



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

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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

November 21, 2014

ARLENE R. MILLER  
Deputy Commissioner

Ramapo Planning Board  
237 Route 59  
Suffern, NY 10901

**Tax Data:** 56.11-2-19

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

**Map Date:** 9/17/2014

**Date Review Received:** 10/27/2014

**Item:** *CONGREGATION CHEVRA SHAS KEREN (R-1660D)*

Site plan for a proposed local house of worship on .319 acres in an R-15C zoning district.  
East side of Route 306, 90 feet south of Homestead Lane

**Reason for Referral:**

NYS Route 306, Village of Kaser

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 A review shall be completed by the New York State Department of Transportation and all required permits obtained.
- 2 The comments in the October 30, 2014 letter from the Rockland County Sewer District No. 1 must be met.
- 3 The comments in the October 31, 2014 letter from the Rockland County Health Department must be met.
- 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 this 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.

**CONGREGATION CHEVRA SHAS KEREN (R-1660D)**

- 5 We are concerned with the number of off-street parking spaces provided, especially since the site is located on a State highway. The applicant is providing only 48% of the required number of parking spaces, and curbside parking is not available on NYS Route 306. Aerial photography taken in 2013 shows that eleven vehicles were parked on site; more vehicles than what is planned to be provided in the future, and for a building that is smaller than what is proposed. The applicant must find an alternate site to provide off-street parking, and have it formalized in writing with the property owner.
- 6 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 7 The fire zones must be clearly marked on the site plan. Access to the fire zones shall be unimpeded by other parking areas and maneuverability on the site feasible.
- 8 A review must be completed by the County of Rockland Office of Fire and Emergency Services to ensure that there is sufficient maneuverability on-site for emergency vehicles.
- 9 To reduce the extent of the maximum development coverage variance that will be required, paved areas should be replaced with permeable materials or pavers.
- 10 The location of the garbage enclosure is only 15 feet from the property boundary, and very close to the entrance to the site. Garbage trucks servicing the property will impede the flow of vehicles entering and leaving the site, possibly causing back-ups on the State highway. A location further from the site's entrance must be provided to decrease the chance of vehicular conflicts.
- 11 A sewer easement is being proposed on the adjacent lot owned by the East Ramapo School District. The applicant must provide a letter from the School District stating that this sewer easement is acceptable to them.
- 12 The required standards in the bulk table for the proposed use, Local House of Worship (use group x.1) are incorrect for the minimum lot width, side setback, total side setback, and street frontage. The bulk table must be corrected, and all required variances listed in the bulk table.
- 13 General Note #7 is incorrect, as a site plan is proposed, and Section 239n refers to subdivisions. This should be changed to 239 l and m.
- 14 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.
- 15 There shall be no net increase in the peak rate of discharge from the site at all design points.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo  
New York State Department of Transportation  
Rockland County Drainage Agency  
Rockland County Sewer District #1  
Rockland County Office of Fire and Emergency Services  
Monsey Fire District  
Rockland County Department of Health

**CONGREGATION CHEVRA SHAS KEREN (R-1660D)**

Civil Tec Engineering & Surveying PC  
Village of Kaser  
New York State Department of State,  
Division of Code Enforcement and Administration  
Chaim Tessler

*\*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.*

