



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

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County Executive

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DOUGLAS J. SCHUETZ  
Acting Commissioner

March 25, 2015

ARLENE R. MILLER  
Deputy Commissioner

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

**Tax Data:** 50.70-1-8

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

**Map Date:** 11/20/2014

**Date Review Received:** 2/20/2015

**Item:** 7 STANLEY LLC (SV-817)

Variances for lot area, lot width, side yard, total side yard, street frontage and parking in the front yard to allow the construction, maintenance and use of a two-family residence on .1782 acres in an R-1A zoning district.

West side of Stanley Place, 25 feet north of Aselin Drive

**Reason for Referral:**

Pascack Brook, 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 A review must be completed by the County of Rockland Drainage Agency and all required permits obtained.
- 2 The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is 425 feet east 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 variances necessary for the proposed project and provide any concerns related to the project to the Village of Spring Valley.
- 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 non-conforming, undersized lots 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.

**7 STANLEY LLC (SV-817)**

4 The stacked parking arrangement is unacceptable. Vehicles must be able to exit the site without the need for other vehicles to be moved first. The present configuration creates a dangerous situation. The parking areas must be reconfigured so that the four required on-site parking spaces are fully accessible. The building footprint will have to be reduced to accomplish this.

5 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

6 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of March 9, 2015.

7 The subject site is located in the R-1A zoning district. The site plan includes the correct zoning district information but the application form indicates that the zoning designation is R-2. This is incorrect. All application materials must be consistent.

8 An outdated version of the Short Environmental Assessment Form is included with this application. The New York State Department of Environmental Conservation revised its SEQRA forms in 2013. The applicant must use the current forms.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

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

*\*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.*