COUNTY OF ROCKLAND

DEPARTMENT OF PLANNING
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C. SCOTT VANDERHOEF
County Executive

SALVATORE CORALLO
Commissioner

ARLENE MILLER
Deputy Commissioner

January 31, 2006

Spring Valley Planning Board
200 N. Main Street
Spring Valley, NY 10977

Tax Data: 57.29-1-52

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 N

Map Date: 10/13/2005 **Date Review Received:** 1/17/2006

Item: ***SIMON ZAROUR (SV-743)***

Two-lot subdivision of .2640-acres in an R-2 zoning district.
West side Collins Avenue, 800 feet south of Maple Ave

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

It should be noted that this property is subdivided according to the County of Rockland's Real Property Office and the Town of Ramapo's Assessor's Office. The subdivision results in two undersized lots that will both require additional bulk variances. Typically, this department is not in favor of new construction projects that do not conform to the bulk requirements of the zoning district in which they are proposed. In this case, the surrounding neighborhood appears to be characterized by undersized parcels. We therefore offer the following recommendations.

1 The Village should undertake a comprehensive analysis of the prevailing land uses in this R-2 zoning district with particular attention to their conformance with the appropriate bulk standards. This analysis may indicate that current standards are no longer applicable and should be revised.

2 As required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.

3 There shall be no net increase in stormwater runoff from the site.

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4 Public sewer mains requiring extensions within a right-of-way or an easement shall be reviewed and approved by the Rockland County Department of Health prior to construction.

5 Subdivisions requiring water main extensions and all public water supply improvements shall be reviewed by the Rockland County Department of Health prior to construction. Plans must be signed and stamped by a NYS Professional Licensed Engineer and shall be accompanied by a completed NYS Department of Health Form 348, which must be signed by the public water supplier.

6 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the New York State Guidelines for Urban Erosion and Sediment Control.

Salvatore Corallo
Salvatore Corallo
Commissioner of Planning

cc: Mayor George Darden, Spring Valley

Atzl, Scatassa & Zigler P.C.
Town of Ramapo

**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.