

Town of Haverstraw Zoning Board of Appeals  
LEGAL NOTICE

Please take notice the Town of Haverstraw Zoning Board of Appeals shall hold a Public Hearing to consider the application of LAPA Holdings LLC., To construct a new 17, 714 Sq. Ft., Two Story Office Building at 321 Rt. 202, Pomona.

The following Variances are required:

**Off Street Parking Requirement:**

119 spaces are required.

80 spaces are provided.

**A 39 space reduction is required.**

**Vehicular Access Requirement:** Chapter 167 Attachment 11 Column 9 Item 12, Vehicular access shall be no closer than 50 feet to any property line.

The proposed entrance to the site is 24.28' from the easterly side lot line.

**A 25.72' variance is required.**

Said property being located on the South side of US Rt. 202, approximately 1300 Ft. from the intersection of Rt.45 and Rt.202 and located on the Town of Haverstraw Tax Map as Section: 25.19 Block: 02 Lot: 19 & Lot 20.

Said Public Hearing shall be held on Wednesday, February 14, 2024 at 7:05 PM in the large meeting room of Haverstraw Town Hall, One Rosman Road, Garnerville.

All interested parties are invited to attend and will be heard by the board.

By Order of the Zoning Board of Appeals of the Town Of Haverstraw

Gregg Lawless, Acting Chairman

Christie Tomm Addona, Zoning Board Attorney

Annette Hendrie, Chief Clerk

February 01, 2024

# The Town of Haverstraw

## Building Department

1 Rosman Road  
Garnerville, NY 10993  
Phone: 845-942-3710  
Fax: 845-786-7647

ORIGINAL  
FOR OFFICE FILE

George T. Behn, Jr.  
*Building Inspector II*

Erich J. Desch  
*Deputy Building Inspector*

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2/1/2024

RE: The variances required to construct a new 17,714 sq/ft, 2 story commercial office building.

Owner: Pomona Capital LLC & Lapa Holdings LLC

Address: 321 Route 202 Pomona, NY 10970 & 10 Cobblestone Farm Ct. Suffern, NY 10901

Project Name: Eastgate - Haverstraw

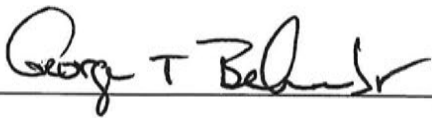
Site Location: 315-317 & 321 US Route 202 Pomona, NY 10970

SBL: 25.19-2-19 & 25.19-2-20

To Whom It May Concern,

The following area variances are required:

- Off Street Parking Requirement: Required is 119 spaces, Provided is 80 spaces; **a 39 space reduction is required.**
- Vehicular Access Requirement: Chapter 167 attachment 11 column 9 item 12, Vehicular access shall be no closer than 50 feet to any property line. The proposed entrance to the site is 24.28' from the easterly side lot line; **a 25.72' variance is required.**



George T. Behn Jr. *Building Inspector II*

**TOWN OF HAVERSTRAW ZONING BOARD OF APPEALS  
ONE ROSMAN ROAD, GARNERVILLE, NY 10923**

PHONE 845-942-3710

FAX 845-786-7647

**Gregg Lawless, Acting Chairman**

**Christie Tomm Addona, Attorney**

**Annette Hendrie, Chief Clerk**

January 23, 2023

Town of Ramapo  
237 Rt. 59  
Suffern, NY 10901

ORIGINAL  
FOR OFFICE FILE

Re: Eastgate (Haverstraw)  
321 US Rt. 202  
Pomona, NY 10970  
Sect: 25.19 Block: 02 Lot: 19 & 20

To Whom It May Concern,

Enclosed please find the following:

- Narrative dated 01/11/2024 (Incorrect Sect., Block & Lot)
- ZBA Application dated 12/14/2023 with correct Sect., Block & Lot
- Site Plan dated 05/05/2022: Revised 01/11/2024

Please review and submit comments to:

Town of Haverstraw Zoning Board of Appeals  
One Rosman Road  
Garnerville, NY 10923  
Annette Hendrie, Chief Clerk

If you have any questions please feel free to call me at 845-942-3710.

Sincerely,  
*Annette Hendrie*  
Annette Hendrie  
Chief Clerk

**TOWN OF HAVERSTRAW ZONING BOARD OF APPEALS  
ONE ROSMAN ROAD, GARNERVILLE, NY 10923**

PHONE 845-942-3710

FAX 845-786-7647

**Gregg Lawless, Acting Chairman**

**Christie Tomm Addona, Attorney**

**Annette Hendrie, Chief Clerk**

January 23, 2023

NYS D.O.T  
275 Ridge Road  
New City, NY 10956  
Attention: Ralph Tarulli

ORIGINAL  
FOR OFFICE FILE

Re: Eastgate (Haverstraw)  
321 US Rt. 202  
Pomona, NY 10970  
Sect: 25.19 Block: 02 Lot: 19 & 20

Dear Mr. Tarulli,

Enclosed please find the following:

- Narrative dated 01/11/2024 (Incorrect Sect., Block & Lot)
- ZBA Application dated 12/14/2023 with correct Sect., Block & Lot
- Site Plan dated 05/05/2022: Revised 01/11/2024

Please review and submit comments to:

Town of Haverstraw Zoning Board of Appeals  
One Rosman Road  
Garnerville, NY 10923  
Annette Hendrie, Chief Clerk

If you have any questions please feel free to call me at 845-942-3710.

