



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

June 26, 2019

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

Tax Data: 74.10-1-67

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

Map Date: 10/2/2018

Date Review Received: 5/16/2019

Item: *CVS PHARMACY SIGNS (O-1112W)*

Variance to permit total signage that exceeds the total sign area permitted (80 square feet permitted, 350.89 square feet proposed). The signage for an existing CVS Pharmacy located on 0.59 acres in the CS zoning district.

South side of Orangeburg Road, east side of Dutch Hill Road, west side of Oak Street, north side of Highview Avenue

Reason for Referral:

Orangeburg Road (CR 20), Palisades Interstate Parkway

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:

****Disapprove***

1 We are disapproving the variance for total sign area as the Town's zoning standards are reasonable and should be followed. The total sign area requested is more than 438% greater than permitted, and the additional amount sought is over 320% greater than what has already been permitted by a previous variance. The granting of these variances can set a precedent and encourage nearby commercial uses along the County and State highways to request similar exemptions. This can result in a proliferation of oversized signs that can have an adverse effect on the safe and efficient flow of traffic along these routes.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
Palisades Interstate Park Commission
Rockland County Department of Highways

CVS PHARMACY SIGNS (O-1112W)

Pratt Visual Solutions

Rockland County Planning Board Members

**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.