



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

Building T  
Pomona, NY 10970  
(845) 364-3434  
Fax. (845) 364-3435

**EDWIN J. DAY**  
County Executive

**DOUGLAS J. SCHUETZ**  
Acting Commissioner

August 12, 2014

**ARLENE R. MILLER**  
Deputy Commissioner

Wesley Hills Planning Board  
432 Route 306  
Wesley Hills, NY 10952

**Tax Data:** 41.15-1-38

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

**Map Date:** 7/8/2014

**Date Review Received:** 7/14/2014

**Item:** *CONGREGATION KHAL ZICHRON MICHOEL (Whi-133)*

Site plan and special permit application for the proposed demolition of an existing two-story dwelling, and construction of a 10,684 sq. ft. synagogue building in the R-35 zoning district on .87 acres.  
North side of Grandview Avenue, opposite Melaney Drive

**Reason for Referral:**

Grandview Avenue (CR 80), 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 A review must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 A review must be completed by the County of Rockland Sewer District #1 and all required permits obtained.
- 3 A review must be completed by the County of Rockland Department of Health and all required permits obtained.

**CONGREGATION KHAL ZICHRON MICHOEL (Whi-133)**

4 The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is along Grandview Avenue, directly adjacent to the site along the front yard. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations in respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas. In addition, Section 239-nn was enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result development occurs in a manner that is supportive of the goals and objectives of the general area.

The Town of Ramapo must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Town of Ramapo must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

5 Except for the side yard variance, generally the proposed synagogue building complies with the bulk table requirements for the yards and setbacks. However, the applicant is proposing a development that will be 104% over the maximum permitted impervious surface ratio, and 210% greater than permitted maximum front yard impervious surface ratio. Every effort must be made to reduce the impervious surfaces on site. This can be done by installing pervious pavers or other porous materials for the parking area and sidewalks. This reduction in the impervious surface ratio, will help to ensure that the existing infrastructure, such as the sewer and stormwater management systems will not be overburdened.

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 latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.

7 There shall be no net increase in the peak rate of discharge from the site at all design points.

  
\_\_\_\_\_  
Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills  
Rockland County Department of Highways  
Rockland County Department of Health  
Rockland County Sewer District #1  
Sparaco & Youngblood, PLLC  
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.*

**CONGREGATION KHAL ZICHRON MICHOEL (Whi-133)**

*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.*

