



# Rockland County

Ed Day, Rockland County Executive

## DEPARTMENT OF PLANNING

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**Douglas J. Schuetz**  
*Acting Commissioner*

**Arlene R. Miller**  
*Deputy Commissioner*

March 12, 2018

Haverstraw Village Planning Board  
40 New Main Street  
Haverstraw, NY 10927

**Tax Data:** 27.17-1-14

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

**Map Date:** 11/7/2017

**Date Review Received:** 2/7/2018

**Item:** **86 ROUTE 9W AUTO BODY/AUTO SALES (VH-142)**

A site plan application to renovate an existing structure for an auto sales and repair facility located on 0.67 acres in the HB zoning district. Renovations include two new garage doors for easier access to the shop, updating the paint booth, and bringing the remaining areas up to code.

The eastern side of Route 9W, approximately 560 feet north of Short Clove Road.

### Reason for Referral:

Route 9W

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 submitted site plan is inadequate and missing several features. It must include: a vicinity map with a north arrow and scale; map notes that include district information; a bulk table that includes required and proposed dimensions of yards, parking spaces and development coverage; lot area adjustment calculations for areas of steep slope; and the extent of all parking/vehicle storage areas with their surface materials. The site must be designed to provide adequate circulation and storage of vehicles to ensure that no vehicles are stored and there is no queuing or parking of vehicles within the state right-of-way.
- 2 A review shall be completed by the New York State Department of Transportation and all required permits obtained.
- 3 A review shall be completed by the New York State Department of Environmental Conservation and any required permits obtained.
- 4 A review must be completed by the Rockland County Department of Health to ensure compliance with Article XIX (Mosquito Control) of the Rockland County Sanitary Code.

**86 ROUTE 9W AUTO BODY/AUTO SALES (VH-142)**

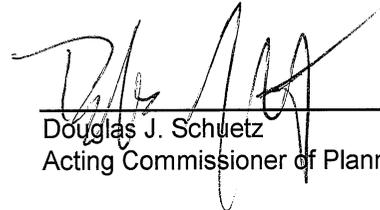
5 A lighting plan shall be provided that shows fields of illumination. This plan must demonstrate that the intensity of the candle lumens is less than 0.1 at the property line.

6 A landscaping plan must be provided. Low evergreen landscaping shall be provided along all State and County highways to block the headlights of parked cars from shining into such highways.

7 All signs shall be shown on the site plan and comply with the town's sign ordinance.

8 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.

9 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 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.



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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Michael Kohut, Haverstraw Village  
New York State Department of Transportation  
Rockland County Department of Health  
New York State Department of Environmental Conservation  
  
Hess Architects

*\*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.*

*Pursuant to New York State General Municipal Law §239-m(6), the referring body shall file a report of final action it has taken with the Rockland County Department of Planning within thirty (30) days after final action. A referring body which 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.*