Sincerely,  
*Annette Hendrie*  
Annette Hendrie  
Chief Clerk



**TOWN OF HAVERSTRAW ZONING BOARD OF APPEALS  
ONE ROSMAN ROAD, GARNERVILLE, NY 10923**

PHONE 845-942-3710

FAX 845-786-7647

**Gregg Lawless, Acting Chairman**

**Christie Tomm Addona, Attorney**

**Annette Hendrie, Chief Clerk**

January 23, 2023

R.C. Dept. of Planning  
50 Sanatorium Road – Bldg. T  
Pomona, NY 10970  
Attention: Michael Kezner

ORIGINAL  
FOR OFFICE FILE

Re: Eastgate (Haverstraw)  
321 US Rt. 202  
Pomona, NY 10970  
Sect: 25.19 Block: 02 Lot: 19 & 20

Dear Mr. Kezner,

Enclosed please find the following:

- Narrative dated 01/11/2024 (Incorrect Sect., Block & Lot)
- ZBA Application dated 12/14/2023 with correct Sect., Block & Lot
- Site Plan dated 05/05/2022: Revised 01/11/2024

Please review and submit comments to:

Town of Haverstraw Zoning Board of Appeals  
One Rosman Road  
Garnerville, NY 10923  
Annette Hendrie, Chief Clerk

If you have any questions please feel free to call me at 845-942-3710.

Sincerely,  
*Annette Hendrie*  
Annette Hendrie  
Chief Clerk

**TOWN OF HAVERSTRAW ZONING BOARD OF APPEALS  
ONE ROSMAN ROAD, GARNERVILLE, NY 10923**

PHONE 845-942-3710

FAX 845-786-7647

**Gregg Lawless, Acting Chairman**

**Christie Tomm Addona, Attorney**

**Annette Hendrie, Chief Clerk**

January 23, 2023

R.C. Dept. of Health  
50 Sanatorium Road – Bldg. D  
Pomona, NY 10970  
Attention: Liz Mello

ORIGINAL  
FOR OFFICE FILE

Re: Eastgate (Haverstraw)  
321 US Rt. 202  
Pomona, NY 10970  
Sect: 25.19 Block: 02 Lot: 19 & 20

Dear Mrs. Mello,

Enclosed please find the following:

- Narrative dated 01/11/2024 (Incorrect Sect., Block & Lot)
- ZBA Application dated 12/14/2023 with correct Sect., Block & Lot
- Site Plan dated 05/05/2022: Revised 01/11/2024

Please review and submit comments to:

Town of Haverstraw Zoning Board of Appeals  
One Rosman Road  
Garnerville, NY 10923  
Annette Hendrie, Chief Clerk

If you have any questions please feel free to call me at 845-942-3710.

Sincerely,  
*Annette Hendrie*  
Annette Hendrie  
Chief Clerk

**TOWN OF HAVERSTRAW ZONING BOARD OF APPEALS  
ONE ROSMAN ROAD, GARNERVILLE, NY 10923**

PHONE 845-942-3710

FAX 845-786-7647

**Gregg Lawless, Acting Chairman**

**Christie Tomm Addona, Attorney**

**Annette Hendrie, Chief Clerk**

January 23, 2023

R.C. Dept. of Environmental Resources  
50 Sanatorium Road – Bldg. A, 6<sup>th</sup> Floor  
Pomona, NY 10970  
Attention: Operations Manager

ORIGINAL  
FOR OFFICE FILE

Re: Eastgate (Haverstraw)  
321 US Rt. 202  
Pomona, NY 10970  
Sect: 25.19 Block: 02 Lot: 19 & 20

To Whom It May Concern,

Enclosed please find the following:

- Narrative dated 01/11/2024 (Incorrect Sect., Block & Lot)
- ZBA Application dated 12/14/2023 with correct Sect., Block & Lot
- Site Plan dated 05/05/2022: Revised 01/11/2024

Please review and submit comments to:

Town of Haverstraw Zoning Board of Appeals  
One Rosman Road  
Garnerville, NY 10923  
Annette Hendrie, Chief Clerk

If you have any questions please feel free to call me at 845-942-3710.

