



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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EDWIN J. DAY  
County Executive  
January 22, 2014

THOMAS B. VANDERBEEK, P.E.  
Acting Commissioner

ARLENE R. MILLER  
Deputy Commissioner

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

**Tax Data:** 75.55-1-20

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

**Map Date:** 9/25/2013

**Date Review Received:** 1/6/2014

**Item:** *LES HELMERS (P-125A)*

Variances to permit construction of a new rear dormer on the third floor of an existing store and apartment building in the BB zoning district on .09 acres. Required variances include: lot area, lot width, front yard, side yard, total side yard, and floor area ratio.

East side of Piermont Avenue, west side of Gerhardt Strasseder Drive, approximately 100 feet south of Gerhardt Strasseder Drive

**Reason for Referral:**

Long Path

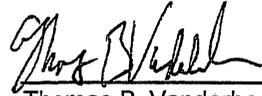
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Approve***

Since the proposed project will have no adverse impacts on any County-wide interests, this matter is remanded for local determination.

However, we do caution the Village to consider the cumulative impact of permitting such development and the land use precedent that will be set in granting these variances, particularly with regard to the floor area ratio variance. While we recognize that this is an undersized lot, granting these variances, could result in other nearby undersized parcels to also request similar variances. The ability of the existing infrastructure to accommodate this increased density must be evaluated. Allowing greater than permitted floor area ratio on undersized parcels could overburden local roads, as well as the sewer system, stormwater management systems and the public water supply.

**LES HELMERS (P-125A)**



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

cc: Mayor Christopher Sanders, Piermont  
New York - New Jersey Trail Conference  
Sparaco & Youngblood, PLLC  
Jane Slavin

*\*The proposed action is deemed to have no significant negative impact on nearby municipalities, County or State roads or facilities, County Parks or Drainage Systems or the surrounding Neighborhood Character and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean we endorse this subject action as desirable from the viewpoint of your municipality.*

*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.*