 73.15-1-11

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 7/20/2018

Date Review Received: 9/21/2018

Item: *PALISADES VETERINARY HOSPITAL SITE PLAN (O-2351B)*

Site plan to permit two additions totaling 1,800 sq. ft. for a proposed animal hospital located in the newly rezoned R-80 zoning district. The total square footage of the building will be 2,800 sq. ft. Variances were required to permit the additions, including lot area, lot width, side yard, total side yard, having an accessory structure in the rear yard for two sheds, and less than the required rear yard for the sheds. The parcel is comprised of 1.4 acres.

West side of Hunt Road, approximately 190 feet south of Orangeburg Road

Reason for Referral:

Orangeburg Road (CR 20)

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 August 23, 2018 letter from the Rockland County Department of Health (RCDOH) must be met. Specifically, the existing private well cannot be used to supply water for the proposed use without RCDOH review and approval, as the proposed use would potentially meet the New York State Department of Health definition of a public water system. The existing private well was not designed, permitted or constructed to public water supply standards, and cannot be used to supply a public water system.
- 2 The site plan must highlight all of the variances that were required in order to implement the proposed additions to the building. In addition, a map note must be provided that lists that the variances were granted by the Zoning Board of Appeals, including the date of the meeting, and the Zoning Board of Appeals decision number.
- 3 A landscaping plan that meets all Town requirements shall be provided.

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- 4 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- 5 All proposed signage must be shown on the site plan, and shall conform to the town's sign standards.
- 6 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.
- 7 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

Engineering & Surveying Properties
Dr. Ean Bauer

**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.