



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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Acting Commissioner

ARLENE R. MILLER
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June 6, 2014

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

Tax Data: 49.07-1-37

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

Map Date: 8/5/2013

Date Review Received: 5/6/2014

Item: *BLIMA RUCHEL GIRLS SCHOOL (R-2264A)*

Variations for side setback, total side setback, rear setback, rear yard, maximum development coverage and parking to allow the construction, maintenance and use of a 6,650 SF addition to an existing school building on 1.8669 acres in an R-40 zoning district.

West side of Route 306, 300 feet north of Viola Road

Reason for Referral:

NYS Route 306, Village of New Hempstead, Viola Road (CR 74)

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 applicant must comply with the conditions of the New York State Department of Transportation's letter of May 15, 2014.
- 2 This department is not in favor of granting parking variances for sites located on state or county roads. The applicant is proposing less than 30 percent of the required on-site parking. The safe and efficient flow of traffic along Route 306 will be negatively impacted if these seven spaces prove to be inadequate for the expanded school on a daily basis, as well as special events such as parent-teacher conferences. The applicant must explore off-site parking arrangements with nearby property owners particularly for special events.
- 3 The applicant must comply with the conditions of the Rockland County Health Department's letter of May 14, 2014.

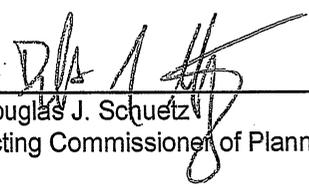
BLIMA RUCHEL GIRLS SCHOOL (R-2264A)

4 The Village of New Hempstead is one of the reasons this proposal was referred to this department for review. The municipal boundary is along Route 306 just east of the site. This area of the New Hempstead is zoned 1R-40, a low-density residential district characterized by single-family residences on large lots. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Village of New Hempstead must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Village of New Hempstead must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

5 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 applicant is seeking an 85 percent increase over the maximum permitted development coverage. The ability of the existing infrastructure to accommodate residences of this size 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.

6 The expanded school building and the caretaker's residence must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
New York State Department of Transportation
Rockland County Department of Highways
Rockland County Department of Health
Rockland County Drainage Agency
Rockland County Sewer District #1
Anthony R. Celentano P.E.
Village of New Hempstead
New York State Department of State,
Division of Code Enforcement and Administration
Bluma Ruchel Girls School

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

BLIMA RUCHEL GIRLS SCHOOL (R-2264A)

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.

