



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

May 1, 2014

ARLENE R. MILLER
Deputy Commissioner

Ramapo Planning Board
237 Route 59
Suffern, NY 10901

Tax Data: 49.12-2-67

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

Map Date: 3/12/2014

Date Review Received: 4/1/2014

Item: **CONGREGATION ZICHRON YEHUDA V'CHANA (R-2070D)**

Site plan to allow the construction of a 720 SF, two-story addition and a deck to an existing Rabbi's residence on .5516 acres in the R-25 zoning district. No changes are proposed to the synagogue portion of the building. Parking lot modifications are also proposed.
Southeast corner of Viola Road and Kakiat Lane

Reason for Referral:

Viola Road (CR 74), Villages of New Hempstead and Spring Valley

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 must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 The synagogue and Rabbi's residence must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 3 The variances required for the proposed addition are subject to a review by this department as mandated by the New York State General Municipal Law.



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

cc: Supervisor Christopher St. Lawrence, Ramapo
Rockland County Department of Highways
Rockland County Department of Health

CONGREGATION ZICHRON YEHUDA V'CHANA (R-2070D)

Rockland County Sewer District #1
Sparaco & Youngblood, PLLC
Villages of New Hempstead and Spring Valley
New York State Department of State,
Division of Code Enforcement and Administration
Congregation Zichron Yehuda V'Chana

**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.