



CONSTRUCTION EXPEDITING
AND CONSULTANTS

Step by Step Guidance from Planning ... to Reality

January, 15 2025

TO: Zoning Board of Appeals
Village of Spring Valley
200 N Main Street
Spring Valley NY 10977

RE: 68 Union Road, Spring Vally NY 10977

Tax lots 50.70-1-74.41

SUBJECT: Narrative

This property is in the R-1A Zone. The owner desires to build a two-family detached dwelling which will require the following variances.

Min Lot Area 8,500 SF required; 4,617 SF provided, without deduction 5,695

Lot Width 100' required, 86.29' provided

Side Yard 15' required 10' proposed

Rear yard 20' required, 10' proposed

Total Side Yard, 30' required, 20' provided

Street frontage, 70' required, 0' provided

Village law (7-736) Road Frontage



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AND CONSULTANTS



Alan M.
Simon
Mayor

VILLAGE OF SPRING VALLEY

200 North Main Street
Spring Valley, New York 10977
Tel. (845) 352-1100 ♦ Fax (845) 352-1164

Department of Building, Planning, and Zoning

www.villagespringvalley.org

Yisroel Eisenbach
Deputy Mayor
Joseph Gross
Trustee
Shmuel Smith
Trustee
Asher Grossman
Trustee

Construction Expediting

January 21, 2025

RE: 68 Union Road, Spring Valley, New York 10977
Tax Map: Section 50.70, Block 1, Lot 74.41

Dear applicant,

Please be advised that the application for permit for the above project cannot move forward for the following reasons: the application proposes a two-family dwelling in the R-1A zoning district; which is a permitted use in the zone. The site is deficient in the following:

- Minimum Lot Area of 8,500 square feet required; 4,617 square feet proposed.
- Minimum Lot Width of 100 feet required; 86.29 feet proposed.
- Minimum Side Yard of 15 feet required; 10 feet proposed.
- Minimum Rear Yard of 20 feet required; 10 feet proposed.
- Minimum Total Side Yard of 30 feet required; 20 feet proposed.
- Minimum Street Frontage of 70 feet required; 0 feet proposed.
- Variance required from Village Law (7-736) Road Frontage.

We have done preliminary review of the plot plan and/or architectural plans. In addition, please include the following as applicable if not already provided:

- Design to demonstrate the drainage of surface water away from foundation walls. Show grade fall not fewer than 6 inches within the first 10 feet.
- Stormwater drainage system with details of catch basins, dry wells, retention basins including calculations resulting in zero net runoff.
- Location of proposed curb(s) drop curb(s), driveway(s), driveway apron(s), sidewalks, and ADA ramp on corner lots.
- Demonstrate the building height - which is the vertical distance measured from the established grade (centerline of the adjacent street) to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and ridge for gable, hip, and gambrel roofs.
- Location and dimensions (length, width, floor elevations and height in feet and in stories) of proposed structures.
- The location, layout, finished grade, pavement specifications and curbing proposed for parking area.
- Topographic data at a maximum contour interval of 2 feet, showing existing and proposed contours, extended at least 10 feet into adjoining properties.
- Location, design, and proposed screening of garbage enclosure.
- Type, location, design, shielding and hours of operations of exterior lighting.
- Erosion and sedimentation control plan during and after construction, with reference to the NYS Stormwater Management Design Manual NYS DEC; as well as NY Standards and Specifications for Erosion and Sediment Control, Standards and Specifications.
- Construction debris dumpster location
- Elevations at the centerline of the street and reference grade at the curb along the centerline of the building. Show Elevation of each proposed floor.

- Provide average grade.
- Location of nearest hydrant, location, size and design of all proposed water supply, sanitary sewage, gas, electric connections
- Show the floor area of each floor including the basement.
- Location and dimensions of side steps
- Driveway profiles from the centerline of the street to the garage or parking area. Indicate slopes by percentage of grade.
- Location of all terraces, stairs, porches, and decks in accordance with §255-22C.
- Projecting horizontal architectural features in accordance with §255-22D.

