COUNTY OF ROCKLAND

DEPARTMENT OF PLANNING

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County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

ARLENE R. MILLER
Deputy Commissioner

April 18, 2014

Stony Point Zoning Board of Appeals
74 East Main Street
Stony Point, NY 10980

Tax Data: 21.09-1-17

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

Map Date: 12/9/2013 **Date Review Received:** 3/19/2014

Item: ***ALICIA PAGAN (SP-582A)***

Variances to permit an one-story addition to an existing single family dwelling in the R-W zoning district on .12 acres. Variances for rear yard and floor area ratio are required.

West side of River Road, approximately 150 feet north of Fourth Street

Reason for Referral:

River Road (CR 108), Town of Haverstraw

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 conditions in the Rockland County Department of Highways' letter dated April 3, 2014 must be met.

2 A review must be completed by the County of Rockland Department of Health and any required permits obtained.

3 The application packet and letter from the building inspector indicate that only one variance is required for this proposal, for rear setback. However, the map prepared by Robert E. Sorace, PLS indicates that besides the rear setback variance, a variance is also required for maximum floor area ratio. It must be clarified if two variances are in fact required. If two variances are required, the Town of Stony Point must make sure that the public notice lists both variances, instead of just the one. All application materials must be consistent, and corrections made to any document(s) that are incorrect.

ALICIA PAGAN (SP-582A)

Thomas B. Vanderbeek, P.E.
Commissioner of Planning

cc: Supervisor Geoffrey Finn, Stony Point
Rockland County Department of Highways
Rockland County Department of Health
Robert E. Sorace, PLS
Town of Haverstraw

**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.