



**JAMES CARPENITO (C-3577A)**

3 The Bulk Table on the plans lists the lot width for Lot #2 to be 189.5, and not needing a variance. The memo from Lawrence Kay dated July 3, 2017 confirms that a lot width variance is only required for Lot #2. However, page 3 of the Board of Appeals Application form and the Bulk Table on page 2 of the Application for Building form both indicate that variances are required for lot width for both lots. It must be verified if both lots, or only Lot #2, requires a variance for lot width.

In addition, the Bulk Table on the plans indicates that a variance for front yard is required for Lot #1. It must be clarified if this is the case, as this variance is not listed elsewhere in the materials. All application materials must be consistent. If any of the required variances were not listed in the public hearing notice, then it must be re-issued.



Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor George Hoehmann, Clarkstown  
New York State Department of Transportation  
Rockland County Department of Health  
Rockland County Sewer District #1  
  
Sparaco & Youngblood, PLLC

Clarkstown Planning Board, Attention Joe Simoes

*\*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.*