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

November 18, 2014

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

Tax Data: 75.78-1-3

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

Map Date: 10/16/2014 **Date Review Received:** 10/27/2014

Item: ***ROD GREENWOOD & VICTORIA HERTZ (P-128A)***

Variance for front yard to allow the demolition of an existing damaged house, and construction of a new house on the existing foundation, on .29 acres in the R-7.5 zoning district.
Northwest side of Ferdon Avenue, approximately 540 feet southwest of Rockland Road

Reason for Referral:

Sparkill Creek, Town of Orangetown

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.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Christopher Sanders, Piermont
Rockland County Drainage Agency
Robert Hoene Architect
Town of Orangetown

ROD GREENWOOD & VICTORIA HERTZ (P-128A)

**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.