Sincerely,  
*Annette Hendrie*  
Annette Hendrie  
Chief Clerk



Montgomery Office:  
71 Clinton Street  
Montgomery, NY 12549

Goshen Office:  
262 Greenwich Ave, Ste B  
Goshen, NY 10924

845 - 457 - 7727  
www.EngineeringPropertiesPC.com

# LETTER OF TRANSMITTAL

TO: **Town of Haverstraw ZBA**  
**1 Rosman Road**  
**Garnerville, New York 10923**

DATE: <b>January 11, 2024</b>	W.O. #: <b>1758.01</b>
ATTENTION: <b>Annette Hendrie</b>	
RE: <b>Eastgate - Haverstraw</b>	

**Please find attached:**

- |  |                                       |
|--|---------------------------------------|
| <input checked="" type="checkbox"/> Plans  | <input type="checkbox"/> Change Order |
| <input checked="" type="checkbox"/> Report | <input type="checkbox"/> Memorandum   |
| <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Check        |
| <input type="checkbox"/> Specifications    | <input type="checkbox"/> Other _____  |

**DELIVERY METHOD:**

- |  |                                    |                              |       |      |       |
|--|------------------------------------|------------------------------|-------|------|-------|
| <input checked="" type="checkbox"/> Hand Delivered | _____                              | Received by                  | _____ | Date | _____ |
| <input type="checkbox"/> USPS Mail                 | <input type="checkbox"/> Overnight | <input type="checkbox"/> Fax |       |      |       |

COPIES	DATE	NO.	DESCRIPTION
15	1/11/2024		Full Set of Plans
15	1/11/2024		Project Narrative
3	1/11/2024		Traffic Report

THE ITEMS ABOVE ARE TRANSMITTED FOR REASONS AS INDICATED BELOW:

- |                                       |  |   |
|---------------------------------------|--|---|
| <input type="checkbox"/> For Approval | <input checked="" type="checkbox"/> For review and comment | <input type="checkbox"/> Returned for corrections |
| <input type="checkbox"/> For your use | <input type="checkbox"/> Approved as submitted             | <input type="checkbox"/> For BIDS DUE _____       |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Approved as noted                 | <input type="checkbox"/> _____                    |

REMARKS: Please find the attached plans, narratice and report for discussion on the February 14th, 2024 ZBA meeting.

**ORIGINAL  
FOR OFFICE FILE**

COPY TO: file  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED: Zachary Szabo, E.I.T.  
Project Engineer



**EMANUEL LAW P.C.**

Ira M. Emanuel, Esq. | Amy Mele, Esq. *Of Counsel*  
*Counsel to Freeman & Loftus, RLLP*

Four Laurel Road  
New City, NY 10956

[Info@EmanuelLaw.com](mailto:Info@EmanuelLaw.com)

[www.EmanuelLaw.com](http://www.EmanuelLaw.com)

Tel: 845-654-4141

ZONING BOARD OF APPEALS  
TOWN OF HAVERSTRAW

NARRATIVE SUMMARY

EASTGATE HAVERSTRAW  
Tax Lots 25.10-1-19 and 20

This application is made in connection with a proposal to build an office building at the subject site.

The site is located on the south side of U.S. Route 202. The northwest corner of the site is opposite Old County Road. It is trapezoidal in shape and extends southward to South Mountain Park, a Rockland County park.

Most of the site is in a C district. However, a strip along the rear, approximately 60 feet wide, is in an R-40 district. A petition to change the zoning of that strip to match the C district is pending before the Town Board.

The site consists of two tax lots, which will be merged if all approvals are obtained. The total site has a lot area of 89,163sf (2.05ac). After deductions for steep slopes, the net lot area is 62,416sf (1.43ac). The applicant proposes a two-story office building with a total gross floor area of 17,714sf.

The site is proposed to have a single two-way driveway near its eastern edge. The building will be in the western portion of the site. Parking will be provided east and south of the building. As requested by the Rockland County Department of Environmental Resources, a 25-foot wide conservation easement will be imposed along the rear lot line, which borders South Mountain Park. The intent of this easement is to preserve tree roots from the park.

The building and all site features conform to all yard, setback and bulk requirements with the following exceptions:

- (a) Number of required parking spaces – Required: 119, Provided: 80.
- (b) Distance of driveway from nearest property line – Required: 50ft, Provided: 24ft.

