



# 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*

December 20, 2017

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

**Tax Data:** 75.54-2-38

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

**Map Date:** 10/18/2017

**Date Review Received:** 12/1/2017

**Item:** *ALAN PANETTIERE - 464 PIERMONT AVENUE (P-147A)*

A variance application to allow the construction of a two-story addition to an existing two-family residence on 0.27 acres in the R-7.5 and Business B zoning districts. Variances are requested for lot area, lot width, front yard, side yard, and total side yard.

The western side of Piermont Avenue, approximately 120 feet north of Tate Avenue

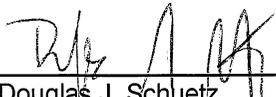
### Reason for Referral:

Long Path Hiking Trail

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 site plan does not include any steep slope calculations. This information must be included on the site plan in order to determine whether or not the property is considered an environmentally sensitive area and if the lot area needs to be adjusted accordingly. If so, then the variance application must be revised and the public hearing notice reissued.
- 2 A review must be completed by the New York - New Jersey Trail Conference and any concerns addressed.




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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Christopher Sanders, Piermont  
New York - New Jersey Trail Conference  
Rockland County Department of Health  
Mark Braithwaite, AIA

**ALAN PANETTIERE - 464 PIERMONT AVENUE (P-147A)**

*\*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.*