



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

**EDWIN J. DAY**  
County Executive

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

**DOUGLAS J. SCHUETZ**  
Acting Commissioner

**ARLENE R. MILLER**  
Deputy Commissioner

July 27, 2015

Ramapo Planning Board  
237 Route 59  
Suffern, NY 10901

**Tax Data:** 56.08-2-47

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

**Map Date:** 6/22/2015

**Date Review Received:** 7/6/2015

**Item:** *CONGREGATION KHAL BAIS SHMIEL (R-2271B)*

Site plan for a mikvah and an addition to a Rabbi's residence on .2686 acres in an R-15C zoning district. The existing structure contains a house of worship and a Rabbi's residence. East side of Suzanne Drive, 110 feet north of Lenore Avenue

**Reason for Referral:**

Village of Kaser

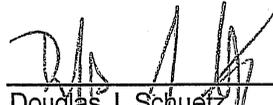
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

***\*Recommend the following modifications***

- 1 The Village of Kaser is the reason this proposal was referred to this department for review. The municipal boundary is approximately 485 feet northwest of the subject property. As required under Section 239nn of the State General Municipal Law, the Village of Kaser must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the Town of Ramapo.
- 2 The applicant must comply with the conditions of the Rockland County Health Department's letter of July 8, 2015.
- 3 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of July 8, 2015.
- 4 The bulk table indicates that two parking spaces are required and five are provided. A parking calculation must be included on the site plan showing the onsite parking requirements for the house of worship and the Rabbi's residence. In addition, the parking spaces and driveway access must be designated on the site plan.

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- 5 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 70 percent increase over the maximum allowable development coverage. The ability of the existing infrastructure to facilities of this size on non-conforming parcels 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.
- 6 The applicant must consider using permeable pavers to reduce the impervious surface area and the extent of the development coverage variance.
- 7 The existing building and the proposed addition must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 8 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 9 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.
- 10 A dumpster enclosure must be shown on the site plan, and be easily accessible to sanitation workers. Parked vehicles must not block access to the dumpster.
- 11 General Note 8 must be revised to include the mikvah as a proposed use.
- 12 General Note 9 must be corrected to indicate that Section 239L and M apply as this is a site plan not a subdivision plat.
- 13 The variances required for this proposal are subject to a review by this department as mandated by the New York State General Municipal Law.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo  
Rockland County Department of Health  
Rockland County Sewer District #1  
Rockland County Drainage Agency  
Civil Tec Engineering & Surveying PC  
Village of Kaser  
New York State Department of State,  
Division of Code Enforcement and Administration  
Congregation Khal Bais Shmiel

*\*NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

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*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.*

