

**DEPARTMENT OF PLANNING**

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

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

April 10, 2020

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

**Tax Data:** 38.58-1-9

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

**Map Date:** 3/3/2020

**Date Review Received:** 3/13/2020

**Item:** *MIROSLAW ROJEK/9 NAVAJO TRAIL (SL-227)*

Variations for lot coverage, floor area ratio, side yard and rear yard coverage to allow the construction of a 25' x 30' rear yard garage on .2324 acres in an R-10 zoning district.

West side of Navajo Trail, approximately 245 feet south of Sterling Avenue

**Reason for Referral:**

Town of Ramapo, Sterling Mine Road (CR 72), 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 The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is along the rear property line of the site. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Town of Ramapo must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

**MIROSLAW ROJEK/9 NAVAJO TRAIL (SL-227)**

- 2 A review shall be completed by the Rockland County Drainage Agency, and any required permits obtained.
- 3 A review must be completed by the Rockland County Health Department to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.
- 4 The proposed structure is described as a "back yard garage" in the application forms; it is labeled as a garage on the survey. A driveway providing access to the structure is not illustrated on the survey. Will vehicles be stored in the garage? Will it serve a different purpose? Clarification must be provided.



Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Carl Wright, Sloatsburg  
Rockland County Department of Highways  
Rockland County Drainage Agency  
Rockland County Department of Health  
  
James E. Drumm  
Town of Ramapo

Mirosław Rojek

*\*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.*