



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

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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

September 29, 2014

ARLENE R. MILLER  
Deputy Commissioner

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

**Tax Data:** 20.19-7-54      20.19-7-6

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

**Map Date:** 8/2/2014

**Date Review Received:** 8/29/2014

**Item:** *WEST HAVERSTRAW, LLC (WH-168)*

Site plan for the proposed demolition of an existing meeting hall, and construction of a parking lot to be used as an accessory outdoor storage area for new vehicles for an existing dealership on the adjoining parcels. The site is comprised of two parcels that total .9 acres, and are located currently in the R-3 zoning district, but a zone change application has been submitted to rezone the parcels to the C zoning district.

~~West~~ East side of Cosgrove Avenue, approximately 20 feet north of Center Street

**Reason for Referral:**

US Route 9W, Helen Hayes Hospital

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 A review shall be completed by the New York State Department of Transportation (NYS DOT) and all required permits obtained. The concerns raised in the NYS DOT August 28, 2014 letter for the proposed zone change and text amendment regarding the potential of the site being used as a cut-through and any potential increase in traffic entering and exiting the current driveways on Route 9W must be addressed.
- 2 A lighting plan shall be submitted for review. No lighting shall shine beyond the property line.
- 3 It is indicated that the larger parking area will contain 66 new vehicles. However only 60 parking spaces are depicted on the site plan for a total of 162. This information must be corrected on the site plan.

**WEST HAVERSTRAW, LLC (WH-168)**

4 There shall be no net increase in the peak rate of discharge from the site at all design points. Since more of the site is proposed to be paved, are detention basins required? This must be determined and implemented if required.

5 A review must be done by the Rockland County Department of Health to ensure compliance with the Rockland County Sanitary Code, Article XIX, Mosquito Control.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor John Ramundo, West Haverstraw  
New York State Department of Transportation  
Helen Hayes Hospital  
Rockland County Department of Health  
Atzl, Nasher & Zigler P.C.

*\*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.*