



# Rockland County

Ed Day, Rockland County Executive

## DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center  
50 Sanatorium Road, Building T  
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Phone: (845) 364-3434 Fax: (845) 364-3435

**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

October 1, 2019

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 74.18-3-48

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

**Map Date:** 6/26/2019

**Date Review Received:** 9/5/2019

**Item:** *CAMP SHANKS - RHFH PHASE II (O-2387)*

Site plan and conditional use permit for the renovation of two buildings into fourteen new housing units, with twelve one-bedroom units and two two-bedroom units, as part of the Rockland Homes for Heroes to house Veterans. The parcel is located on 8.16 acres in the R-15 zoning district. A variance for lot area is necessary.

East side of Western Highway, opposite Gregg Court and Independence Avenue

### Reason for Referral:

Western Highway (CR 15)

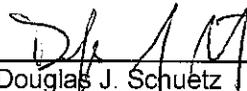
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

### *\*Recommend the following modifications*

- 1 The applicant must comply with the conditions of the Rockland County Highway Department in their letter of September 26, 2019.
- 2 The applicant must comply with the conditions of the Rockland County Health Department in their letter of September 26, 2019.
- 3 Map note #10 is incomplete. The sewer district shall be recorded as Orangetown, as stated on the Land Use Board Application. In addition, map note #13 incorrectly states the plan is subject to General Municipal Law Sections L & N. As this is a site plan application and not a subdivision, this should be corrected to Sections L & M.
- 4 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.

**CAMP SHANKS - RHFH PHASE II (O-2387)**

- 5 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 6 The Town shall be satisfied that the proposal complies with the general requirements for Conditional Uses outlined in Section 8.1 of the Zoning Code, as well as the specific standards for Attached Veteran Housing as outlined in Section 8.17.
- 7 The letter from Donald Brenner, dated, August 12, 2019, states that there are three buildings. The project description on the application form, the Short Environmental Assessment Form, and the narrative from Brooker Engineering state that there are two buildings. All application materials must be consistent. The Town Planning Board must determine if the larger building is only one since it is connected by a roof, or if in fact it is two separate buildings.
- 8 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.
- 9 A landscaping plan shall be provided. It must be demonstrated that the landscaping does not conflict with the snow pile locations.
- 10 We request the opportunity to review any variance that is needed to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown  
Rockland County Department of Health  
Rockland County Department of Highways  
Brooker Engineering, PLLC

Ken Degennaro - Brooker Engineering

*\*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.*