



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

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EDWIN J. DAY  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

March 3, 2014

ARLENE R. MILLER  
Deputy Commissioner

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

**Tax Data:** 56.15-3-42

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

**Map Date:** 10/29/2013

**Date Review Received:** 2/3/2014

**Item:** *BETH MEDRASH EYUN HATALMUD (R-1807B)*

A three-lot subdivision of .7157 acres in the R-15A zoning district is proposed. A single-family residence with an accessory apartment will be constructed on each lot. Variances for lot area, lot width, setback, total side setback, street frontage and floor area ratio are required for proposed Lots 1 and 3. Lot 2 requires variances for lot area, lot width, front yard (Fred Eller Road and Summit Avenue), front setback (Fred Eller Road and Summit Avenue), rear setback and floor area ratio.

North side of Fred Eller Drive, east side of Summit Avenue

**Reason for Referral:**

Monsey Glenn Park, 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 The subject site has a lot area of 31,177 SF. This will yield two conforming lots in the R-15A zoning district. The applicant is proposing three undersized parcels that will each require variances for lot width and floor area ratio, as well as several yard and setback variances. This parcel is immediately adjacent to Monsey Glen County Park. The Rockland County Division of Environmental Resources typically requires a minimum 25-foot vegetative buffer between park property and any permanent structure or parking area. The dwelling proposed on Lot 3 is ten feet from the park; the parking spaces are five feet from the property line. Given the proximity of the county park and the number and extent of the variances required, we recommend that the subdivision be limited to two lots.

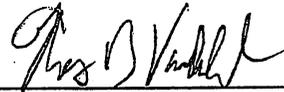
2 The applicant must comply with the conditions of the Rockland County Division of Environmental Resources' letters of February 5, 2014 and August 29, 2013.

**BETH MEDRASH EYUN HATALMUD (R-1807B)**

3 The applicant must comply with the conditions of the Rockland County Health Department's letter of November 20, 2013.

4 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 increased residential 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.

5 The proposed residential buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.



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

cc: Supervisor Christopher St. Lawrence, Ramapo  
Rockland County Department of Health  
Rockland County Sewer District #1  
New York State Thruway Authority  
Rockland County Division of Environmental Resources  
Rockland County Drainage Agency  
Anthony R. Celentano P.L.S.  
New York State Department of State,  
Division of Code Enforcement and Administration  
Sholom Rosengarten

*\*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.*