We also suggest the following:

- Provide a complete application.
- **The FAR calculations done from our office, based off of a 2-story structure, yields a FAR of approximately 76%. Either add FAR as a variance to be requested or revise the plan to comply with the allowable FAR.**
- Provide Floor Area Ratio calculation §255-6 FLOOR AREA RATIO - The gross floor area of all buildings on a lot divided by the area of the lot. Provide the current FAR of the existing structure.
- Provide topographic information, it was not provided with the submission.
- **Remove the "Without Deduction" note.**
- **Narrative says R-2, the proposed is in the R-1A.**
- **Nearest hydrant is more than 500 feet from the proposed structure, based on the review of our Fire Chief: the private road to be opened, a hydrant to be installed on the private road and the road to be dedicated to the Village of Spring Valley.**
- Please provide drainage plans as well as net-zero drainage calculations for review by the Village Engineering consultants. No drywells were proposed on the plot plan.
- **The above information to be provided and/or corrected on the site plan and/or architectural plans prior to appearance before the Zoning Board of Appeals.**
- **A final survey will be required prior to issuance of a Certificate of Occupancy.**
- The parking area needs to be provided with curbing.

Therefore, the application is denied. Contact the Planning and Zoning Secretary for more information. You may either correct the issues or appeal our decision by making an application to the Zoning Board of Appeals, contact the Planning and Zoning Secretary for more information. **Provide this letter to the ZBA along with your application.**

If you have any questions, please feel free to contact the Department of Building, Planning and Zoning at 845-352-1100 ext. 110.

Respectfully,



Damde Laplante C.E.O
Zoning Administrator
CE:1001860

CC – Zoning Secretary Ann Quattrocchi

68 UNION

Right unit

Basement - 940 SF GROSS, 750 SF NET

First - 940 SF GROSS, 750 SF NET

Second - 940 SF GROSS, 750 SF NET

Left unit

Basement - 940 SF GROSS, 750 SF NET

First 940 SF GROSS, 750 SF NET

Second - 940 SF GROSS, 750 SF NET

APPLICATION REVIEW FORM

PART I

Name of Municipality VILLAGE OF SPRING VALLEY Date 12/19/2024

Please check all that apply:

<input type="checkbox"/> Planning Board	<input type="checkbox"/> Village Board
<input checked="" type="checkbox"/> Zoning Board of Appeals*	<input type="checkbox"/> Historical Board
(*Fill out Parts I & II of this form)	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Subdivision <input type="checkbox"/> # of Lots	<input type="checkbox"/> Pre-preliminary/Sketch
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Final
<input type="checkbox"/> Conditional Use	
<input type="checkbox"/> Zoning Code Amendment	
<input type="checkbox"/> Zone Change	
<input checked="" type="checkbox"/> Variance <input type="checkbox"/> Area <input type="checkbox"/> Use	Meeting Date _____

Project Name: 68 Union Road

Tax Map Designation:

Section 50.70 Block 1 Lot(s) 74.41
Section _____ Block _____ Lot(s) _____

Location: On the North side of Union Road
150 feet East of Anthony Drive in the
Village of Spring Valley.

Project Street Address: 68 Union Road

Acreage of Parcel 0.51 Zoning District R-1A

School District EAST RAMAPO Postal District SPRING VALLEY

Fire District SPRING VALLEY Ambulance District SPRING HILL

Water District UNITED WATER Sewer District ROCKLAND #1

Project Description: *(If additional space required, please attach a narrative summary.)*

Two Family Dwelling

APPLICATION REVIEW FORM

If subdivision:

- 1) Is any variance from the subdivision regulations required? _____
- 2) Is any open space being offered? ____ If so, what amount? _____
- 3) Is this a standard or average density subdivision? _____

If site plan:

- 1) Existing square footage _____
- 2) Total square footage _____
- 3) Number of dwelling units _____
- 4) Number of Buildings _____

If special permit, list special permit use and what the property will be used for.

