



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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Acting Commissioner

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October 22, 2014

West Haverstraw Zoning Board of Appeals
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: 9/22/2014

Date Review Received: 9/26/2014

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

Variations to permit an accessory vehicle storage parking area, located on two parcels that total .9 acres, and are currently in the R-3 zoning district, for an existing adjoining car dealership business. Required variations include less than the required minimum buffer along a residential district and greater than permitted maximum impervious coverage.

West 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 To reduce the impervious surface areas, pervious pavers or other type of pavement material must be installed.
- 2 There shall be no net increase in the peak rate of discharge from the site at all design points.
- 3 Additional landscaping should be supplemented to the north to help shield the commercial use from the existing residential use. This will help to reduce light, noise, and visual impacts from the proposed parking lot.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor John Ramundo, West Haverstraw
New York State Department of Transportation

WEST HAVERSTRAW, LLC (WH-168B)

Joint Regional Sewerage Board
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.