

**DEPARTMENT OF PLANNING**

Dr. Robert L. Yeager Health Center  
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**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

May 26, 2016

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

**Tax Data:** -- 41.19-4-24

**Re: GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M  
**Map Date:** 2/19/2016

**Date Review Received:** 4/8/2016

**Item: JACOB STEFANSKY (R-1835P)**

Variances for rear setback and deck rear setback to permit the construction, maintenance and use of an addition to an existing single-family residence on .5745 acres in an R-40A zoning district.  
North side of Mariner Way, opposite Ranger Road

**Reason for Referral:**

NYS Route 306, Village of New Hempstead

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 The Town of Ramapo Building, Planning and Zoning Department's March 17, 2016 denial letter indicates that variances are required for side yard and rear yard. These variances are not included on the bulk table. All application materials must be consistent. The public hearing notice must be reissued if it did not include all variances needed for this proposal.
- 3 Incorrect tax lot information is listed on the GML referral form. The correct section, block and lot number must be indicated.
- 4 The site plan must include map notes.

**JACOB STEFANSKY (R-1835P)**

  
\_\_\_\_\_  
Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Christopher St. Lawrence, Ramapo

New York State Department of Transportation

Anthony R. Celentano P.L.S.  
Village of New Hempstead

Jacob Stefansky

*\*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.*

*Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.*