Environmental Constraints:

Are there **slopes greater than 25%**? If yes, please indicate the amount and show the gross and net area. _____

Are there **streams** on the site? If yes, please provide the names. _____

Are there **wetlands** on the site? If yes, please provide the names and type. _____

Project History: Has this project ever been reviewed before? _____

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

APPLICATION REVIEW FORM

Applicant's Combined Affidavit and Certification

State of New York)
County of Rockland) ss.:
Village of Spring Valley)

Devorah Landau _____, being duly affirmed, deposes and says:
Applicant's Name

I am the applicant in this matter. I make these statements to induce the Village of Spring Valley, its boards, commissions, officers, employees, and consultants, to entertain my application, knowing that the Village will rely upon the statements made herein.

1. Verification of Facts. All statements contained in this application and in all documents, drawings, writings, and other communications submitted in connection with this application are true.

2. Consent to Enter. I hereby give permission to members of said boards and/or supporting staff to visit the property in question at a reasonable time during the day.

3. Affidavit Pursuant to General Municipal Law Section 809. All the following statements and the statements contained in the papers submitted herewith are true and the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

A. I certify that I am the owner, officer, member or agent of owner, of all that certain lot, piece or parcel of land and/or building described in this application **and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner** in connection with this application for the relief below set forth:

B. There is no state officer, Rockland County officer or employee or village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such village officer or employee nor any member of his family in any of the foregoing classes

APPLICATION REVIEW FORM

is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

C. To the extent that the same is known to your applicant, and to the owner of the subject premises **there is disclosed herewith** the interest of the following officer or employee of the State of New York or the County of Rockland or of the Village of Spring Valley in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee N/A

- b. Nature of interest _____
- c. If stockholder, number of shares _____
- d. If officer or partner, nature of office and name of partnership _____
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. _____

- f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Village of Spring Valley.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

4. Reimbursement for Professional Consulting Services. I understand that the Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or

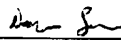
APPLICATION REVIEW FORM

pursuant to an existing contractual agreement between the village and each such consultant for the cost of such consultant services upon receipt of the bill.

5. Application Fee(s)


I, Devorah Landau, have paid to the Village Clerk and/or Treasurer, the required fee for this application. (The fee is subject to the Schedule of Fees of the municipality). I shall review a copy of the zoning Local Law and Land Development Regulations, and be ready and prepared to review this application when scheduled. The Village Board, Planning Board, or Zoning Board of Appeals in the review of any application described above, may refer the subject application to an engineering, planning, environmental, or other technical consultant as such Board shall deem reasonably necessary to enable it to review the application as required by law.

I agree to establish an escrow account with the Village of Spring Valley from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Village. Any additional sums needed to pay the Village's consultants shall be paid prior to final action on the application. The Village may suspend processing of the application if there is a deficiency in the escrow account. Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Village.

Applicant's Signature 
Print Applicant's Name Devorah Landau

Affirmed to before me this

23 day of December, 2024


Notary Public

LIPA BRACH
NOTARY PUBLIC STATE OF NY
NO. 01BR6433381
QUALIFIED IN ROCKLAND COUNTY
COMMISSION EXPIRES 06/2026

I have received from _____ the sum of _____ on this date _____.

Reviewed by the _____ on _____ Village Clerk/Treasurer

Action Taken: _____

APPLICATION REVIEW FORM

Affidavit of Ownership/Owner's Consent

State of New York)
County of Rockland) SS.:
Village of Spring Valley)

I, Devorah Landau being duly affirmed, hereby
depose and say that I reside at: 11 Blueberry Hill Monsey NY 10952

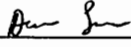
in the county of Rockland in the state of New York.

I am the (* sole) owner in fee simple of premises located at:
68 Union Road, Spring Valley NY 10977

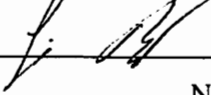
described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber _____ of conveyances, page _____ or as Instrument ID # _____

Said premises have been in my/its possession since _____. Said premises are also
known and designated on the Town of Ramapo / Clarkstown Tax Map as:
section _____ block _____ lot(s) _____.

I hereby authorize the within application on my behalf, and that the statements of fact
contained in said application are true, and agree to be bound by the determination of the
board.