### Criteria for Variance

One of the purposes of a zoning board of appeals, and of the ability to grant variances, is to provide a “safety valve” where the strict application of a zoning code cannot allow an otherwise appropriate use of property because of the peculiar circumstances applicable to that property. For this reason, any municipality that adopts a zoning code must also establish a board of appeals.<sup>1</sup>

In making a determination to grant an area variance, a board of appeals “shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.”<sup>2</sup> The board must also consider five questions when engaging in this balancing test. The questions, and the applicant’s responses, are set forth below:

(1) *“whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance”:*

- (a) Parking spaces. The applicant recognizes that it must provide sufficient on-site parking, especially in this location. Parking must not overflow onto the adjacent Route 202 or nearby streets. The Zoning Code’s parking requirements for office buildings have been in place for decades. They do not take into account advances in office technology or recent shifts to remote work. Thus, the Code requires more parking than is actually needed. This, in turn, leads to excessive impervious surface, increases in stormwater runoff, and decreases in potential green space.

The applicant has commissioned a Traffic Impact Study (TIS) from Harry Baker & Associates, which has been revised as of November 17, 2023. The TIS includes a parking analysis. Using the 5<sup>th</sup> Edition of the Parking Generation Manual published by the Institute of Traffic Engineering (a recognized standard), HBA concluded that the maximum number of parking spaces required for this project would be 73.<sup>3</sup> Applying further analysis, HBA concludes that, on an average day, 59 cars would be parked at the site. The number of provided spaces is 80. Thus, on an average day, there would be 21 empty spaces. At maximum usage, there would be 7 open spaces under the proposal.

- (b) Driveway location. The northwest corner of the site is opposite Old Country Road. Ordinarily, driveways should be aligned with opposing streets. However, the configuration of the property does not allow complete two-way opposition. The project engineers determined that the safest location would be as far from the intersection with Old Country Road as possible. However, this location runs afoul of the general rule requiring entry drives to be at least 50 feet from the nearest property line. A variance is requested in the interests of safety.

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<sup>1</sup> See, 2 Salkin, *New York Zoning Law and Practice* (3d ed.), §§27:07 – 27:10; *McKinney’s Town Law*, Practice Commentary to § 267-a; Town L. § 267.2; *McKinney’s Village Law*, Practice Commentary to § 7-712-a; Village L. § 7-712(2).

<sup>2</sup> Town L. § 267-b.3(b); Village L. § 7-712-b.3(b).

<sup>3</sup> HBA Traffic Impact Study, p. 8.

(2) *“whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance”:*

- (a) Parking spaces. Since the number of required parking spaces is based on the gross floor area (GFA) of the building, it would be theoretically possible to reduce the size of the building to match the number of spaces that could be provided. At one space for every 150sf of GFA, the building would have to be reduced by 5,714sf to 12,000sf, or 32%. Such a reduction is not financially feasible, nor is it necessary based on the parking study conducted for the site.

Alternatively, the applicant could add parking within the required rear yard, along the park boundary. Doing so would move the proposed retaining wall further south, to directly abut the proposed conservation easement. It would also significantly add to the amount of impervious surface area. Using the Clarkstown standard of 300sf for each parking space and associated drive aisle, this corresponds to more than 11,700sf of unnecessary pavement.

- (b) Driveway location. There is no alternative location that is safe.

(3) *“whether the requested area variance is substantial”:*

Whether a requested variance is “substantial” is more than simple arithmetic. It requires an understanding of the general area and of the existing conditions.<sup>4</sup>

- (a) Parking spaces. The requested variance is consistent with ITE modelling. The parking ratio in the Zoning Code pre-dates the 2004 amendment to the Use Table. It is outdated and excessive.
- (b) Driveway location. There is no alternative location that is safe. Further, the right of way for Route 202 widens significantly immediately east of the site frontage, and the rear portion of the site extends another 145 feet further east. (See, Fig. 1, below.) The likelihood that another driveway would be located within 145 feet of the site’s frontage approaches zero.

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<sup>4</sup> See, 2 New York Zoning Law and Practice, § 29:15.





Figure 1 – Screen shot from Rockland County GIS

(4) *“whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district”:*

- (a) Parking spaces. The proposed variance will provide the appropriate number of parking spaces for the site. It also avoids more than 11,700sf of additional impervious coverage with the associated increase in stormwater runoff (see item 2.a, above).
- (b) Driveway location. The proposed variance will allow for safe vehicular ingress and egress. Combined with the proposed new westbound left turn lane into the site, the proposed variance will also mitigate adverse traffic impacts.

(5) *“whether the alleged difficulty was self-created”:*

- (a) Parking spaces. The difficulty results from required parking ratios that no longer reflect usage.
- (b) Driveway location. The difficulty results from the geography of the site and its surroundings.



On balance, therefore, the requested variances are beneficial to both the applicant and the community.


Relief requested

Accordingly, the applicant requests the following variances:

- (a) Number of required parking spaces<sup>5</sup> – Required: 119, Provided: 80.
- (b) Distance of driveway from nearest property line<sup>6</sup> – Required: 50ft, Provided: 24ft.

Dated: January 11, 2024  
New City, New York

EMANUEL LAW P.C.

