



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

ARLENE R. MILLER  
Deputy Commissioner

July 23, 2015

Nyack Zoning Board of Appeals  
9 North Broadway  
Nyack, NY 10960

**Tax Data:** 66.45-1-30

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

**Map Date:**

**Date Review Received:** 7/10/2015

**Item:** *NYACK FITNESS (N-175)*

Variance to permit the installation of a sign on the north façade of an existing building located on .12 acres in the DMU zoning district. This north façade does not face a street, which is required for placement of signage.

Northwest corner of S. Franklin Street and Cedar Hill Avenue

**Reason for Referral:**

Village of South Nyack

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:

***\*Approve***

Since the proposed signage will have no impact to the Village of South Nyack, and since the sign conforms to all other requirements (size and setback), we remand this matter for local determination.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Jen White, Nyack

Village of South Nyack Planning Board  
Jeff Castaldo

**NYACK FITNESS (N-175)**

*\*The proposed action is deemed to have no significant negative impact on nearby municipalities, County or State roads or facilities, County Parks or Drainage Systems or the surrounding Neighborhood Character and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean we endorse this subject action as desirable from the viewpoint of your municipality.*

*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.*