Owner 
Mailing Address 11 Blueberry Hill Monsey NY 10952

Affirmed to before this
23 day of December, 2021


Notary Public

LIPA BRACH
NOTARY PUBLIC STATE OF NY
NO. 01BR6433381
QUALIFIED IN ROCKLAND COUNTY
COMMISSION EXPIRES 05/2026

* If owner is a corporation or LLC, fill in the office held by deponent and name of
corporation or LLC, and provide a list of all directors, officers, and stockholders
owning more than 5% of any class of stock and all members having greater than 5%
beneficial interest.

APPLICATION REVIEW FORM

PART II*

Application before the Zoning Board of Appeals

Application, petition, or request is hereby submitted for:

- ☐ Area Variance from the requirement of Section _____;
- ☐ Use Variance from the requirement of Section _____;
- ☐ Special permit per the requirements of Section _____;
- ☐ Review of an administrative decision of the Building Inspector;
- ☐ An order to issue a Certificate of Occupancy;
- ☐ An order to issue a Building Permit;
- ☐ An interpretation of the Zoning Ordinance or Map;
- ☐ Certification of an existing non-conforming structure or use;
- ☐ Other (*explain*) _____;

To permit construction, maintenance and use of Two Family Dwelling

Previous Appeal:

- a. A previous appeal ___has, or ___ has not, been made with respect to this property.
- b. Such appeal was in the form of:
 - ___ An AREA Variance; or
 - ___ A USE Variance; or
 - ___ Appeal from decision of Village Official or Officer; or
 - ___ Interpretation of the Zoning Ordinance or Map; or
 - ___ Other
- c. The previous appeal described above was appeal number _____,
dated _____ and was _____ (Granted/Denied).

TO ALL APPLICANTS: Complete all relevant information by the section or sections pertaining to your appeal ONLY. You may also include extra pages to supplement this form with a narrative explanation. At the time of the hearing, you must present written documentation in support of all the statements made in this application. You must also substantiate all financial information supplied.

APPLICATION REVIEW FORM

A. AREA VARIANCE *(This section to be completed only for an AREA variance. Use additional pages, if needed.)*

This application seeks a variance from the provisions of Article _____, Section(s) _____. Specifically, the applicant seeks a variance from the requirements from:

Dimension*	Column	Required	Provided
Lot Area			
Lot Width			
Lot Area			
Street Frontage			
Front Yard			
Side Yard			
Rear Yard			
Total Side Yard			
Building Height			
Number of Stories			
Floor Area Ratio			
Number of Parking Spaces			
Parking in Front Yard			
Enlargement of a Non-Conforming Use			

**e.g., front yard, side setback, FAR, etc.*

1. Is the requested variance the minimum necessary to relieve the practical difficulty or economic injury? _____

Describe: _____

2. Is the variance substantial in relation to the zoning code? _____

Explain: _____

3. Will a substantial change be produced in the character of the neighborhood, or a substantial detriment to adjoining property owners be created, if this variance is granted? _____

Explain: _____

APPLICATION REVIEW FORM

4. Can the alleged practical difficulty or economic injury be overcome by some method other than a variance? _____

Explain: _____

5. Will the granting of this variance affect the health, safety, or welfare of the neighborhood or community? _____

Explain: _____

6. Will there be any affect on governmental facilities or services if this variance is granted? _____

Describe: _____

7. Other factors I/we wish the Board to consider in this case are _____

B. USE VARIANCE *(This section to be completed only for a USE variance. Use additional pages, if needed.)*

1. This property cannot be used for any uses currently permitted in this zone because: _____

2. The problem with this property is due to unique circumstances and not to the general conditions of the neighborhood in that: _____

3. The use requested by this variance will not alter the essential character of the neighborhood in that: _____

4. The amount paid for the entire parcel was: _____

5. The date of purchase of the property was: _____

6. The present value of the entire property is: _____

7. The monthly expenses attributed to normal and usual maintenance of the property are: _____

8. The annual taxes on the property are: _____

APPLICATION REVIEW FORM

9. The current income from the property is: _____

10. The amount of mortgages and other encumbrances on the property in question is:

- a. Date of mortgage: _____
- b. Scheduled maturity (payoff) date: _____
- c. Present monthly payment amount: _____
- d. Current principal balance: _____
- e. Current interest rate: _____

