

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

June 11, 2019

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 70.14-4-10

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 3/5/2019

Date Review Received: 5/7/2019

Item: *GREATER HUDSON BANK (O-2361A)*

Site plan for a proposed bank in an existing two-story building, located on .6225 acres in the CC zoning district. The applicant proposes to reconfigure the parking so as to have 30 spaces in total, and to add landscaping to the site so as to add more greenspace along NYS Route 303.
Northwest corner of Erie Street and NYS Route 303

Reason for Referral:

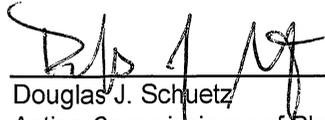
NYS Route 303, S. Greenbush Road (CR 11)

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 A review must be completed by the New York State Department of Transportation, any comments or concerns addressed, and all required permits.
- 2 The Town of Orangetown Planning Board should review all of the criteria for the Route 303 Overlay Zoning District, as stated in Article XIII of the Zoning Ordinance to ensure that as many of the criteria as possible are implemented.
- 3 It must be demonstrated that the intensity of the existing lighting is less than 0.1 lumens at the property line. A lighting plan shall be provided that shows fields of illumination.
- 4 As indicated in the June 5, 2019 letter from the Rockland County Department of Health, if changes are to be made to the existing stormwater management system, then an application must be made to them to ensure compliance with the County Mosquito Code.
- 5 We request the opportunity to review any variances that may be needed to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

GREATER HUDSON BANK (O-2361A)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
New York State Department of Transportation
Rockland County Department of Health
Rockland County Department of Highways
Atzl, Nasher & Zigler P.C.

**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.