



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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December 24, 2014

West Haverstraw Village Board
130 Samsondale Avenue
West Haverstraw, NY 10993

Table with 6 columns of tax data: 26.11-2-61, 26.11-2-60, 26.11-2-59, 26.11-2-58, 26.11-2-57, 26.11-2-55; 26.11-2-54, 26.11-1-11, 26.11-1-10, 26.11-1-8, 26.11-1-6.2, 26.11-1-6.1; 26.11-1-5, 26.11-1-4, 26.11-1-3

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

Date Review Received: 12/2/2014

Map Date:

Item: VILLAGE OF WEST HAVERSTRAW - ZONE CHANGE C TO R-3 (WH-170)

Zone change of sixteen parcels, and a portion of one other from C to R-3. The majority of this area is already developed, and generally consists of residential uses. North and south sides of Ramapo Road, west of the Village of Haverstraw boundary, east of Larkin Lane and Hasbrouck Drive

Reason for Referral:

US Route 202 (Ramapo Road), US Route 9W, High Tor State Park, Village of 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 application, the proposed area to be rezoned is almost entirely developed and is largely residential. However, two of the larger parcels, tax lots 26.11-1-9 and 10 are comprised of multi-family adult housing, a use that does not appear to be permitted in the R-3 zoning district. To ensure full compliance with the zoning ordinance, the zoning code should be further amended by the Village by adding a new special permit use, one in which multi-family senior housing is permitted. Appropriate bulk regulations must also be added for this use.

2 The Village of Haverstraw is one of the reasons this proposal was referred to this department for review. The municipal boundary is directly adjacent to the southernmost properties in the proposed rezoning boundary area. As required under Section 239nn of the State General Municipal Law, the Village of Haverstraw must be given the opportunity to review the proposed subdivision and provide any concerns related to the project to the Village of West Haverstraw.

**VILLAGE OF WEST HAVERSTRAW - ZONE CHANGE C TO R-3 (WH-170)**

3 A review shall be completed by the New York State Department of Transportation and any concerns raised by them addressed.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor John Ramundo, West Haverstraw  
New York State Department of Transportation  
Palisades Interstate Park Commission  
Village of 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.*