



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

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C. SCOTT VANDERHOEF  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

December 5, 2013

ARLENE R. MILLER  
Deputy Commissioner

Ramapo Zoning Board of Appeals  
237 Route 59  
Suffern, NY 10901

**Tax Data:** 56.16-2-33

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

**Map Date:** 7/12/2013

**Date Review Received:** 11/8/2013

**Item:** *JOEL STERN (R-2423)*

Variances for front setback, front yard, rear setback, deck rear setback and floor area ratio to allow the construction, maintenance and use of an addition to a semi-attached, single-family residence on .2297 acres in an R-15A zoning district. An accessory apartment is also proposed.  
West side of De Ronde Road, 270 feet northwest of Caville Drive

**Reason for Referral:**

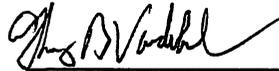
Old Nyack Turnpike (CR 52), NYS Thruway

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 Permitting development that does not comply with the applicable bulk standards can set an undesirable land use precedent and result in the overutilization of individual sites. The ability of the existing infrastructure to accommodate over-sized residences and increased density is a countywide concern and must be evaluated. This evaluation must consider whether local roads will become more congested and the sewer system, stormwater management systems and the public water supply will be overburdened. The Town must consider the cumulative and regional impacts of permitting such development.
- 2 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

**JOEL STERN (R-2423)**



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

cc: Supervisor Christopher St. Lawrence, Ramapo  
Rockland County Department of Highways  
New York State Thruway Authority  
Rockland County Department of Health  
Rockland County Drainage Agency  
Rockland County Sewer District #1  
Rockland County Office of Fire and Emergency Services  
Anthony R. Celentano P.L.S.  
New York State Department of State,  
Division of Code Enforcement and Administration  
Joel Stern

*\*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.*