



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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C. SCOTT VANDERHOEF
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

November 21, 2013

ARLENE R. MILLER
Deputy Commissioner

Piermont Planning Board
Village Hall
478 Piermont Avenue
Piermont, NY 10968

Tax Data: 75.77-1-29

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

Map Date: 9/3/2013

Date Review Received: 11/8/2013

Item: ERIC & JILL HOVDE (P-124)

Site plan for a proposed second-story addition to an existing two-family dwelling and a proposed 1.5-story garage on .10 acres in the R-7.5 zoning district.

North side of Piermont Avenue, approximately 95 feet east of the US Route 9W viaduct

Reason for Referral:

US Route 9W, Sparkill Creek, Town of Orangetown, NYS Route 340, Union Street, S. Highland Avenue

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 any required permits obtained.
- 2 There shall be no net increase in the peak rate of discharge from the site at all design points.

Thomas B. Vanderbeek, P.E.
Commissioner of Planning

cc: Mayor Christopher Sanders, Piermont
New York State Department of Transportation
Rockland County Drainage Agency
Robert Hoene, Architect
Town of Orangetown

ERIC & JILL HOVDE (P-124)

**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.