



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

Building T

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County Executive

DOUGLAS J. SCHUETZ

Acting Commissioner

ARLENE R. MILLER

Deputy Commissioner

July 20, 2015

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

**Tax Data:** 57.54-1-44

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

**Map Date:** 6/2/2015

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

**Item:** *ELIEZER FARKAS (SV-835)*

Variations for lot area, lot width, front yard (Funston Avenue and Ridge Avenue), side yard and building height to allow the construction, maintenance and use of a one-family detached dwelling on .1722 acres in an R-2 zoning district.

Southeast corner of Funston Avenue and Ridge 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 Town of Ramapo is the reason this proposal was referred to this department for review. The municipal boundary is approximately 410 feet southwest 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 required variances and provide any concerns related to the project to the Village of Spring Valley.
- 2 The applicant must comply with the conditions of the Rockland County Sewer District No. 1's letter of June 23, 2015.
- 3 The proposed residential building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

**ELIEZER FARKAS (SV-835)**

4 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 non-conforming residences 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 Village must consider the cumulative and regional impacts of permitting such development.

5 The bulk table indicates that a variance is required for lot width on Ridge Avenue. The minimum lot width requirement is 90 feet; the western lot line along Ridge Avenue is 150 feet in length, as is the eastern property line. The bulk table must be corrected to indicate that 150 feet is provided and a variance is not required.

  
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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  
Eliezer Farkas

*\*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.*