

## DEPARTMENT OF PLANNING

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**Douglas J. Schuetz**  
*Acting Commissioner*

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

August 21, 2019

Ramapo Planning Board  
237 Route 59  
Suffern, NY 10901

**Tax Data:** 56.10-2-1

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

**Map Date:** 7/9/2019

**Date Review Received:** 8/2/2019

**Item:** **CONGREGATION OR YOSEF (R-2400B)**

Site plan for the construction of a Local House of Worship and Rabbi's residence as an addition to an existing single-family dwelling located on 0.7589 acres in the R-25 zoning district. Variances for lot area, lot width (College Road & Cucolo Lane), front setback (College Road & Cucolo Lane), front yard (College Road & Cucolo Lane), side setback, side yard, rear setback, rear yard, development coverage, and floor area ratio were previously granted.

Northeast corner of College Road and Cucolo Lane

### Reason for Referral:

College Road (CR81)

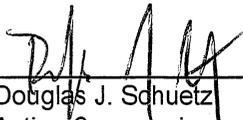
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

### ***\*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 front setback from College Road and Cucolo Lane are deficient by 60% and 80%, respectively. The front yards for these two streets are also deficient by 20% and 72%. The side and rear yard measurements are both deficient by 67%, with the rear setback by 28%. Additionally, the development coverage exceeds the allowed amount by 37.5% and the floor area ratio by 125%. The ability of the existing infrastructure to accommodate increased density on undersized 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.
- 2 The applicant must comply with the conditions in the Rockland County Health Department's letter of August 5, 2019.

**CONGREGATION OR YOSEF (R-2400B)**

- 3 The applicant must comply with the conditions in the Rockland County Sewer District No. 1's letter of July 30, 2019.
- 4 A review must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 5 The gratuitous dedication indicated on the site plan should be stated to be to the Rockland County Highway Department.
- 6 Map Note 2 states that the area of the tract is 33,056 SF, or 0.76 acres. The bulk table indicates that the lot is 0.74 acres. All materials must remain consistent. Any lot area deductions must be noted, and a net lot area calculation included on the site plan. If a public hearing notice was sent out with the incorrect lot area, a new notice must be issued with the correct size of the parcel.
- 7 Map Note 15 must be completed with the appropriate date and case number.
- 8 Several trees are shown within the proposed parking area. The site plan must indicate that these trees are to be removed.
- 9 The site plan must indicate if the fire pit is to be removed. If not, the proposed Norway Spruce trees must not be placed where they are indicated.
- 10 The dumpster enclosure has no access or pull-off area. Due to this, a garbage truck will block the driveway while accessing the dumpster. The enclosure must be made more easily accessible where trucks will not impede circulation while maneuvering into and out of the enclosure area to empty the dumpster.
- 11 Currently, a shed is located on the north side of the property, where the handicapped parking space is proposed. The site plan must indicate that this is to be removed.
- 12 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.
- 13 Prior to the start of construction or grading, all soil and erosion control measures must be in place for the site. These measures must meet the latest edition (November 2016) of the New York State Standards for Urban Erosion and Sediment Control.
- 14 There shall be no net increase in the peak rate of discharge from the site at all design points.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Michael B. Specht, Ramapo  
Rockland County Department of Highways  
Rockland County Department of Health  
Rockland County Sewer District #1  
  
Anthony R. Celentano P.E.

Mona Montal, Chief of Staff

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

## **CONGREGATION OR YOSEF (R-2400B)**

*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.*

