



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

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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

August 14, 2014

ARLENE R. MILLER  
Deputy Commissioner

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

**Tax Data:** 56.08-2-71.20

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

**Map Date:** 1/29/2014

**Date Review Received:** 7/25/2014

**Item:** *EPHRAIM GROSSMAN/UNIT 20 (R-2466A)*

Variances for front setback (Suzanne Drive and Hana Lane), front yard (Suzanne Drive and Hana Lane), side setback, rear setback and maximum development coverage to allow the construction, maintenance and use of an addition to an existing three-family residence on .3476 acres in the R-15C zoning district. Unit 20 will be enlarged and will include an accessory apartment.

Southwest corner of Suzanne Drive and Hana Lane

**Reason for Referral:**

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 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 applicant is seeking a 20 percent increase over the maximum permitted development coverage, as well as several yard and setback variances. The ability of the existing infrastructure to accommodate 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.
- 2 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code. Stairs and exit ramps serving the addition must be shown on the site plan. If they are within ten feet of the property line, a New York State variance will be required.
- 3 The accessory apartment must conform to the standards outlined in Section 376-65.

**EPHRAIM GROSSMAN/UNIT 20 (R-2466A)**

4 It will difficult for a vehicle parked in space #3 to maneuver out of the space without a turnaround area. The proximity of the staircase is also a concern. The potential for traffic conflicts between pedestrians and vehicles is great. A resident descending the stairs will walk directly behind the parked vehicle. Space #3 must be relocated to a safer, more accessible area of the site.

5 A dumpster enclosure must be indicated on the site plan. It must be easily accessible to sanitation workers, and not blocked by parked vehicles.

6 The Town of Ramapo Building, Planning and Zoning Department's February 27, 2014 denial letter indicates that a variance is required for rear yard. This variance is not included in the bulk table. All application materials must be consistent. If a rear yard variance is required, the bulk table must be corrected.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo  
Rockland County Department of Health  
Rockland County Drainage Agency  
Rockland County Sewer District #1  
Anthony R. Celentano P.E.  
Village of Kaser  
New York State Department of State,  
Division of Code Enforcement and Administration  
Ephraim Grossman

*\*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.*