

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

June 28, 2017

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

Tax Data: 75.61-1-6

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

Map Date: 4/7/2017

Date Review Received: 6/6/2017

Item: *TEJAS SHAH - RIDING RING & TENNIS COURT PLAN (P-143)*

Site plan for the proposed installation of a riding ring and tennis court for an existing residence located in the R-40 zoning district on 18.265 acres.

West side of US Route 9W, south side of Castle Road

Reason for Referral:

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

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 shall be completed by the New York State Department of Transportation, any concerns addressed, and all required permits obtained.
- 2 A review must be completed by the New York - New Jersey Trail Conference and any concerns addressed.
- 3 The comments in the June 9, 2017 letter from the Rockland County Department of Health must be met.
- 4 Since construction access is being provided from tax parcel 75.69-1-1 for the proposed tennis court, the means of ingress/egress must be illustrated on the plans, and the driveway connection that is proposed shown.

TEJAS SHAH - RIDING RING & TENNIS COURT PLAN (P-143)

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

6 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.

7 There shall be no net increase in the peak rate of discharge from the site at all design points.



Douglas J. Schuetz
Acting Commissioner of Planning

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

Dan Sherman, Landscape Architect
Town of Orangetown Planning Board
The Curti Group

**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.