Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

May 25, 2017

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

Tax Data: 75.54-1-1.2

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 2/14/2017 **Date Review Received:** 4/13/2017

Item: ***AKINYINKA OLATEJU (P-133E)***

Height variance to permit the construction of a single-family dwelling located on 1.11 acres in the R-20 zoning district.
East side of Tweed Boulevard, approximately 780 feet north and east of US Route 9W

Reason for Referral:

Tweed Boulevard (CR 5), US Route 9W, Town of Orangetown, 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:

Recommend the following modifications

1 The comments in the May 4, 2017 letter from the Rockland County Department of Highways must be met.

2 The Town of Orangetown is one of the reasons this proposal was referred to this department for review. The municipal boundary is along the western property line of the site, in the centerline of Tweed Boulevard. As required under Section 239nn of the State General Municipal Law, the Town of Orangetown must be given the opportunity to review the proposed subdivision and provide any concerns related to the project to the Village of Piermont.

3 A review shall be completed by the New York State Department of Transportation and any comments or concerns addressed, and any required permits obtained.

AKINYINKA OLATEJU (P-133E)

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Christopher Sanders, Piermont
Rockland County Department of Highways
Rockland County Department of Health
New York State Department of Transportation
New York - New Jersey Trail Conference

Askon Architects, P.C.
Town of Orangetown
Leonard Jackson Associates

**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.

Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.