



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

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County Executive

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DOUGLAS J. SCHUETZ  
Acting Commissioner

ARLENE R. MILLER  
Deputy Commissioner

July 14, 2015

Spring Valley Zoning Board of Appeals  
200 N. Main Street  
Spring Valley, NY 10977

**Tax Data:** 57.29-1-41

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

**Map Date:** 5/26/2015

**Date Review Received:** 6/18/2015

**Item:** 55 COLLINS AVENUE LLC (SV-832)

Variances for lot area, lot width, front yard, side yard, rear yard, total side yard, floor area ratio, street frontage and parking in the front yard to allow the construction, maintenance and use of a two-family dwelling on .1320 acres in an R-2 zoning district.

West side of Collins Avenue, approximately 290 feet south of Maple Avenue

**Reason for Referral:**

Town of Ramapo

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 subject site is undersized and non-conforming for the proposed use. A lot area variance of almost 43 percent is required; the lot width is deficient by 50 percent. The maximum floor area ratio is exceeded, A nearly 27 percent variance is needed for street frontage. Several yard variances are also required. The building footprint must be scaled back to more closely conform to the R-2 bulk standards.

2 The Town of Ramapo is the reason this proposal was referred to this department for review. The municipal boundary is approximately 255 feet west of the site. As required under Section 239nn of the State General Municipal Law, the Town of Ramapo must be given the opportunity to review the proposed subdivision and provide any concerns related to the project to the Village of Spring Valley.

**55 COLLINS AVENUE LLC (SV-832)**

- 3 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 ability of the existing infrastructure to accommodate increased residential density 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.
- 4 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letters of June 10, 2015 and June 22, 2015.
- 5 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 6 The parking areas are very constrained. It will be difficult for vehicles to safely exit these spaces given the limited area for turning and the proximity of the residential structure. The long, narrow turnaround areas do not alleviate this situation. As noted above, the building footprint must be reduced in order to more closely conform to the yard requirements. This will allow for improved on-site maneuverability for vehicles. The parking areas must also be redesigned.
- 7 The application form contains several discrepancies including different names and addresses for the applicant. All application materials must be consistent.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Demeza Delhomme, Spring Valley  
Rockland County Department of Health  
Rockland County Drainage Agency  
Rockland County Sewer District #1  
Anthony R. Celentano P.L.S  
Town of Ramapo  
New York State Department of State,  
Division of Code Enforcement and Administration  
Berish Feldman

*\*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.*