



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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County Executive

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Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

August 13, 2014

South Nyack Planning Board
Village Hall
282 South Broadway
South Nyack, NY 10960

Tax Data: 66.45-2-18

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

Map Date: 7/15/2014

Date Review Received: 7/17/2014

Item: *YAVALDAKIS RESIDENCE (SN-128)*

Site plan for a proposed one-story addition for a laundry room and porch for an existing multi-family dwelling on .15 acres in the RG-4 zoning district.

Southeast corner of Cedar Hill Avenue and Prospect Street

Reason for Referral:

Village of Nyack

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 Village of Nyack is the reason this proposal was referred to this department for review. The municipal boundary is along the northern property line of the site, in the middle of Cedar Hill Avenue. As required under Section 239nn of the State General Municipal Law, the Village of Nyack must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the Village of South Nyack.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Bonnie Christian, South Nyack

George Hodosh Associates - Architects, P.C.
Village of Nyack

YAVALDAKIS RESIDENCE (SN-128)

**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.