11. Other factors I/we wish the Board to consider in this case are:

C. APPEAL OF DECISION OF BUILDING INSPECTOR *(This section to be completed for an appeal, only. Use additional pages, if needed.)*

1. Name and position of official making the decision:

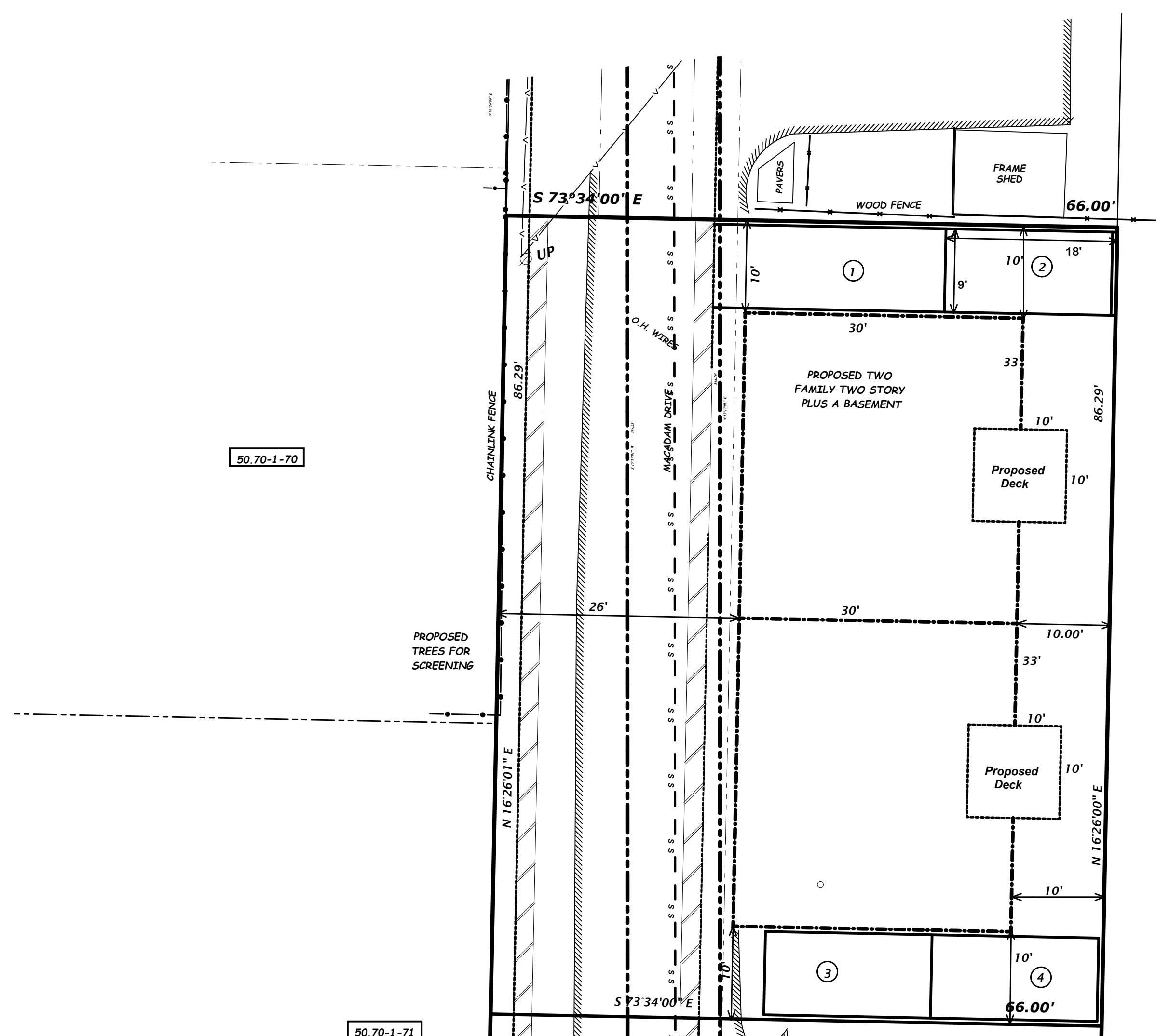
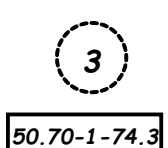
2. Nature of decision:

