

**DEPARTMENT OF PLANNING**

Dr. Robert L. Yeager Health Center  
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**Douglas J. Schuetz**  
*Acting Commissioner*

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

March 16, 2020

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 68.19-2-15

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

**Map Date:** 1/31/2020

**Date Review Received:** 2/20/2020

**Item:** *SORCE ASSUMMA & SHANKEY FUNERAL HOME (O-2399)*

Site plan for the construction of a 250 SF, one-story addition to an existing funeral home located on 0.23 acres in the RG zoning district. Variances for floor area ratio, side yard, and building height will be required.

Southeast corner of West Washington Street and North Summit Street

**Reason for Referral:**

West Washington Street (CR 30), North Pearl Street (NYS Route 304)

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, all comments or concerns addressed, and all required permits obtained.
- 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 As per the parking tabulation on the site plan, 31 parking spaces are required, yet only eight are provided. Due to this, a parking variance may be required. It must also be noted that under no circumstances can vehicles park within the Right-of-Way of the County highway.
- 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. In addition, providing specific locations on the site for the snow piles will reduce the loss of available parking spaces, especially since the site is very deficient in providing the number of required parking spaces.
- 5 The site plan shall include map notes that list all appropriate information, including the district details.

**SORCE ASSUMMA & SHANKEY FUNERAL HOME (O-2399)**

6 We request the opportunity to review any variances that may be needed to implement the proposed site plan, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Teresa Kenny, Orangetown  
New York State Department of Transportation  
Rockland County Department of Health  
Rockland County Department of Highways  
  
Robert E. Sorace, PLS

*\*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.*