



**COUNTY OF ROCKLAND**  
DEPARTMENT OF PLANNING

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax. (845) 364-3435

EDWIN J. DAY  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

March 31, 2014

ARLENE R. MILLER  
Deputy Commissioner

Ramapo Planning Board  
237 Route 59  
Suffern, NY 10901

**Tax Data:** 56.16-2-14.7

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

**Map Date:** 2/7/2014

**Date Review Received:** 3/4/2014

**Item: CONGREGATION BETH ROCHEL GIRLS SCHOOL (R-2351A)**

Special permit and site plan application to allow the construction of a 3.5-story, 85,316 SF addition to an existing girls school on 9.7210 acres in an R-15A zoning district. The proposed addition will include a 37,560 SF wedding hall to serve as a house of worship and an accessory use.

East side of Saddle River Road, 250 feet north of Old Nyack Turnpike; north side of Old Nyack Turnpike, 175 feet west of Saddle River Road

**Reason for Referral:**

Saddle River Road (CR 73), Old Nyack Turnpike (CR 52) Monsey Glen Park, New York State Thruway, NYS Route 59, NYS Route 306, Federal Wetlands

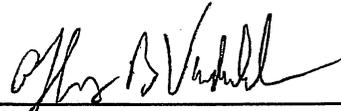
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Recommend the following modifications***

- 1 The applicant must comply with the conditions of the Rockland County Highway Department's letter of March 17, 2014.
- 2 Additional information must be provided to the Rockland County Health Department as indicated in their letter of March 12, 2014.
- 3 The project narrative describes the wedding hall as a house of worship and an accessory use. The Table of General User Requirements for the R-15A zoning district is contained in Section 376-31 of the Ramapo Zoning Law. Accessory use permitted by right are listed in Column E. Neither wedding halls nor houses of worship are listed as accessory uses to schools, which are a special permit use in the R-15A zoning district. We believe either a use variance, or a zoning code amendment, is required to permit the wedding hall use on this site. The wedding hall shall not be permitted until the appropriate land use planning approval process is in place to evaluate it.

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- 4 The landbanked parking area includes a driveway access to Hammond Street despite the fact that the project narrative states that the school does not use Hammond Street for vehicular access. This driveway connection must be eliminated. Hammond Street is a dead-end street that serves a residential neighborhood. The narrative indicates that up to 350 guests may attend wedding services that will run until after midnight. These guests shall not be permitted to exit the site via Hammond Street.
- 5 The project narrative states that some of the new parking is in the required front yard or setback. It further notes that this location is permitted in the R15-C district. The subject site is located in the R-15A district not the R-15C district. If a variance is required, it shall be noted in the narrative and on the bulk table, and an application submitted to the Zoning Board of Appeals.
- 6 The tax identification number for the subject site is 56.16-2-14.7. It is incorrectly indicated on the GML referral form, the application form, the project narrative and the site plan. All application materials must be correct and consistent.
- 7 A review shall be completed by the United States Army Corps of Engineers and all required permits obtained.
- 8 A review must be completed by the County of Rockland Sewer District #1 and all required permits obtained.
- 9 A stormwater pollution prevention plan (SWPPP) was not provided. The SWPPP, if required, shall conform to the current regulations, including the New York State Stormwater Management and Design Manual (August 2010) and local ordinances.
- 10 The proposed school building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 11 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 12 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.
- 13 It is unclear whether the modular classrooms will be removed once the addition is built. This must be clarified.
- 14 General Note #4 states that the proposed use is a school of religious instruction. Given the intent to also have a wedding hall, this note must be updated to reflect both uses.



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

cc: Supervisor Christopher St. Lawrence, Ramapo  
Rockland County Department of Highways  
Rockland County Division of Environmental Resources  
Rockland County Department of Health  
Rockland County Sewer District #1  
Rockland County Office of Fire and Emergency Services  
New York State Thruway Authority  
New York State Department of Transportation

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United States Army Corps of Engineers  
Leonard Jackson Associates  
Ira M. Emanuel, P.C.  
New York State Department of State,  
Division of Code Enforcement and Administration  
Mordechai Bernfeld

*\*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.*

