



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

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Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

June 19, 2014

Piermont Zoning Board of Appeals
Village Hall
478 Piermont Avenue
Piermont, NY 10968

Tax Data: 75.63-1-40

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

Map Date: 5/12/2014

Date Review Received: 5/22/2014

Item: **ENDLESS PARADISE LLC (P-126A)**

Variations to allow the proposed construction of a single-family dwelling, located in the same footprint as the previous building, but to be built at the new required elevation, so that it will be above the floodplain, on .06 acres in the R-7.5 zoning district. Variations required include: less than the required lot area, lot width, front yard, side yard, total side yard, rear yard, and conservation easement; and greater than permitted maximum building height, floor area ratio, and maximum lot coverage.

North side of Paradise Avenue, approximately 270 feet east of the intersection with Ferry Road

Reason for Referral:

Tallman Mountain State Park, Sparkill Creek, Piermont Marsh

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

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4 The Floodplain Administrator for the Village of Piermont shall certify that the proposed construction is in compliance with the floodplain regulations of the Village and the Federal Emergency Management Agency.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Christopher Sanders, Piermont
New York State Department of Environmental Conservation
Palisades Interstate Park Commission
Rockland County Drainage Agency
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.