



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax. (845) 364-3435

**EDWIN J. DAY**  
County Executive

**DOUGLAS J. SCHUETZ**  
Acting Commissioner

March 27, 2015

**ARLENE R. MILLER**  
Deputy Commissioner

Upper Nyack Planning Board  
328 North Broadway  
Upper Nyack, NY 10960

**Tax Data:** 60.13-1-2

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

**Map Date:** 12/19/2014

**Date Review Received:** 3/3/2015

**Item:** *MARYANNE ZEBROWSKI (UN-73)*

Site plan for the proposed replacement of an existing railroad tie retaining wall with a new masonry retaining wall, on the west side of the property line of an existing dwelling located on .235 acres in the R-4 zoning district.

South side of Glenbrook Road, approximately 245 feet east of US Route 9W

**Reason for Referral:**

US Route 9W

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 project 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 Michael Esmay, Upper Nyack  
New York State Department of Transportation  
Robert E. Sorace, PLS

**MARYANNE ZEBROWSKI (UN-73)**

*\*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.*