

**DEPARTMENT OF PLANNING**

Dr. Robert L. Yeager Health Center  
50 Sanatorium Road, Building T  
Pomona, New York 10970

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**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

October 9, 2020

Orangetown Zoning Board of Appeals  
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:** 9/22/2020

**Item:** *SQ PROPERTIES, LLC (O-1169ZZZZZ)*

Variance to permit outdoor storage for a proposed 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.

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

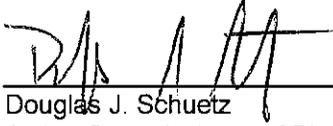
**Reason for Referral:**

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 completed by the County of Rockland Department of Highways, any concerns addressed, and any required permits obtained.
- 2 The Town must ensure that the proposed outdoor accessory storage is properly screened.
- 3 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.
- 4 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

**SQ PROPERTIES, LLC (O-1169ZZZZZ)**

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.*