



# 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

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

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

February 21, 2020

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

**Tax Data:** 75.45-1-1.1

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

**Map Date:** 1/21/2020

**Date Review Received:** 1/22/2020

**Item:** *PETER OBE - 171 TWEED BOULEVARD (P-148F)*

A variance application to allow unauthorized site changes to a previously approved single-family residence on 0.74 acres (gross) in the R-20 zoning district. Net lot area after steep slope adjustment is 0.51 acres. Variances are requested for front yard, side yard, total side yard, rear yard, lot coverage, floor area ratio, and disturbance of category 4 slopes.

The eastern side of Tweed Boulevard, approximately 1,900 feet north of the intersection of Tweed Boulevard and US Route 9W

### Reason for Referral:

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

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:

***\*Disapprove***

1 The revised plans sent to this department, dated January 21, 2020, do not differ significantly from the October 2, 2019 version, which was reviewed by this department on October 30, 2019. The only change is the floor area of the basement, resulting in an increased floor area ratio, and a note indicating that the FAR was revised as per the building inspector's request. As the proposed site plan has not changed in any significant manner, and our October 30, 2019 disapproval was based primarily on the extensive regrading and disturbances to areas of steep slope, we have no additional comments at this time, but will refer the Village to the attached copy of this previous review. Therefore, the comments in the October 30, 2019 review remain valid and shall be addressed.

Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Bruce E. Tucker, Piermont  
New York - New Jersey Trail Conference

**PETER OBE - 171 TWEED BOULEVARD (P-148F)**

New York State Department of Transportation  
Rockland County Department of Health  
Rockland County Department of Highways

Leonard Jackson Associates  
Town of Orangetown Planning Board

Rockland County Planning Board Members

*\*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.*