



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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C. SCOTT VANDERHOEF
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

ARLENE R. MILLER
Deputy Commissioner

October 29, 2013

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 50.14-2-4

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

Map Date: 8/26/2013

Date Review Received: 10/15/2013

Item: *THE REDEEMED CHRISTIAN CHURCH OF GOD (R-2372A)*

Site plan to allow a former bakery building on .315 acres in the NS zoning district to be converted to a local House of Worship. A 20 percent parking waiver is also sought from the Planning Board. A use variance was previously granted. The R-15 bulk requirements for this use will apply.

East side of North Main Street, north side of Hillcrest Avenue

Reason for Referral:

North Main Street (NYS Route 45)

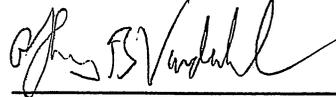
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 An updated review of the August 26, 2013 site plan shall be completed by the New York State Department of Transportation (NYSDOT) and all required permits obtained. The applicant must comply with the conditions of the NYSDOT's letters of October 31, 2012 and November 13, 2012.
- 2 This department is not generally in favor of granting waivers for on-site parking requirements for sites located on state or county roads. North Main Street is a heavily traveled thoroughfare. The safe and efficient flow of traffic along the state highway will be impeded if the proposed on-site parking proves to be inadequate. No parking can occur within the state right-of-way. The Town must be satisfied that the proposed 16 spaces are sufficient for this use. Alternatively, the applicant can pursue off-site parking arrangements with nearby property owners particularly for special events.
- 3 An updated review of the August 26, 2013 site plan must be completed by the County of Rockland Sewer District #1 and all required permits obtained.

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- 4 A review must be completed by the County of Rockland Office of Fire and Emergency Services and the Moleston Fire District to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 5 The building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 6 The proposed sign must conform to the Town's sign standards.



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

cc: Supervisor Christopher St. Lawrence, Ramapo
New York State Department of Transportation
Rockland County Department of Health
Rockland County Sewer District #1
Rockland County Office of Fire and Emergency Services
Atzl, Scatassa & Zigler P.C.
New York State Department of State,
Division of Code Enforcement and Administration
The Redeemed Christian Church of God

**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.