  
By: \_\_\_\_\_  
Ira M. Emanuel, Esq.  
Attorney for Applicant

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<sup>5</sup> Haverstraw Zoning Code, Attachment 11, Col. 7, #7  
<sup>6</sup> Haverstraw Zoning Code, Attachment 11, Col. 9, #12

**Town Of Haverstraw Zoning Board Of Appeals**

One Rosman Road - Garnerville, NY 10923

(845) 942-3710

Christie Tomm Addona, Attorney

Annette Hendrie, Chief Clerk

**PLEASE READ CAREFULLY and THOROUGHLY**

An Incomplete Or Illegible Application Will Not Be Accepted And Returned To The Applicant  
All submissions MUST be received three (3) weeks prior to a meeting and NO additional documents  
will be accepted after five (5) days prior to a meeting

**PROCEDURAL FORMAT FOR SUBMISSIONS TO THE ZONING BOARD OF APPEALS**

Fees: Residential - \$150.00      Commercial - \$400.00      Vacant Land - \$300.00

A completed & notarized application

A short narrative describing the proposed project

A survey of the property

A check made payable to the Town of Haverstraw in the amount of the required fee

**PROCEDURAL FORMAT FOR A PUBLIC HEARING**

A Public Hearing must be held prior to the Zoning Board issuing an  
Interpretation/Review of an Administrative Decision or Variance.

**Newspaper Publication:**

The Town of Haverstraw Clerk will prepare and publish a notice in the Legal section of  
the local newspaper. The Zoning Board's Attorney will approve the notice prior to  
publication. The notice will be published at least five (5) days prior to the Public Hearing.

**Property Owner Notification:**

The applicant will be responsible to notify all abutting property owners Certified-Return  
Receipt at least five (5) days prior to the Public Hearing. The list of names and addresses  
can be obtained from the Assessor's Office.

The same notice published in the newspaper must be sent out to each individual property  
owner. A copy of the Legal Notice will be provided to the applicant by the Clerk.

An Affidavit of Mailing must be completed, signed by the mailer and notarized.  
The form will be provided to the applicant by the Clerk.

Please be advised at the time of the hearing, the applicant is required to furnish the  
Zoning Board of Appeals with the proof of each Certified Mailing and any Return  
Receipts they received back.

Please organize the Receipts in the same order as they are listed on the Affidavit.

**New York State Department of Environmental Conservation**

**SEQR Regulations**

<http://www.dec.ny.gov/regs/4490.html>

**"The SEQR Handbook"**

[http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seqrhandbook.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf)

**All Forms**

<http://www.dec.ny.gov/permits/6191.html>

**"SEQR Cookbook"**

[http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/cookbook1.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/cookbook1.pdf)

**"Local Official's Guide to SEQR"**

[http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seqrofficials.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrofficials.pdf)

**"SEQR Flow Chart and Time Frames"**

[http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seqrflow2003.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrflow2003.pdf)

**ROCKLAND COUNTY DEPARTMENT OF PLANNING  
REFERRAL FORM FOR GENERAL MUNICIPAL LAW REVIEWS**

Municipality Town of Haverstraw Date Sent \_\_\_\_\_

Board \_\_\_\_\_ Planning  ZBA \_\_\_\_\_ Town/Village Meeting Date \_\_\_\_\_

File Name Eastgate Haverstraw  
 Contact Person Jason Rashford (The Eastgate Group)  
 Address 1170 Route 17M, Suite 2  
Chester, NY 10918

**Referral Agencies**

*(Please indicate the agencies that have also received copies of this application)*

- RC Highway Department
- RC Division of Environmental Resources
- RC Drainage Agency
- RC Department of Environmental Health (Sewers, Water, Mosquito Code, Underground Tanks)
- RC Sewer District #1
- NYS Department of Environmental Conservation
- NYS Department of Transportation
- NYS Thruway Authority
- NY-NJ Trail Conference (Long Path)
- Palisades Interstate Park Commission
- US Army Corps of Engineers
- Cornell Cooperative Extension of Rockland County
- Adjacent Municipality Town of Ramapo
- Other \_\_\_\_\_

Pursuant to the General Municipal Law Article 12-B, Section

- 239 (u) \_\_\_\_\_ Subdivision
- 239 (l) & (m): \_\_\_\_\_ Site Plan  Variance \_\_\_\_\_ Special Permit \_\_\_\_\_ Zone Change/Amendment
- \_\_\_\_\_ Other - Please list \_\_\_\_\_

Location of Parcel(s) \_\_\_\_\_

Existing Sq. Footage \_\_\_\_\_ Acreage of Parcel (s) \_\_\_\_\_  
 Proposed Sq. Footage \_\_\_\_\_

**The Property in Question Lies Within 500 Feet of:**

- County Road  State Road, Thruway, or Parkway
- County Stream  State Park
- County Park  Village, Town, or County Boundary
- County or State Facility  The Long Path

Map 25.19 Block 2 Lot(s) 19 and 20 Map Date \_\_\_\_\_  
 Map \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_ Current Zoning C and R-40

**Brief Project Description**

The proposed project consists of a 2 story office building with 17,714 square feet of total floor area with associated parking and utilities.

