



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

August 11, 2015

Haverstraw Planning Board
One Rosman Road
Garnerville, NY 10923

Tax Data: 27.05-1-2

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

Map Date:

Date Review Received: 7/22/2015

Item: *NRG BOWLINE LLC (H-166C)*

Site plan for the proposed placement of four permanent trailers, that total 1,960 sq. ft., on an existing utility power plant site, located in the PIO zoning district on 26.84 acres. Three trailers will be used for contractor trailers and one as an information trailer for public outreach.

Northeast side of Bowline Plant Road, 1,075 feet east of Samsondale Avenue

Reason for Referral:

Minisceongo Creek, Villages of Haverstraw and West Haverstraw

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 As indicated in the July 29, 2015 letter from the Rockland County Drainage Agency, the subject site is within the floodplain of the Minisceongo Creek. The comments in this letter must be met.
- 2 A map date must be added to the site plan map.
- 3 The Villages of Haverstraw and West Haverstraw are two of the reasons this proposal was referred to this department for review. The municipal boundary for the Village of West Haverstraw is along the western property line of the site, and the municipal boundary for the Village of Haverstraw is directly adjacent to site to the south. As required under Section 239nn of the State General Municipal Law, the Villages of Haverstraw and West Haverstraw must be given the opportunity to review the proposed site plan and provide any concerns related to the project to the Town of Haverstraw.

NRG BOWLINE LLC (H-166C)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Howard Phillips, Haverstraw
Rockland County Drainage Agency
AMEC E&C Services, Inc.
Villages of Haverstraw & West Haverstraw

**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.