



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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C. SCOTT VANDERHOEF
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

October 22, 2013

ARLENE R. MILLER
Deputy Commissioner

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

Tax Data: 75.55-1-10

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

Map Date: 9/24/2013

Date Review Received: 9/24/2013

Item: *LISA POWERS (P-123)*

Site plan for the proposed renovations, addition of an open deck and flood gates, and raising of an existing single-family dwelling on .21 acres in the R-7.5 zoning district.

Northeast corner of Paradise Avenue and Pier Road

Reason for Referral:

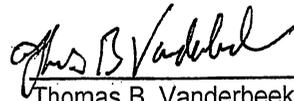
Sparkill Creek, Tallman Mountain State Park, NYS Department of Environmental Conservation freshwater wetlands

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 must be completed by the New York State Department of Environmental Conservation and all required permits obtained.
- 3 A review shall be completed by the United States Army Corps of Engineers and all required permits obtained.
- 4 A review must be completed by the Palisades Interstate Park Commission and their comments considered.

LISA POWERS (P-123)



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

cc: Mayor Christopher Sanders, Piermont
Rockland County Drainage Agency
Palisades Interstate Park Commission
New York State Department of Environmental Conservation
United States Army Corps of Engineers
Robert E. Sorace, PLS

**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.