



COUNTY OF ROCKLAND

DEPARTMENT OF PLANNING

Building T

50 Sanatorium Road

Pomona, New York 10970

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C. SCOTT VANDERHOEF
County Executive

SALVATORE CORALLO
Commissioner

ARLENE MILLER
Deputy Commissioner

January 31, 2006

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

Tax Data: 57.29-1-52

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

Map Date: 10/13/2005

Date Review Received: 1/17/2006

Item: *SIMON ZAROOUR (SV-743A)*

Variations for lot area, lot width, side yard, total side yard and FAR for proposed Lots 1 and 2 to allow a two-lot subdivision of .2640 acres in an R-2 zoning district. Proposed Lot 2 will also require a front yard variance.

West side of Collins Avenue, 800 feet south of Maple Avenue

Reason for Referral:

Town of Ramapo

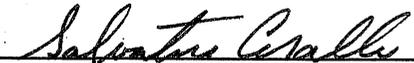
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

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 This analysis may indicate that current standards are no longer applicable and should be revised.

SIMON ZAROOUR (SV-743A)


Salvatore Corallo
Commissioner of Planning

cc: Mayor George Darden, Spring Valley

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

Simon Zarour

**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.