



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

May 1, 2014

ARLENE R. MILLER
Deputy Commissioner

Wesley Hills Zoning Board of Appeals
432 Route 306
Wesley Hills, NY 10952

Tax Data: 41.07-1-11

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

Map Date: 1/23/2014

Date Review Received: 3/31/2014

Item: *CONGREGATION KEHILLAS BAIS YEHUDAH (WHI-63F)*

Variance for side yard to allow the construction, maintenance and use of an 11,631 SF, two-story addition to an existing synagogue on 2.97 acres in the R-50 zoning district. The applicant is seeking Planning Board approval for an increase in the maximum impervious surface ratio and the maximum front yard impervious surface ratio.

North side of Lime Kiln Road, 50 feet east of Vanessa Drive

Reason for Referral:

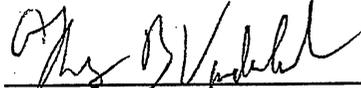
Lime Kiln Road (CR 84), NYS Route 306

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 the conditions of the Rockland County Highway Department's letter of March 26, 2014.
- 2 The expanded synagogue building must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.
- 3 A variance is now required for side yard since the proposed addition is within 18.8 feet of the property line. A symbol for new variances required is indicated below the bulk table. However, this symbol is not used to note that a side yard variance is required. This must be corrected.

CONGREGATION KEHILLAS BAIS YEHUDAH (WHI-63F)



Thomas B. Vanderbeek, P.E.
Commissioner of Planning

cc: Mayor David Goldsmith, Wesley Hills
Rockland County Department of Health
New York State Department of Transportation
Rockland County Department of Highways
Sparaco & Youngblood, PLLC
New York State Department of State,
Division of Code Enforcement and Administration
Congregation Kehillas Bais Yehudah

**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.