Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING
Dr. Robert L. Yeager Health Center
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Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

May 31, 2017

South Nyack Zoning Board of Appeals
Village Hall
282 South Broadway
South Nyack, NY 10960

Tax Data: 66.70-2-13

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M
Map Date: 4/14/2017 **Date Review Received:** 5/12/2017

Item: ***AROUGHETI/BLY ADDITION (51 GLEN BYRON AVENUE) (SN-102C)***

Variances to permit the proposed construction of a two-story addition on the east side of the main residence, and a patio with a wine grotto under it. The dwelling is currently non-conforming to the side yard, but the proposed additions do not make it more non-conforming. Required variances include: street frontage, front yard setback, side yard setback, and total side yard. The parcels are located on a total of .69 acres in the R-12 zoning district.

East side of Glen Byron Avenue, approximately 90 feet north of Edgewater Lane

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:

***Approve**

Since the proposed variances will have no adverse impacts on any County-wide interests, this matter is remanded for local determination.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Bonnie Christian, South Nyack
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Department of Highways
Rockland County Office of Fire and Emergency Services
Rockland County Division of Environmental Resources

AROUGHETI/BLY ADDITION (51 GLEN BYRON AVENUE) (SN-102C)

Rockland County Drainage Agency

Kier B. Levesque, RA
Town of Orangetown

**The proposed action is deemed to have no significant negative impact on nearby municipalities, County or State roads or facilities, County Parks or Drainage Systems or the surrounding Neighborhood Character and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean we endorse this subject action as desirable from the viewpoint of your municipality.*

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.