



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

September 7, 2016

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

Tax Data: 55.12-1-2

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 12/11/2015

Date Review Received: 8/12/2016

Item: *WALMART SIGN PLAN (A-64G)*

Sign plan to allow the installation of an 8.38 SF, non-illuminated set of "Pharmacy" letters on the front elevation of an existing Walmart store on a 16.05-acre site in the VC zoning district

North side of Route 59, 570 feet east of DeBaun Avenue

Reason for Referral:

NYS Route 59, NYS Thruway, Town of Ramapo

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 The Planning Board shall be satisfied that the proposed sign complies with Article VIII, and the standards listed in Sections 210-65.A. and 210-65.B.
- 2 Any variances required for this proposal are subject to a review by this Department, as mandated by the New York State General Municipal Law.
- 3 The following additional comment is offered strictly as an observation and is not part of our General Municipal Law (GML) review. The board may have already addressed this point or may disregard it without any formal vote under the GML process.

The proposed sign installation is not inconsistent with the Village's adopted comprehensive plan so Question 5 in Part 1 of the Short Environmental Assessment Form should be answered affirmatively.

WALMART SIGN PLAN (A-64G)



Douglas J. Schuetz
Acting Commissioner of Planning

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

Harrison French & Associates
Town of Ramapo

Stacy Richards

**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.