



# Rockland County

Ed Day, Rockland County Executive

## 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*

December 21, 2016

Airmont Planning Board  
251 Cherry Lane  
P.O. Box 578  
Tallman, NY 10982

**Tax Data:** 56.09-2-47

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

**Map Date:** 3/21/2016

**Date Review Received:** 11/18/2016

**Item:** *NORTHEAST ORTHOPEDICS AND SPORTS MEDICINE (A-85G)*

Amended sign plan for a recently installed 180" x 30" sign for an existing tenant in a shopping center on 3.84 acres in an NS zoning district. The sign was previously approved in 2007. That approval has lapsed and the sign has been modified in size.

South side of Route 59, 800 feet east of Cherry Lane

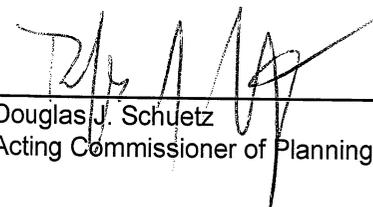
**Reason for Referral:**

NYS Route 59

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 shall be completed by the New York State Department of Transportation and any required permits obtained.
- 2 The installed sign must comply with the standards outlined in Article VIII of the Village's Zoning Law.




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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Philip Gigante, Airmont  
New York State Department of Transportation

Man'les Signs  
Puccio Enterprises, LLC  
Kenneth Austin, MD

## **NORTHEAST ORTHOPEDICS AND SPORTS MEDICINE (A-85G)**

*\*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.*