

NARRATIVE SUMMARY

Yedei Chesed, Inc.
21 Fessler Drive
49.08-1-64 & 49.08-1-65

This narrative summary is submitted in support of the within application by Yedei Chesed, Inc, for variances in order to permit the construction of a new building for the purpose of providing additional respite services.

Yedei Chesed is a non-profit organization that offers respite services for the community. The properties are known as 21 Fessler Drive and 272 Route 306 and are tax lots 49.08-1-64 & 65. The property is improved with an existing building which was previously approved to provide respite services and an existing single family dwelling. The project proposes to raze the single family dwelling and construct a new building of approximately 8,100 SF.

The property is located in a 1R-40 Zoning District. The applicant seeks the following variances from the Table of Dimensional Requirements as follows:

	<u>Required</u>	<u>Proposed</u>
Front Yard	50'	30'
Maximum Impervious Surface	.20	.33

In addition, the applicant seeks a variance from Section 290-22(B) to permit parking to be located in the front yard. The parking area will be set back 15.4' from the front property line.

SEQRA

The action is an unlisted action pursuant to 6 NYCRR 617. In addition to variances, the project requires a special permit from the Village Board and site plan and subdivision approval from the Planning Board. A coordinated review was conducted and the Planning Board assumed lead agency responsibility. The Planning issued a negative declaration on March 21, 2023 concluding the environmental review of the project.

GML

The property is within 500' of Route 306, state highway, and the municipal boundary of the Town of Ramapo. Pursuant to General Municipal Law Section 239-m, a referral to the Rockland County Department of Planning is required.

VARIANCE REQUESTS

In making its determination to grant a variance, a zoning board of appeals must take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In

making such determination the zoning board of appeals is also required to consider five factors as set forth in the Zoning Code and Village Law.

The requested variances will not create an undesirable change to the character of the neighborhood or create any detriment to neighboring properties. The property is narrow in the area where the building is proposed to be constructed. A recreation area is proposed for behind the building. If the building were to be moved back, further from Fessler Drive, there would not be enough room for the recreation area behind the building and it would have to be moved in front of the building and closer to the road. Many of the clients of the applicant are disabled persons and it would be safer for them in the rear. The same logic equally applies to the parking area. The proposed location of the parking lot allows the rear portion of the property to be open green space for recreation. It also allows for better traffic circulation between the buildings.

The increased impervious surface will be not create any detriment as the water runoff will be properly controlled and will not result in an increase in peak discharge from the site.

The applicant can only avoid the variances for the front yard by moving the building and parking further from Fessler Drive. However, that would not suit its purposes and would leave the insufficient area in the rear of the property to provide recreational opportunities for the families it serves. Further, due to the need to provide additional parking, the impervious area proposed is the minimum required in order to accommodate the new building and related parking.

In considering whether a variance is substantial the ZBA must examine the totality of the circumstances of an application. The Zoning code requires a 50' front yard as well as a 50' rear yard. Even if the building were to be moved further back from Fessler Drive, it would still create a nonconforming condition in the rear requiring a variance. It is not an excessively sized building and is the minimum size needed to provide the respite care services it seeks to provide to the community.

The proposed variance requests will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district. A negative declaration has been issued by the Planning Board concluding that the project will not have a significant impact on the environment.

The applicant cannot avoid the need for the variances. The proposed structure is needed in order to provide the services to the community that the applicant seeks to provide. The project will not detract from the community, will not create a detriment to nearby properties, or create an undesirable change in the community. A landscaping plan has been prepared to provide screening and buffering to adjacent uses.

CONCLUSION

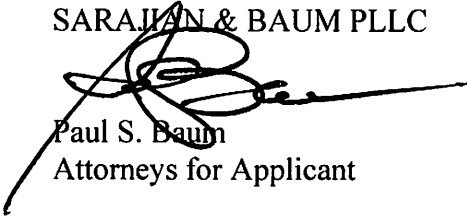
The requested variances will not impact any of the neighbors. Under the particular circumstances of this case, the benefit to the applicant from the grant of the variances significantly

outweighs any detriment to the health, safety and welfare of the neighborhood. The balance of equities lies in favor of the granting of the variances.

Dated: March 22, 2023

Respectfully submitted,

SARAJAN & BAUM PLLC

A handwritten signature in black ink, appearing to be 'Paul S. Baum', written over the printed name.

Paul S. Baum
Attorneys for Applicant