



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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C. SCOTT VANDERHOEF
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

September 18, 2013

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 56.09-1-4.1

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

Map Date: 3/20/2013

Date Review Received: 8/30/2013

Item: **AMERICAN TOWER CORPORATION/GENERATOR INSTALLATION (R-1855C) D**

Site plan for the installation of a stand-by, diesel-powered generator on the 2-acre site of an existing wireless telecommunications facility in the RSH zoning district. The proposed generator will allow for the provision of continuous communication services during electric grid power failures.

400 feet south of Olympia Lane, 700 feet west of College Road and immediately north of the NYS Thruway

Reason for Referral:

NYS Thruway

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 New York State Thruway Authority and all required permits obtained.
- 2 The applicant must comply with the conditions of the County of Rockland Department of Highways' letter of September 4, 2013.

Thomas B. Vanderbeek, P.E.
Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
New York State Thruway Authority
Rockland County Department of Highways
Rockland County Department of Health
Advanced Engineering Group

AMERICAN TOWER CORPORATION/GENERATOR INSTALLATION (R-1855C)

Craig Cody

**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.