



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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DOUGLAS J. SCHUETZ
Acting Commissioner

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Deputy Commissioner

May 11, 2015

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

Tax Data: 41.06-1-21

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

Map Date: 3/30/2015

Date Review Received: 4/13/2015

Item: *TIFERES YISRAEL (Whi-116B)*

Site plan application to construct and complete an existing balcony and a second floor in a newly built synagogue on 1.4693 acres in an R-50 zoning district. The existing parking lot will be extended. A separate 1,200 SF mikvah is also proposed. A special permit is required to increase the maximum impervious surface to .33.

Northeast corner of Lime Kiln Road and Roble Road

Reason for Referral:

Lime Kiln Road (CR 84)

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 The applicant must comply with the condition of the Rockland County Health Department's letter of April 14, 2015.
- 3 The bulk table indicates the proposed impervious surface is .33; a note under the bulk table specifies that a special permit is required for an increase to .40. All application materials must be consistent. The proposed impervious surface must be clarified.
- 4 Section 230-31 A. of the Village's Zoning Code, states that the parking requirements for Neighborhood Gatherings, other than minor neighborhood gatherings, is 15 spaces (if the special permit use is located in a building also used as a single-family residence); or 20 spaces (if not so located). This information must be provided in the bulk table, as well as the total number of on-site parking spaces proposed.

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5 While the minimum on-site parking requirement is achieved, Drawing Numbers 1 and 2 show differing amounts of parking spaces. Drawing Number 1 indicates that seven new parking spaces are proposed in the northeast corner of the parking area. Drawing Number 2 shows six parking spaces in this area including two handicapped spaces with an access aisle between them. The total number of parking spaces in this area must be clarified. All application materials must be consistent.

6 Two evergreen trees are shown in one of the two new parking spaces in the northwest corner of the extended parking lot. This must be corrected. If these trees exist, their removal must be indicated.

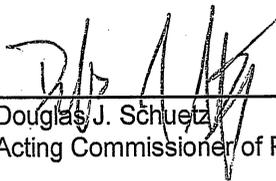
7 The proposed synagogue and mikvah buildings must comply with all requirements of the New York State Uniform Fire Prevention and Building Code.

8 Water is a scarce resource in Rockland County; thus proper planning and phasing of this project are critical to supplying the current and future residents of the Villages, Towns, and County with an adequate supply of water. If any public water supply improvements are required, engineering plans and specifications for these improvements shall be reviewed and approved by the Rockland County Department of Health prior to construction in order to ensure compliance with Article II (Drinking Water Supplies) of the Rockland County Sanitary Code and Part 5 of the New York State Sanitary Code.

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

10 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.

11 Map Note # 15 shall be corrected to refer to Section 239L & M of the New York State General Municipal Law.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills
Rockland County Department of Highways
Rockland County Department of Health
Gdanski Consultants, Inc.
New York State Department of State,
Division of Code Enforcement and Administration
Tiferes Yisrael

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

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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.

