

**DEPARTMENT OF PLANNING**

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**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

January 9, 2018

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

**Tax Data:** 75.30-1-23

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

**Map Date:** 8/11/2017

**Date Review Received:** 12/15/2017

**Item:** *WILL & MARIA BUECHLI - ADDITIONS AND DETACHED GARAGE (P-149)*

A site plan application to construct additions to a single-family residence and a new, detached two-car garage on 0.21 acres in the R-10 zoning district. Variances are required for side yard for the principal structure, and for square footage size and height for the garage (accessory structure).

The southern side of Hester Street, approximately 310 feet west of Piermont Avenue.

**Reason for Referral:**

US Route 9W

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 must be done by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.
- 2 The site plan shall contain map notes, including district information, and a vicinity map with a north arrow.
- 3 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.
- 4 There shall be no net increase in the peak rate of discharge from the site at all design points.

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5 The main structure is described on the site plan as having three stories. The bulk table states the existing structure is 2-1/2 stories. All materials must be consistent. The Village must determine the correct number of stories for the existing structure, as it appears to have four stories, based on the story definition in the Village zoning regulations.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Bruce E. Tucker, Piermont  
Rockland County Department of Health  
Jay A. Greenwell, PLS

*\*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.*