



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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

EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

August 11, 2014

ARLENE R. MILLER
Deputy Commissioner

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

Tax Data: 49.12-2-67

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

Map Date: 6/11/2014

Date Review Received: 7/11/2014

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

Variations for maximum development coverage and parking to permit the construction, maintenance and use of a 720 sq. ft., 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***

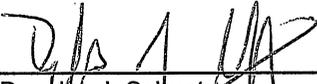
- 1 A review must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 Since the total on-site parking is to be further reduced, an additional parking variance is now required. Only 14 of the required 22 spaces are provided on a site with frontage on a county road and a dead-end street. The Town must be satisfied that there is adequate curbside parking available, along Kakiat Lane, to accommodate any overflow parking needs on this site. Alternatively, the applicant must pursue an off-site parking agreement with a nearby property owner. Under no circumstances may vehicles park along the County right-of-way.
- 3 The March 14, 2014 project narrative submitted with the ZBA application states that no loss of the approved 15 parking spaces will occur. The site plan shows only 14 parking spaces, and a parking variance is indicated on the bulk table. The project narrative must be updated to reflect the June 11, 2014 site plan revisions. All application materials must be consistent.

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

4 The project narrative also states that the garbage enclosure will be removed and a concrete pad installed for placement of trash cans. The current site plan still shows a concrete block dumpster enclosure in the southeastern corner of the lot. The concrete pad that was previously proposed on the south side of the residence is no longer depicted. The project narrative must be updated to reflect the June 11, 2014 site plan revisions. All application materials must be consistent.

5 The synagogue and the Rabbi's residence must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

6 The site plan shows a symbol, a letter "D" within a circle, in the northern portion of the site. Are these trees or some other type of landscaping? The legend must be expanded to indicate what this symbol represents.



Douglas J. Schuetz
Acting Commissioner of Planning

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