



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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C. SCOTT VANDERHOEF  
County Executive

THOMAS B. VANDERBEEK, P.E.  
Commissioner

September 5, 2013

ARLENE R. MILLER  
Deputy Commissioner

West Haverstraw Zoning Board of Appeals  
130 Samsondale Avenue  
West Haverstraw, NY 10993

**Tax Data:** 20.19-6-29

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

**Map Date:** 7/22/2013

**Date Review Received:** 8/7/2013

**Item:** **BRIAN SULLIVAN (WH-151F)**

Variances to allow construction of a single-family dwelling on .13 acres in the C zoning district, with less than the required lot area, lot width, side setback, and parking; and greater than permitted maximum total impervious lot coverage.

South side of E. Railroad Avenue, approximately 120 feet west of Samsondale Avenue

**Reason for Referral:**

E. Railroad Avenue (CR 94)

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 comments in the July 25, 2013 letter from the Rockland County Department of Highways must be met. All required permits must be obtained.
2. With regard to the impervious coverage variance required, every effort must be made to reduce the amount of impervious surface onsite. Impervious areas could be reduced by using pervious pavers, such as in the driveway and parking areas. Excessive impervious coverage can result in drainage problems on the county highway or onto adjacent properties.

Thomas B. Vanderbeek, P.E.  
Commissioner of Planning

cc: Mayor John Ramundo, West Haverstraw  
Rockland County Department of Highways  
Anthony R. Celentano P.L.S.

**BRIAN SULLIVAN (WH-151F)**

*\*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.*