



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

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**EDWIN J. DAY**  
County Executive

**DOUGLAS J. SCHUETZ**  
Acting Commissioner

January 23, 2015

**ARLENE R. MILLER**  
Deputy Commissioner

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

**Tax Data:** 75.63-1-34

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

**Map Date:** 11/20/2014

**Date Review Received:** 12/29/2014

**Item:** *PETER JENKINS (P-129)*

Site plan for the proposed raising of an existing house to an elevation out of the floodplain, and construction of new one-story and two-story additions and a deck in the R-7.5 on .30 acres.

North side of Paradise Avenue, approximately 510 feet northeast of Piermont Avenue

**Reason for Referral:**

Tallman Mountain State Park, Sparkill Creek, NYS DEC freshwater wetlands (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 As per the comments in the January 6, 2015 letter from the Rockland County Department of Health, if stormwater management facilities are required for the remediation of the increase in impervious surface, an application must be made to them to ensure compliance with the County Mosquito Code.
- 2 A review must be completed by the New York State Department of Environmental Conservation and any required permits obtained.
- 3 There shall be no net increase in the peak rate of discharge from the site at all design points.

**PETER JENKINS (P-129)**

4 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.



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Douglas J. Schuetz  
Acting Commissioner of Planning

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

*\*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.*