



**AKINYINKA OLATEJU (P-133M)**

3 The only notes that have been provided on the plans are for the "Sequence of Construction" and Soil Erosion. Map notes containing information about the parcels, including tax parcel numbers and district information, must be provided. The calculations for steep slopes must also be provided so that it can be determined how the net lot area is derived.

4 A subdivision of the two tax parcels, 75.54-1-57 and 75.54-1-1 was completed, and two new tax parcels now exist: 75.54-1-1.1 and 75.54-1-1.2. The plans still list the old tax numbers. The updated tax numbers must be provided instead.

5 The "Letter of Appeal" lists that a variance is required for the maximum building height, since the buildings are proposed to be 40' on each lot. The bulk table lists the proposed maximum building height to be less than 32'. The Village of Piermont Planning Board must determine if a variance for height is in fact required. All application materials must be consistent. If a variance is required, we request the opportunity to review the application when it appears before the Village Zoning Board of Appeals.

6 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Guidelines for Urban Erosion and Sediment Control.

7 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.

8 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Bruce E. Tucker, Piermont  
New York State Department of Transportation  
Rockland County Department of Highways  
Rockland County Department of Health  
New York State Department of Environmental Conservation  
  
Askon Architects, P.C.  
Town of Orangetown Planning Board

*\*NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

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*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.*

