Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

May 21, 2019

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

Tax Data: 68.19-2-38 68.19-2-36

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 11/5/2018 **Date Review Received:** 5/1/2019

Item: ***QUINLAN SUBDIVISION (O-1893C)***

Street frontage variance (Section 280-a) to permit a lot line change of two lots into two alternate lot configuration for parcels located on a total of 1.21 acres in the RG zoning district. The 280-a variance is required for tax parcel 68.19-2-36.

East side of Center Street, approximately 133 feet north of W. Central Avenue

Reason for Referral:

W. Washington 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 The map submitted with the application, dated November 5, 2018, is not the most recent map available for the subject site. Our previous review completed for this parcel for the re-subdivision was based on a map dated December 14, 2018. The older version submitted does not contain all of the updated information, including map notes. The applicant must use the newer version of the map, which should also be referenced with a revision date, since the original base map was completed on November 5, 2018.

2 The Town of Orangetown must ensure that the utility easement and right-of-way over tax lot 68.19-2-38 are recorded on the deed for both parcels.

Douglas J Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
Rockland County Sewer District #1
Rockland County Department of Highways
Rockland County Department of Health

QUINLAN SUBDIVISION (O-1893C)

Rockland County Drainage Agency

Robert E. Sorace, PLS

**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.