Variations Needed (if applicable)	Required	Provided
Off-street parking spaces	119	80
Distance of driveway to lot line	50 ft	24 ft

**APPLICATION REVIEW FORM**

**PART I**

Name of Municipality Town of Haverstraw Date 12/14/2023

*Please check all that apply:*

<input checked="" type="checkbox"/> Planning Board <input checked="" type="checkbox"/> Zoning Board of Appeals* <i>(Fill out Part II of this form)</i>  <input type="checkbox"/> Subdivision # of Lots <input checked="" type="checkbox"/> Site Plan <input type="checkbox"/> Special Permit <input type="checkbox"/> Conditional Use <input type="checkbox"/> Zoning Code Amendment <input checked="" type="checkbox"/> Zone Change <input checked="" type="checkbox"/> Variance	<input type="checkbox"/> Municipal Board <input type="checkbox"/> Historical Board <input type="checkbox"/> Architectural Board  <input type="checkbox"/> Pre-preliminary/Sketch <input type="checkbox"/> Preliminary <input type="checkbox"/> Final
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**Project Name:** Eastgate Haverstraw

**Tax Map Designation:**

Section 25.19 Block 1 Lot(s) 19 & 20  
 Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

**Location:** On the South side of US Route 202  
0 feet East of Old County Road in the  
 town/village of Haverstraw

**Street Address:** 321 US Route 202, Haverstraw NY

**Acreage of Parcel:** ± 2.05 Acres **Zoning District:** C & R-40  
**School District:** East Ramapo **Postal District:** 10970  
**Fire District:** FD-222 Moleston **Ambulance District:** HA001  
**Water District:** WD#1 **Sewer District:** SD#2

**Project Description:** *(If additional space required, please attach a narrative summary.)*

The proposed project consists of a 2 story office building with 17,714 square feet of total floor area with associated parking and utilities.

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**APPLICATION REVIEW FORM**

**If subdivision:** N/A

- 1) Is any variance from the subdivision regulations required? \_\_\_\_\_
- 2) Is any open space being offered? \_\_\_\_ If so, what amount? \_\_\_\_\_
- 3) Is this a standard or average density subdivision? \_\_\_\_\_

**If site plan:**

- 1) Existing square footage None
- 2) Total square footage 17,714 SF
- 3) Number of dwelling units None

**If special permit, list special permit use and what the property will be used for.** N/A

\_\_\_\_\_  
\_\_\_\_\_

**Environmental Constraints:**

**Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area.** Gross: ± 89,163 SF Net: ± 62,416 SF

**Are there streams on the site? If yes, please provide the names.** None

**Are there wetlands on the site? If yes, please provide the names and type.** None

**Project History: Has this project ever been reviewed before?** Yes

**If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.**

Project has been in front of the Town of Haverstraw Planning Board and circulated for Lead Agency.  
The Planning Board declared themselves Lead Agency on October 11th, 2023.

**List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.**

None  
\_\_\_\_\_  
\_\_\_\_\_

**APPLICATION REVIEW FORM**

**Contact Information:**

<b>Applicant:</b> <u>Lapa Holdings LLC</u>		<b>Phone #</b> _____	
<b>Address</b> <u>10 Cobblestone Farm Court</u>	<u>Suffern</u>	<u>NY</u>	<u>10901</u>
<b>Street Name &amp; Number</b>	<b>(Post Office)</b>	<b>State</b>	<b>Zip code</b>
<b>Property Owner:</b> <u>Pomona Capital LLC</u>		<b>Phone #</b> _____	
<b>Address</b> <u>321 US Route 202</u>	<u>Pomona</u>	<u>NY</u>	<u>10901</u>
<b>Street Name &amp; Number</b>	<b>(Post Office)</b>	<b>State</b>	<b>Zip code</b>
<b>Engineer/Architect/Surveyor:</b> <u>Engineering &amp; Surveying Properties PC</u>		<b>Phone #</b> <u>845-242-5158</u>	
<b>Address</b> <u>71 Clinton Street</u>	<u>Montgomery</u>	<u>NY</u>	<u>12549</u>
<b>Street Name &amp; Number</b>	<b>(Post Office)</b>	<b>State</b>	<b>Zip code</b>
<b>Attorney:</b> <u>Emanuel Law PC</u>		<b>Phone #</b> <u>845-634-4141</u>	
<b>Address</b> <u>4 Laurel Road</u>	<u>New City</u>	<u>NY</u>	<u>10956</u>
<b>Street Name &amp; Number</b>	<b>(Post Office)</b>	<b>State</b>	<b>Zip code</b>
<b>Contact Person:</b> <u>The Eastgate Group (Jason Rashford)</u>		<b>Phone #</b> <u>84-783-0217</u>	
<b>Address</b> <u>1170 Route 17M, Suite 2</u>	<u>Chester</u>	<u>NY</u>	<u>10918</u>
<b>Street Name &amp; Number</b>	<b>(Post Office)</b>	<b>State</b>	<b>Zip code</b>

