

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 Miller
Deputy Commissioner

July 9, 2020

Orangetown Zoning Board of Appeals
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 64.17-1-78

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

Map Date: 6/5/2020

Date Review Received: 6/30/2020

Item: **734 SOUTH MIDDLETOWN ROAD (O-1751E)**

Sign variance for total sign area to permit a monument sign and façade sign at a proposed bank located on 0.78 acres in the CO zoning district.

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:

****Disapprove***

1 The Town's zoning standards are reasonable and should be followed. The total sign area of 26.81 SF proposed by the applicant is 223% greater than the 12 SF permitted. The granting of this variance can set a precedent and encourage nearby commercial uses along the County highway to request similar exemptions. The resulting proliferation of oversized signs will have an adverse effect on the safe and efficient flow of traffic along the County highway. If your Board finds there is a pattern of requests for sign variances and that some rationale exists for lessening the Town's standards, we suggest a recommendation be made to the Town Board to revise the sign standards on parcels that front high-volume traffic corridors.

The following comments address our additional concerns about this proposal:

2 A review must be completed by the County of Rockland Department of Highways, any concerns addressed, and all required permits obtained.

3 The Town of Clarkstown is one of the reasons this proposal was referred to this department for review. The municipal boundary is 155 feet north of the site. As required under Section 239nn of the State General Municipal Law, the Town of Clarkstown must be given the opportunity to review the proposed variance and provide any concerns related to the project to the Town of Orangetown.

734 SOUTH MIDDLETOWN ROAD (O-1751E)



Douglas J. Schuetz
Acting Commissioner of Planning

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

Jay A. Greenwell, PLS
Town of Clarkstown
Degraw & Dehaan Architects

Rockland County Planning Board Members

**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.



Rockland County

Ed Day, Rockland County Executive

ROCKLAND COUNTY SEWER DISTRICT NO. 1

4 Route 340
Orangeburg, New York 10962
Phone: (845) 365-6111 Fax: (845) 365-6686
RCSD@co.rockland.ny.us

George Hoehmann
Chairman

Michael R. Saber, P.E.
Executive Director

August 28, 2020

Ms. Deborah Arbolino
Town of Orangetown Zoning Board of Appeals
20 South Greenbush Road
Orangeburg, NY 10962

Re: Orange Bank & Trust Site Plan
374 South Middletown Road, Nanuet
Tax Lot 89/64.17-1-78 (formerly 15-21-206.17)

Dear Ms. Arbolino:

Our office has received and reviewed a site plan that was last revised on June 5, 2020, which Jay A. Greenwell, PLS prepared for the above referenced project. We thank you for the opportunity to comment on this application. Our comments are as follows:

1. Rockland County Sewer District No. 1 does not object to the plan as shown. This project does not affect any sanitary sewers within the District. We request no future correspondence for this site.

Please inform us if any developments in this project change to affect the District. If you have any questions, please contact this office at 845-365-6111.

Very truly yours,



Joseph LaFiandra
Engineer II

cc: M. Saber
Helen Kenny-Burrows – Rockland County Department of Planning
Dyan Rajasingham – Rockland County Highway Department

File: TOO 64.17-1-78 – 374 South Middletown Road
Reader

Rocklandgov.com

 **Rockland County**
HEALTH

CENTER FOR ENVIRONMENTAL HEALTH
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building D
Pomona, New York 10970
Phone: (845) 364-2608 Fax: (845) 364-2025



EDWIN J. DAY
County Executive

PATRICIA S. RUPPERT, DO, MPH, CPE, DABFM, FAFP
Commissioner of Health

SAMUEL RULLI, PE
Director, Environmental Health

August 21, 2020

Ms. Deborah Arbolino
Town of Orangetown Zoning Boards of Appeals
20 Greenbush Road
Orangetown, NY 10962

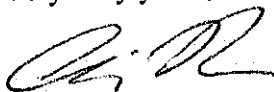
Re: Lale Realty LLC – 374 S Middletown Road
Variances for Site Plan
Tax lot 64.17-1-78

Dear Ms. Arbolino:

We have received an application and plans as prepared by Jay A Greenwell, PLS revised through June 5, 2020 for the above referenced project. Based on the information provided, there are no Rockland County Department of Health approvals needed for this application.

If you have any questions regarding this matter, do not hesitate to call.

Very truly yours,



Elizabeth Mello, P.E.
Senior Public Health Engineer
(845) 364-2616

cc: Arlene Miller, Rockland County Department of Planning
Jay A Greenwell, PLS

TOWN OF CLARKSTOWN
DEPARTMENT OF PLANNING

JOSE C. SIMOES, Principal Planner
JAMES CREIGHTON, Senior Planner
10 MAPLE AVENUE
NEW CITY, NEW YORK 10956-5099
(845) 639-2070
(845) 639-2071 (fax)
planning@clarkstown.org



TOWN OF CLARKSTOWN
PLANNING BOARD

GILBERT J. HEIM, Chairman
RUDOLPH J. YACYSHYN, Vice Chairman
PETER E. STREITMAN, Member
EDWARD J. GUARDARO, JR., Member
PHILLIP DEGAETANO, Member
DOUGLAS B. KATZ, Member
EDWARD BERTOLINO, Member

July 23, 2020

Debbie Arbolino
Administrative Aide
20 Greenbush Road
Orangeburg, New York 10962



RE: Town of Orangetown Referral: Zoning Board of Appeals Application for Orange Bank & Trust – 374 S. Middletown Rd., Nanuet (64.17-1-78). Sign Variance

Dear Ms. Arbolino:

The Planning Board reviewed the above referral at their July 22, 2020 meeting.

