# 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*

July 15, 2019

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

**Tax Data:** 76.08-1-4

**Re: GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M
**Map Date:** 4/24/2019 **Date Review Received:** 6/19/2019

**Item:** ***SKAE REAR EXPANSION -POLE BARN SITE PLAN (O-1891Y)***

Site plan for the proposed construction of a 3,000 square foot pole barn addition to the existing 1,538 square foot rear structure (previously used as a residence), located on the eastern portion of the site of a training facility. Changes from the previous plan include the re-orientation of the parking area, an expansion of the Macadam driveway, a different location for the shed, and changes to the grading. The entire 14.9657 acre site is located in the LIO zoning district, and contains an 11,800 square foot gym on the western portion of the site.

East side of Blaisdell Road, north side of the New York/New Jersey boundary, approximately 545 feet south of Ramland Road

**Reason for Referral:**

Blaisdell Road (CR 17), Federal wetlands

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 must be completed by the Rockland County Department of Health to ensure compliance with the County Mosquito Code.

2 An updated review must be completed by the County of Rockland Department of Highways, all comments and concerns addressed, and any required permits obtained.

3 The applicant refers to a tax map designation of 76.08-1-3 for the property on the 2019 Land Use Board application whereas the Town of Orangetown Planning Board Decision of September 12, 2018 refers to it as 76.08-1-4. Our records indicate that the 76.08-1-3 parcel was merged with the 76.08-1-4 parcel, and the former tax parcel no longer exists. This must be updated to reflect the proper designation and to avoid confusion in the future when referencing this parcel.

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4 We have previously reviewed this parcel for a site plan review in February 2018 for a shed and 75 foot antenna. The site plan that corresponded to that application was dated November 11, 2016, with a revision date of January 2, 2018. The application before us now is dated April 24, 2019. However, additions since 2017, such as the 75 foot antenna and shed are not depicted on this set of plans. The plans submitted must contain the most up-to-date information, particularly for approved facilities. A revised site plan illustrating all components of the site must be provided.

5 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.

6 There shall be no net increase in the peak rate of discharge from the site at all design points.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
Rockland County Department of Highways
Rockland County Department of Health
United States Army Corps of Engineers

Sparaco & Youngblood, PLLC

**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.*