

**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*

February 25, 2020

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 73.15-1-16

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

**Map Date:** 12/11/2019

**Date Review Received:** 2/6/2020

**Item:** *SQ PROPERTIES (O-1169YYYYY)*

Site plan for a 35,400 SF addition to an existing 20,200 SF commercial building to be used for assembling and warehousing of glass storefront material. The parcel is located on 6.947 acres in the LIO zoning district. Planning Board approval is required for parking within the required side yards.

West side of Olympic Drive, approximately 535 feet south of Hunt Road

**Reason for Referral:**

County Highway Depot

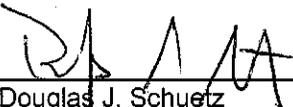
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Recommend the following modifications***

- 1 A review must be done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.
- 2 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.
- 3 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 4 Retaining walls that are over four (4) feet in vertical height shall be designed by a licensed New York State Professional Engineer and be in compliance with the NYS Fire Prevention and Building Code. Design plans shall be signed and sealed by the licensed NYS Professional Engineer.
- 5 The status of the Right of Way shall be determined. If it has not yet been eliminated, the Town must be ensured that the Right of Way is not needed for future use.

**SQ PROPERTIES (O-1169YYYYY)**

6 Map note #6 refers to Section 239 L & N of New York State General Municipal Law. This shall be corrected to Section 239 L & M.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown  
Rockland County Department of Highways  
Rockland County Department of Health  
Jay A. Greenwell, PLS, LLC

*\*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.*