After a brief discussion, on a Motion of Katz, Seconded by DeGaetano, and carried 7:0, with Ayes of Heim, Yacyshyn, Streitman, Guardaro and Bertolino **the Planning Board of the Town of Clarkstown deemed the matter for local determination.**

Thank you for this opportunity to review this matter. Please do not hesitate to call me if you have any questions.

Sincerely,

Gilbert J. Heim
Chairman

CC: Rockland County Planning
Clarkstown Planning Board

Cheryl Coopersmith

From: Jay Greenwell <greenwellpls@aol.com>
Sent: Tuesday, June 30, 2020 11:49 AM
To: jthompson@degrowanddehaan.com; Cheryl Coopersmith
Subject: Fwd: Rockland County Highway Memo

orange Bank

[External Email]

Joe:

I ran the revised layout by the County to make sure that the layout being presented to the ZBA and the ACABOR was not going to cause problems down the road, and they don't have any issues with it -see below.

Jay

PLEASE LEAVE REVIEWS ON GOOGLE...THANK YOU!

Jay A. Greenwell, PLS, LLC
85 Lafayette Ave
Suffern, NY 10901
(845) 357-0830
Fax (845) 357-0756
email: greenwellpls@aol.com
Website: greenwellsurveying.com

-----Original Message-----

From: Dyan Rajasingham <RajasinD@co.rockland.ny.us>
To: Jay Greenwell <greenwellpls@aol.com>
Cc: Arena, Joseph <ArenaJ@co.rockland.ny.us>
Sent: Tue, Jun 30, 2020 11:44 am
Subject: RE: Rockland County Highway Memo

Hi Jay,

The site plan looks good to me. I have no further comments.

Thank you.

Dyan

From: Jay Greenwell <greenwellpls@aol.com>
Sent: Tuesday, June 30, 2020 11:19 AM
To: Dyan Rajasingham <RajasinD@co.rockland.ny.us>
Subject: Re: Rockland County Highway Memo

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dyan:

With regard to your 3/9/20 memo on the site plan for Orange Bank & Trust (attached), situated on S. Middletown Road, we have been to the Planning Board recently.

They gave us a preliminary approval subject to conditions. One of the conditions included your department's comment to provide a sidewalk, and another condition was the requirement by the Town engineering department to reduce the width of the entrance and exit driveways to 20' max.

Accordingly, we have revised the plan to incorporate these comments (as well as others), and would like your confirmation that this configuration meets with your approval. Please also see note #22, requiring a RC Highway Work Permit prior to commencing any on-site improvements.

Thank you.

Jay A. Greenwell, PLS

PLEASE LEAVE REVIEWS ON GOOGLE...THANK YOU!

Jay A. Greenwell, PLS, LLC
85 Lafayette Ave
Suffern, NY 10901
(845) 357-0830
Fax (845) 357-0756
email: greenwellpls@aol.com
Website: greenwellsurveying.com

RECEIVED
JUL 6 2020
TOWN OF ORANGETOWN
LAND USE BOARD

ZONING BOARD OF APPEALS

Town of Orangetown
20 Greenbush Road
Orangeburg, New York 10962
(914) 359-8410 (ex. 4331)

Date: June 29, 2020

TO: OBAPAE

- Environmental Management and Engineering
- Rockland County Sewer District #1
- New York State Dept. of Transportation
- Palisades Interstate Park Commission
- Orange and Rockland Utilities
- Orangetown Highway
- Fire Prevention (Performance Standards)

RECEIVED
ROCKLAND COUNTY HWY DEPT.

2020 JUL -2 P 12: 55

- Rockland County Drainage
- Rockland County Health
- Rockland County Planning
- Rockland County Highway

Review of Plans: 374 S. Middletown Road, Pearl River, NY
Section 64.17 Block 1 Lot 78 CO zone
This matter is scheduled for:

Chapter 43, CODistrict, Section 3.11, Column 5 #6 (total sign area shall not exceed 12 sq. ft.: proposed monument is 26.81 sq. ft. and proposed façade signage is 21 sq. ft.) for signs at a proposed new bank. (see memo from Jane Slavin, RA dated May 18, 2020)

Please review the information enclosed and provide comments. These comments may be mailed, e-mailed or faxed to the Zoning Board Office.

If your Agency does not have any comments at this time, please respond to this office by sending back this sheet.

- US Postal: 20 South Greenbush Road, Orangeburg, NY 10962
- Email to Zoning Board: darbolino@orangetown.com or
- Fax to the Town of Orangetown ZBA @845 359 8526

Zoning Board Meeting Date: September 2, 2020

- () Comments attached
- () No Comments at this time. Please send future correspondence for review.
- () No future correspondence for this site should be sent to this agency. Plans reviewed and this agency does not have any further comments.
- () This project is out of the jurisdiction of this agency and has no further comments.

This project is before the Zoning Board on Wednesday, September 2, 2020. Kindly forward your completed review to this office by September 2, 2020.

Reviewing Agency Rockland County Hwy Dept
Name Dyan Rajabiraham, Engineer III
date: _____

Signature: 

Thank you, Deborah Arbolino