



**COUNTY OF ROCKLAND**  
DEPARTMENT OF PLANNING

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County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

January 30, 2014

ARLENE R. MILLER  
Deputy Commissioner

Chestnut Ridge Planning Board  
277-279 Old Nyack Turnpike  
Chestnut Ridge, NY 10977

**Tax Data:** 62.08-1-19

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

**Map Date:** 7/29/2013

**Date Review Received:** 1/21/2014

**Item:** *CONGREGATION OHR MORDECHAI (CR-213B)*

Site plan for a 4,494 SF addition to an existing 2,463 SF single-family residence, including walkways and a parking area, for use as a place of worship with a Rabbi's residence, on .6331 acres in an R-25 zoning district.

Southeast corner of Madeline Terrace and Hungry Hollow Road

**Reason for Referral:**

Hungry Hollow Road (CR 71)

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 Places of worship are allowed by special permit in the R-25 zoning district. As such, they are subject to a higher standard of review as outlined in Articles XII and XVI of the Village's Zoning Law, as well as the R-25 bulk standards. The minimum lot area requirement for this use is five acres. The net lot area of the subject site is .584 acres. A variance of 88 percent is therefore required. Since the site is significantly undersized for the proposed use, a number of other substantial bulk variances are required including lot width, front setback, side setback, side yard and rear yard. The proposed development coverage exceeds the maximum permitted by 60 percent; the floor area is 25 percent higher than the allowed maximum. The number and extent of the variances required are an indication that this proposal will result in an overutilization of the site. The proposed addition must be scaled back to more closely conform to both the special permit standards and the R-25 bulk requirements.

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2 An updated review of the July 29, 2013 site plan must be completed by the County of Rockland Department of Highways and all required permits obtained. In addition, the Highway Department must review and comment on the December 26, 2013 letter from the Chestnut Ridge Planning Board Chairman regarding traffic accidents on Hungry Hollow Road, as well as the Police Accident Report for a November 26, 2013 accident that occurred in close proximity to the subject site.

3 The existing deciduous hedge should be trimmed to 2' to 3' in height to enhance sight distance for vehicles exiting the site and also to enhance the ability of southbound drivers on Hungry Hollow Road to see vehicles exiting the proposed parking lot. It should be evaluated whether any of the existing large deciduous trees along the frontage of Hungry Hollow Road and north of the proposed parking lot access need to be removed in order to enhance sight distance for the drivers of vehicles exiting the proposed parking lot. It is our understanding that these recommendations are consistent with the recommendation that the roadside vegetation positioned along the southbound travel lanes of the Hungry Hollow Road be removed to provide a clear line of sight in both directions, as stated in paragraph one of section III of the July 18, 2011 Sight Distance Study.

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

5 There shall be no net increase in the peak rate of discharge from the site at all design points.

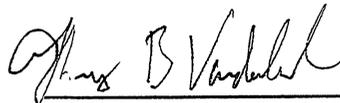
6 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.

7 The proposed building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

8 The Village shall be satisfied that the proposed lighting and landscaping conform to all Village standards.

9 The special permit required for this proposal is subject to a review by this department as mandated by the New York State General Municipal Law.

10 The variances required for this proposal are subject to a review by this department as mandated by the New York State General Municipal Law.



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

cc: Mayor Rosario Presti, Jr., Chestnut Ridge  
Rockland County Department of Highways  
Rockland County Department of Health  
Maser Consulting P.A.  
New York State Department of State,  
Division of Code Enforcement and Administration  
Rabbi Isumer Rosenbaum

*\*NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

## **CONGREGATION OHR MORDECHAI (CR-213B)**

*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.*

