

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

September 20, 2019

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 68.16-6-39

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 4/25/2019

Date Review Received: 8/22/2019

Item: *ANDA SITE PLAN (O-2182F)*

Amended site plan for modifications to an existing detached garage for a mixed-use building consisting of apartments and a small business office located on 0.223 acres in the CS zoning district. Variances for side yard and total side yard were previously granted to legalize the garage which was erroneously built using the reverse setbacks of what was provided. Other site plan improvements include the replacement of wood edging with Belgian block; relocating the stockade fence and the vegetation along the fence, and replacement of the vegetation with three new trees; removing the concrete sidewalk along the side and rear of the garage; providing additional planting along the western and northern property line; and adding a grate to the drywell.

North side of East Central Avenue, approximately 400 feet west of North Henry Street

Reason for Referral:

East Central Avenue (CR 30)

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 An updated review shall be completed by the Rockland County Highway Department. In addition, as indicated in their letter of May 15, 2019, a road work permit must be obtained for the amended site plan.
- 2 A review must be done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.

ANDA SITE PLAN (O-2182F)



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Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
Rockland County Department of Health
Rockland County Department of Highways
Jay A. Greenwell, PLS, LLC

**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.