



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

February 19, 2015

ARLENE R. MILLER
Deputy Commissioner

Haverstraw Zoning Board of Appeals
One Rosman Road
Garnerville, NY 10923

Tax Data: 25.18-2-2

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

Map Date: 12/17/2014

Date Review Received: 1/21/2015

Item: *TEVA PHARMACEUTICALS (H-149G)*

Height variance to permit the installation of a new air handler with an exhaust fan, for an existing facility in the R10 zoning district on 40.468 acres. The applicant is seeking a building height variance of 17'7". West side of Quaker Road, approximately 500 feet south of Brookside Drive

Reason for Referral:

Minisceongo Creek, Village of Pomona, Town of Ramapo, Palisades Interstate Parkway, Long Path
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 The building sections and exterior elevations plan drawing provides details for the proposed new air handler. However, it is not clear on this drawing, or on the site plan also provided, which of the two buildings on site will house the air handler. The description, site plan or other reference must be provided to indicate which of the two buildings will require the height variance.
- 2 The Village of Pomona is one of the reasons this proposal was referred to this department for review. The municipal boundary is along the eastern property line of the site, along Quaker Road. As required under Section 239nn of the State General Municipal Law, the Village of Pomona must be given the opportunity to review the proposed variance and provide any concerns related to the project to the Town of Haverstraw.
- 3 The Town of Ramapo is one of the reasons this proposal was referred to this department for review. The municipal boundary is along the southwestern property line of the site at the corner. As required under Section 239nn of the State General Municipal Law, the Town of Ramapo must be given the opportunity to review the proposed variance and provide any concerns related to the project to the Town of Haverstraw.

TEVA PHARMACEUTICALS (H-149G)

4 A review must be completed by the Palisades Interstate Park Commission and any comments or concerns addressed.



Douglas J. Schuey
Acting Commissioner of Planning

cc: Supervisor Howard Phillips, Haverstraw
Rockland County Drainage Agency
Palisades Interstate Park Commission
New York - New Jersey Trail Conference
Precis Engineering
Village of Pomona
Town of Ramapo
Structure Tone

**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.