

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

March 19, 2020

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 64.17-1-78

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

Map Date: 12/27/2019

Date Review Received: 2/19/2020

Item: *ORANGE BANK & TRUST (O-1751D)*

Site plan for the conversion of an existing, vacant restaurant/café to a bank located on 0.78 acres in the CO zoning district. Modifications to the site will include renovating the parking lot, resurfacing and restriping the macadam, removing excess gravel areas, fixing the curb, installing new signage, new lighting, and new landscaping. Interior renovations will also be made, as well as the installation of a drive-up ATM with a new canopy.

East side of North Middletown Road, approximately 175 feet south of Hovenkamp Road

Reason for Referral:

North & South Middletown Road (CR 33), West Townline Road (CR 42), Town of Clarkstown

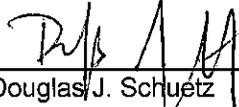
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 The applicant must comply with the comments made by the Rockland County Highway Department in their letter of March 9, 2020.
- 2 A review must be completed by the County of Rockland Department of Health, any comment or concerns addressed, and any required permits obtained.
- 3 A crosswalk shall be provided from the handicapped parking spaces to provide safe access to the building for pedestrians.
- 4 Areas designated for snow removal must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. This will help to protect the proposed landscaping from damage due to the weight of the snow and salt intrusion. In addition, providing specific locations on the site for the snow piles will reduce the loss of available parking spaces meant to be used by customers.

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- 5 The lighting plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line, especially along the western edge of the site.
- 6 All signage must conform to all Town requirements.



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cc: Supervisor Teresa Kenny, Orangetown
Rockland County Department of Health
Rockland County Department of Highways

Degraw & Dehaan Architects
Town of Clarkstown

**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.