



# Rockland County

Ed Day, Rockland County Executive

## DEPARTMENT OF PLANNING

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

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

September 7, 2016

Sloatsburg Zoning Board of Appeals  
Village Hall  
96 Orange Turnpike  
Sloatsburg, NY 10974

**Tax Data:** 38.51-1-11

**Re: GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M  
**Map Date:** 8/2/2016

**Date Review Received:** 8/12/2016

**Item:** *PATRICK YORKE (SL-219)*

Variations for lot area, lot width, front yard, side yard, total side yard, lot coverage and floor area ratio to permit the construction, maintenance and use of a single-family dwelling on .1162 acres in an R-10 zoning district.

Northwest corner of Eagle Valley Road and Oak Terrace

**Reason for Referral:**

NYS Route 17, Nakoma Brook

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 A review must be completed by the Rockland County Drainage Agency and any required permits obtained.
- 3 A review must be completed by the Rockland County Department of Health and all required permits and/or approvals obtained.
- 4 A review must be completed by the County of Rockland Sewer District #1 and all required permits obtained.

**PATRICK YORKE (SL-219)**

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 49 percent variance for lot area, as well as 60 percent increase over the maximum permitted lot coverage and a 155 percent increase over the maximum allowable floor area ratio. Several yard and setback variances are also required, as is a lot width variance. The ability of the existing infrastructure to accommodate larger residences on undersized, 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 Village must consider the cumulative and regional impacts of permitting such development. The proposed residential building must be scaled back to more closely conform to the R-10 bulk standards.

6 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code. As designed, the proposed single-family residence does not appear to comply with the NYS Code and may require a variance from NYS Fire Code 1024.3. It must be scaled back to conform to the NYS Code.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Carl Wright, Sloatsburg  
New York State Department of Transportation  
Rockland County Drainage Agency  
Rockland County Department of Health  
Rockland County Sewer District #1  
New York State Department of State,  
Division of Code Enforcement & Administration

Anthony R. Celentano P.L.S.

Patrick Yorke

*\*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.*