**General Municipal Law Review:**

This property is within 500 feet of:  
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> State or County Road | <input checked="" type="checkbox"/> State or County Park |
| <input type="checkbox"/> Long Path                       | <input type="checkbox"/> County Stream                   |
| <input checked="" type="checkbox"/> Municipal Boundary   | <input type="checkbox"/> County Facility                 |

List name(s) of facility checked above. \_\_\_\_\_  
US Route 202, South Mountain County Park, Town of Ramapo/Town of Haverstraw boundary.

**Referral Agencies:** *(Please make sure that the appropriate agencies as needed received copies of your application and plans for their review.)*

- |   |  |
|---|--|
| <input type="checkbox"/> RC Highway Department                                  | <input checked="" type="checkbox"/> RC Division of Environmental Resources |
| <input type="checkbox"/> RC Drainage Agency                                     | <input checked="" type="checkbox"/> RC Dept. of Health                     |
| <input checked="" type="checkbox"/> NYS Dept. of Transportation                 | <input type="checkbox"/> NYS Dept. of Environmental Conservation           |
| <input type="checkbox"/> NYS Thruway Authority                                  | <input type="checkbox"/> Palisades Interstate Park Comm.                   |
| <input checked="" type="checkbox"/> Adjacent Municipality <u>Town of Ramapo</u> |  |
| <input type="checkbox"/> Other _____  |  |

**APPLICATION REVIEW FORM**

**Applicant's Combined Affidavit and Certification**

State of New York    )  
County of Rockland ) ss.:  
Town/Village of Haverstraw )

Lapa Holdings LLC, being duly sworn, deposes and says:  
*Applicant's Name*

I am the applicant in this matter. I make these statements to induce the Town/Village of Haverstraw, its boards, commissions, officers, employees, and consultants, to entertain my application, knowing that the Town/Village will rely upon the statements made herein.

**1. Verification of Facts.** All statements contained in this application and in all documents, drawings, writings, and other communications submitted in connection with this application are true.

**2. Consent to Enter.** I hereby give permission to members of said boards and/or supporting staff to visit the property in question at a reasonable time during the day.

**3. Affidavit Pursuant to General Municipal Law Section 809.** All the following statements and the statements contained in the papers submitted herewith are true and the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

A. I certify that I am the owner, officer, member or agent of owner, of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

B. There is no state officer, Rockland County officer or employee or town/village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New



**APPLICATION REVIEW FORM**

York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such town/village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

C. To the extent that the same is known to your applicant, and to the owner of the subject premises there is disclosed herewith the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of

Haverstraw in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

a. Name and address of officer or employee None

b. Nature of interest None

c. If stockholder, number of shares None

d. If officer or partner, nature of office and name of partnership None

e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. None

f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the ~~Village of Montebello~~ Town of Haverstraw

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

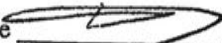
**APPLICATION REVIEW FORM**

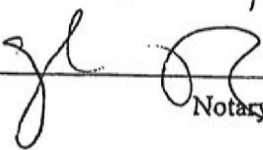
**4. Reimbursement for Professional Consulting Services.** I understand that the Town/Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village and each such consultant for the cost of such consultant services upon receipt of the bill.

*\*\*The following two paragraphs are optional to add if your municipality establishes escrow accounts:*

(I agree to establish an escrow account with the Town/Village of Haverstraw from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Town/Village. Any additional sums needed to pay the Town's/Village's consultants shall be paid prior to final action on the application. The Town/Village may suspend processing of the application if there is a deficiency in the escrow account.

Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Town/Village.)

Applicant's Signature   
Print Applicant's Name Strom Logistics, Logistics LLC

SWORN to before me this  
3<sup>rd</sup> day of January, 2024  
  
\_\_\_\_\_  
Notary Public

**YECHESKEL MENASHE**  
Notary Public - State of New York  
No. 02ME6244133  
Qualified in Rockland County  
My Comm. Expires June 27, 2027





**APPLICATION REVIEW FORM**  
**PART II**

**Application before the Zoning Board of Appeals**

Application, petition, or request is hereby submitted for:

- Area Variance from the requirement of Section Attachment 11, Col 7, # 7 & Col 9, #12 ;
- Use Variance from the requirement of Section \_\_\_\_\_ ;
- Special permit per the requirements of Section \_\_\_\_\_ ;
- Review of an administrative decision of the Building Inspector;
- An order to issue a Certificate of Occupancy;
- An order to issue a Building Permit;
- An interpretation of the Zoning Ordinance or Map;
- Certification of an existing non-conforming structure or use;
- Other (*explain*) \_\_\_\_\_ ;

To permit construction, maintenance and use of \_\_\_\_\_  
The proposed project consists of a 2 story office building with 17,714 square feet of total floor area with associated parking and utilities.

