



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

Building T

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

April 29, 2015

ARLENE R. MILLER
Deputy Commissioner

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

Tax Data: 78.05-1-12

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

Map Date: 4/1/2015

Date Review Received: 4/7/2015

Item: *LILTEE - 7 FERDON AVENUE (O-2264)*

Variances to permit a two-story addition to an existing residence located in the CS zoning district on .26 acres. Required variances include: front yard setback, maximum height, and expansion of a non-conforming use.

Southeast side of Ferdon Avenue, northeast side of NYS Route 340

Reason for Referral:

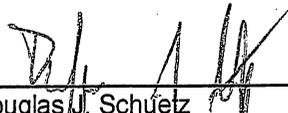
NYS Route 340 (Valentine Avenue), US Route 9W, Sparkill Creek, Village of Piermont

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 must be completed by the County of Rockland Drainage Agency and all required permits obtained.
- 2 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 3 The Village of Piermont is the reason this proposal was referred to this department for review. The municipal boundary is on the far side of Ferdon Avenue, just west of the subject property line. As required under Section 239nn of the State General Municipal Law, the Village of Piermont must be given the opportunity to review the proposed subdivision and provide any concerns related to the project to the Town of Orangetown.

LILTEE - 7 FERDON AVENUE (O-2264)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
Rockland County Drainage Agency
Robert Hoene Architect
Village of Piermont

**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.