



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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County Executive

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DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

May 13, 2015

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

Tax Data: 66.62-2-5

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

Map Date: 11/1/2009

Date Review Received: 4/22/2015

Item: *SANDERS - 7 VOORHIS POINT (SN-80E)*

Site plan for the replacement of a pier that was damaged beyond repair in a storm in March 2010, for an existing residence located in the R-12 zoning district on .74 acres.

West side of the Hudson River, approximately 132 feet east of the end of Voorhis Point, and approximately 195 feet north of Clinton Avenue

Reason for Referral:

Town of Orangetown (at the Hudson River)

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:

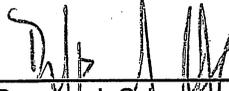
****Recommend the following modifications***

1 In correspondence submitted with the application, it seems that permit NYDGP-15 was provided by the United States Army Corps of Engineers for repairs to existing structures due to the fact that the damage to the pier had been sustained from a March 2010 Nor'easter and that State and Federal disaster declarations were made for Rockland County. However, other correspondence indicates that the permit issued in April 2010, would expire in April 2013. No new paperwork has been submitted indicating that the timeframe for this permit has been extended, or that application for a new permit has occurred. Therefore, a review shall be completed by the United States Army Corps of Engineers and all required permits obtained.

2 A review must be completed by the New York State Department of Environmental Conservation, Division of Environmental Permits, Region 3, and all required permits obtained.

SANDERS - 7 VOORHIS POINT (SN-80E)

3 A review must be completed by the New York State Department of State, Division of Coastal Resources, and all required permits obtained.



Douglas J. Schuey
Acting Commissioner of Planning

cc: Mayor Bonnie Christian, South Nyack
United States Army Corps of Engineers
NYS Department of Environmental Conservation,
Town of Orangetown

NYS Department of State,
Division of Coastal Resources

**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.