3. The decision described above is hereby appealed because:

D. INTERPRETATION OF ZONING CODE *(This section to be completed for an interpretation, only. Use additional pages, if needed.)*

1. Section(s) to be interpreted: _____

2. An interpretation of the Zoning Code is requested because:



8. ZONE R2
9. FIRE DISTRICT: SPRING VALLEY
10. WATER DISTRICT: VEOLIA OF NORTH AMERICA
11. ELECTRIC DISTRICT: ORANGE AND ROCKLAND
12. SEWER DISTRICT: RCSD#1
13. SCHOOL DISTRICT: EAST RAMAPO

**ZONE: R-1A TWO FAMILY
DETACHED DWELLING**

BULK REQUIREMENTS

	USE GROUP	MINIMUM LOT AREA (SQUARE FEET)	LOT WIDTH (FEET)	FRONT YARD (FEET)	SIDE YARD (FEET)	REAR YARD (FEET)	TOTAL SIDE YARD (FEET)	MAXIMUM BUILDING HEIGHT	MAXIMUM BUILDING HEIGHT	FLOOR AREA RATIO (FAR)	PARKING	STREET FRONTAGE
REQUIRED	C	8,500 SF	80'	25'	15'	20'	30'	35'	3 STORIES	0.65	2	70'
PROVIDED	C	4617 SF	86.29'	26'	10 1/2'	10 1/2'	20 1/2'	LESS THAN 35'	2 STORY	0.65	2	0 1/2'

WITHOUT DEDUCTION 5695 SQFT

*VARIANCE REQUIRED, VILLAGE LAW-(7-736) ROAD FRONTAGE

*VARIANCE REQUIRED

**PROPOSED FIRE LANE
AND SIGNS BOTH
SIDE OF ROAD**

UNION ROAD
41.25' WIDE

TAX MAP DESIGNATION: 50.70-1-74.1
PROPOSED TWO
FAMILY FOR

68 UNION
ROAD

TOWN OF RAMAPO, ROCKLAND COUNTY
SPRING VALLEY NEW YORK

JANUARY 7, 2025 SCALE: 1" = 10'

10 0 10
ANTHONY R. CELENTANO P.E.
31 ROSMAN ROAD
THIELLS, N.Y. 10984
845 429 5290 FAX 429 5974

Arthur R. Celestony LIC#76244



DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center
50 Sanatorium Road, Building T
Pomona, New York 10970
Phone: (845) 364-3434 Fax: (845) 364-3435

Douglas J. Schuetz
Acting Commissioner

Richard M. Schiafo
Deputy Commissioner

March 21, 2025

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

Tax Data: 50.70-1-74.41

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

Map Date: 01/07/2025

Date Review Received: 02/25/2025

Item: *68 Union Road (GML-25-0111)*

A variance application to permit the construction of a two-family dwelling on a landlocked parcel with 0.131 gross acres (0.106 net acres) in the R-1A zoning district. The existing structure is to be removed. Variances are requested for lot area, lot width, side yard, rear yard, total side yard, street frontage, and Village Law 7-736 (road frontage).

A landlocked site approximately 230 feet north along a private road that intersects Union Road approximately 90 feet north of Jasinski Road

Reason for Referral:

Pascack Brook, 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 Permitting development that does not comply with the applicable bulk standards is setting an undesirable land use precedent that is resulting in the overutilization of individual sites. The lot area and lot width are deficient by 46% and 13.7%, respectively. The side yard, rear yard, and total side yard are deficient by 33%, 50%, and 33%, respectively. No street frontage is proposed. The ability of the existing infrastructure to accommodate increased residential density on undersized parcels is a countywide concern and must be evaluated. This evaluation must consider whether local roads will become more congested and the sewer system, stormwater management systems and the public water supply will be overburdened. We recommend the structure be built closer in compliance with local regulations. The Zoning Board of Appeals must consider the cumulative and regional impacts of permitting such development when evaluating the requested variances.

