



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 Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 71.05-1-26

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

Map Date: 3/28/2019

Date Review Received: 6/6/2019

Item: *SMITH-KRIZ ADDITIONAL SITE PLAN (CRITICAL ENVIRONMENTAL AREA) (O-2377)*

Site plan to permit an addition and interior alterations for an existing single family residence located on 0.43 acres in the R-22 and Critical Environmental Area. The modifications include dry set terraces, a gravel parking court, and connection to the town sewer lines.

Land-locked parcel situated approximately 225 feet south of Old Mountain Road and approximately 329 feet east of South Boulevard

Reason for Referral:

Old Mountain Road (CR 28), South Boulevard (CR 28), Blauvelt State Park

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 County of Rockland Department of Highways and any concerns addressed and any required permits obtained.
- 2 As indicated in the June 10, 2019 letter from the Rockland County Department of Health, an application must be made to them for review of the stormwater system to ensure compliance with the County Mosquito Code.
- 3 A review must be completed by the New York State Department of Environmental Conservation and any required permits obtained.
- 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.
- 5 There shall be no net increase in the peak rate of discharge from the site at all design points.

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6 The bulk table shown on drawing number SP1.1 indicates that many of the bulk measurements do not meet the minimum requirements for the R-22 zoning district. If variances have previously been granted, a footnote should be added with the Zoning Board of Appeals case number and the date of the hearing. Otherwise, the applicant may need to obtain the necessary variances for the property.

6.1 Should variances for the property be required, we request the opportunity to review them as per the New York State General Municipal Law.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Department of Highways
Palisades Interstate Park Commission
New York State Department of Environmental Conservation

Jeffery Hall Architect, 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.