

**DEPARTMENT OF PLANNING**

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**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

July 2, 2019

Suffern Zoning Board of Appeals  
61 Washington Avenue  
Suffern, NY 10901

**Tax Data:** 54.60-2-9

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

**Map Date:** 2/25/2019

**Date Review Received:** 6/13/2019

**Item:** *ZIENAT TAWFIK/30 TEMPLE LANE (SU-362)*

Variances to permit the construction, maintenance, and use of a 6 foot by 11 foot side entry porch and a 12 foot by 14 foot rear deck on 0.078 acres in the 2R-5 zoning district. Required variances include side yard and rear yard.

East side of Temple Land, approximately 175 feet north of Spicer Road

**Reason for Referral:**

Mahwah River

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 applicant must comply with all comments made by the Rockland County Drainage Agency (RCDA) in their letter dated May 10, 2019.
  - 1.1 An inspection must be completed by the RCDA upon anchoring the support posts to concrete footings, as shown on the certified drawings, to verify project completion and abate any violations for an unauthorized deck reconstruction.
- 2 The Floodplain Administrator for the Village of Suffern shall certify that the proposed construction is in compliance with the floodplain regulations of the Village and the Federal Emergency Management Agency.
- 3 The Short Environmental Assessment Form should be completed using the EAF Mapper Application provided by the New York State Department of Environmental Conservation to ensure all fields are filled out accurately and all aspects are taken into consideration.
- 4 A vicinity map that contains a north arrow and scale must be provided.

**ZIENAT TAWFIK/30 TEMPLE LANE (SU-362)**

5 Map notes that contain district and other pertinent information must be provided.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Edward Markunas, Suffern  
Rockland County Drainage Agency  
Federal Emergency Management Agency  
  
Robert E. Sorace, PLS

*\*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.*

*Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.*