68 Union Road (GML-25-0111)

- 2 A review must be completed by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Code) of the Rockland County Sanitary Code.
- 3 The applicant must comply with all comments made by the Rockland County Sewer District No. 1 in their letter of March 10, 2025.
- 4 The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is approximately 240 feet south of the subject property. 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.

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 The application materials provided to this department include a document titled "FAR Letter." This document is unsigned and does not have an engineer's or architect's stamp. Furthermore, it states that the overall gross floor area of the structure will be 5,640 SF, which would result in a floor area ratio (FAR) of 1.22. This exceeds the maximum allowed FAR by 88%. This discrepancy must be clarified. An FAR calculation must be provided on the site plan. This calculation must include a floor-by-floor tally of gross floor area and, if applicable, a statement that the basement is exempt from FAR requirements due to its height. If the FAR exceeds the allowable 0.65, the variance application must be amended and the public hearing notice must be reissued. Any application that is revised due to an increase in FAR must be sent to this department for review.
- 6 Section 255.22C of the Village zoning regulations exempts open porches and decks from yard and coverage requirements. The Village must confirm that the proposed rear decks comply with this section and do not include any enclosed spaces.
- 7 All proposed building entrances, exterior stairways, window wells, and walkways must be delineated on the site plan demonstrating that they will not impact yard requirements or impact vehicle maneuverability.
- 8 The use of tandem parking spaces creates an inconvenient and difficult parking situation preventing egress for one vehicle blocked by another. This layout will encourage residents to park vehicles off-site instead of in their designated spaces and negates the purpose of on-site parking requirements. We recommend the tandem parking spaces be reconfigured to allow independent access for all parking spaces.
- 9 Pursuant to General Municipal Law (GML) Section 239-m and 239-n, if any of the conditions of this GML review are overridden by the board, then the local land use board must file a report with the County Commissioner of Planning of the final action taken. If the final action is contrary to the recommendation of the Commissioner, the local land use board must state the reasons for such action.
- 10 In addition, pursuant to Executive Order 01-2017 signed by County Executive Day on May 22, 2017, County departments are prohibited from issuing a County permit, license, or approval until the report is filed with the County Commissioner of Planning. The applicant must provide to any County agency which has jurisdiction of the project: 1) a copy of the Commissioner report approving the proposed action; or 2) a copy of the Commissioner of Planning recommendations to modify or disapprove the proposed action, and a certified

68 Union Road (GML-25-0111)

copy of the land use board statement overriding the recommendations to modify or disapprove, and the stated reasons for the land use board's override.

- 11 The following additional comments are offered strictly as observations and are not part of our General Municipal Law (GML) review. The Board may have already addressed these points or may disregard them without any formal vote under the GML process:
 - 11.1 The proposed building height must be indicated on the bulk table, rather than "less than 30' to eaves" The bulk table shall not include estimations and must provide the building height as defined in the Village's zoning regulations.
 - 11.2 The map notes must include district information, lot area, zoning designation, owner, and existing and proposed use.
 - 11.3 The subject site shall be centered on the vicinity map with zoning districts and municipal boundaries labeled



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Alan Simon, Spring Valley
Rockland County Department of Health
Rockland County Drainage Agency
Rockland County Office of Buildings and Codes
Rockland County Planning Board
Rockland County Sewer District No. 1
Town of Ramapo Planning Board
Anthony R. Celentano P.E.

*New York State General Municipal Law § 239(5) requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.

The review undertaken by the County of Rockland Department of Planning 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 determines whether the proposed action reviewed implicates the Religious Land Use and Institutionalized Persons Act. The County of Rockland Department of Planning defers to the municipality referring the proposed action to render such opinions and make such determinations as 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.

Pursuant to New York State General Municipal Law §§ 239-m and 239-n, the referring body shall file a report of its final action with the County of Rockland Department of Planning within thirty (30) days after the final action. A referring body that 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.