



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

April 9, 2014

ARLENE R. MILLER
Deputy Commissioner

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

Tax Data: 56.16-2-14.5

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

Map Date: 2/5/2012

Date Review Received: 3/11/2014

Item: *MONSEY ACADEMY FOR GIRLS/19 HAMMOND STREET (R-2265D)*

Variances for lot area, lot width, side setback, total side setback, floor area ratio and rear yard to allow the conversion of a semi-attached, single-family residence to a two-family residence on .2527 acres in the R-15A zoning district.

East side of Hammond Street, 405 feet north of Old Nyack Turnpike

Reason for Referral:

Old Nyack Turnpike (CR 52)

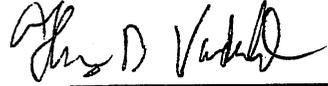
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 A review must be completed by the County of Rockland Department of Highways and any required permits obtained.
- 2 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 increased residential density on undersized lots 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.
- 3 The proposed two-family residence must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

MONSEY ACADEMY FOR GIRLS/19 HAMMOND STREET (R-2265D)

4 The Town of Ramapo Building, Planning and Zoning Department's February 27, 2012 denial letter indicates that a variance is required for rear yard because an existing shed is within two feet of the rear property line. This variance is not included in the bulk table. All application materials must be consistent.



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

cc: Supervisor Christopher St. Lawrence, Ramapo
Rockland County Department of Highways
Rockland County Drainage Agency
Rockland County Sewer District #1
Anthony R. Celentano P.L.S.
New York State Department of State,
Division of Code Enforcement and Administration
Monsey Academy for Girls Inc.

**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.