



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

June 27, 2014

ARLENE R. MILLER
Deputy Commissioner

Ramapo Town Board
237 Route 59
Suffern, NY 10901

Tax Data: 56.11-3-55 56.11-3-54 56.11-3-53.6

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

Map Date:

Date Review Received: 5/28/2014

Item: *CONNECTIVITY SYSTEM, LLC ZONE CHANGE PETITION (R-1741M)*

Petition to change the zoning designation of a portion of Lots 54 and 55 from MU-1 to R-15A. Lot 55 is to be dedicated to the Town of Ramapo for recreational purposes. An existing residence will remain on Lot 54 but the lot lines will be reconfigured so that Lot 53.6 no longer has frontage on Grove Street. North side of Route 59, west side of Augusta Avenue, and south side of Grove Street.

Reason for Referral:

NYS Route 59

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 any required permits obtained.
- 2 Map notes must be placed on the plan notating that Tax Lot 56.11-3-55 will be conveyed to the Town of Ramapo for recreational (park) purposes. In addition, the applicant must properly convey the property to the Town of Ramapo, using a deed. Such deed should have metes and bounds describing the property.
- 3 The slivers of Tax Lot #56.11-3-53.6 that are being conveyed to the adjacent properties must be clearly notated on the plans. New lot area calculations must be provided for all of the parcels that will be impacted by the lot line changes.

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4 The southwest perimeter portion of the parcel does not match the filed map, or the metes and bounds, of the most recent deed (see attached maps). There appears to be a triangular section along NYS Route 59 that should be part of the State right-of-way, and not part of the parcel. This lot line discrepancy will impact the site plan, specifically the parking area facing Route 59. This zone change application, and any future site plan applications cannot be approved until this issue is resolved.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo
New York State Department of Transportation
Leonard Jackson Associates
Sol Menche

Michael L. Klein, Town Attorney

**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.