**Previous Appeal:**

- a. A previous appeal \_\_\_ has, or X has not, been made with respect to this property.
- b. Such appeal was in the form of:
  - \_\_\_ An AREA Variance; or
  - \_\_\_ A USE Variance; or
  - \_\_\_ Appeal from decision of Town Official or Officer; or
  - \_\_\_ Interpretation of the Zoning Ordinance or Map; or
  - \_\_\_ Other
- c. The previous appeal described above was appeal number \_\_\_\_\_, dated \_\_\_\_\_ and was \_\_\_\_\_ (Granted/Denied).

**TO ALL APPLICANTS:** Complete all relevant information by the section or sections pertaining to your appeal ONLY. You may also include extra pages to supplement this form with a narrative explanation. At the time of the hearing, you must present written documentation in support of all the statements made in this application. You must also substantiate all financial information supplied.

**APPLICATION REVIEW FORM**

**A. AREA VARIANCE** (This section to be completed only for an AREA variance. Use additional pages, if needed.)

This application seeks a variance from the provisions of Article \_\_\_\_\_, Section(s) §167 Attachment 11 (7) & (12). Specifically, the applicant seeks a variance from the requirements from:

Dimension*	Column	Required	Provided
Required Off-Street Parking	§167 Attachment 11 (7)	119	80
Required Distance to a Property Line	§167 Attachment 11 (12)	50	±24.28

\*e.g., front yard, side setback, FAR, etc.

1. Is the requested variance the minimum necessary to relieve the practical difficulty or economic injury? \_\_\_\_\_

Describe: See narrative

2. Is the variance substantial in relation to the zoning code? \_\_\_\_\_

Explain: See narrative

3. Will a substantial change be produced in the character of the neighborhood, or a substantial detriment to adjoining property owners be created, if this variance is granted? \_\_\_\_\_

Explain: See narrative

4. Can the alleged practical difficulty or economic injury be overcome by some method other than a variance? \_\_\_\_\_

Explain: See narrative

**APPLICATION REVIEW FORM**

5. Will the granting of this variance affect the health, safety, or welfare of the neighborhood or community? \_\_\_\_\_

Explain: \_\_\_\_\_ See narrative  
\_\_\_\_\_  
\_\_\_\_\_

6. Will there be any affect on governmental facilities or services if this variance is granted? \_\_\_\_\_

Describe: \_\_\_\_\_ See narrative  
\_\_\_\_\_  
\_\_\_\_\_

7. Other factors I/we wish the Board to consider in this case are  
See narrative

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

~~**B. USE VARIANCE** (This section to be completed only for a USE variance. Use additional pages, if needed.)~~

~~1. This property cannot be used for any uses currently permitted in this zone because:~~

~~\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_~~

~~2. The problem with this property is due to unique circumstances and not to the general conditions of the neighborhood in that:~~

~~\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_~~

~~3. The use requested by this variance will not alter the essential character of the neighborhood in that:~~

~~\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_~~

~~4. The amount paid for the entire parcel was: \_\_\_\_\_~~

~~5. The date of purchase of the property was: \_\_\_\_\_~~

~~6. The present value of the entire property is: \_\_\_\_\_~~

~~7. The monthly expenses attributed to normal and usual maintenance of the property are: \_\_\_\_\_~~

~~8. The annual taxes on the property are: \_\_\_\_\_~~



**APPLICATION REVIEW FORM**

9. The current income from the property is: \_\_\_\_\_

10. The amount of mortgages and other encumbrances on the property in question is:

- a. Date of mortgage: \_\_\_\_\_
- b. Scheduled maturity (payoff) date: \_\_\_\_\_
- c. Present monthly payment amount: \_\_\_\_\_
- d. Current principal balance: \_\_\_\_\_
- e. Current interest rate: \_\_\_\_\_

11. Other factors I/we wish the Board to consider in this case are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C. APPEAL OF DECISION OF BUILDING INSPECTOR** *(This section to be completed for an appeal, only. Use additional pages, if needed.)*

1. Name and position of official making the decision: \_\_\_\_\_

2. Nature of decision: \_\_\_\_\_  
\_\_\_\_\_

3. The decision described above is hereby appealed because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. INTERPRETATION OF ZONING CODE** *(This section to be completed for an interpretation, only. Use additional pages, if needed.)*

1. Section(s) to be interpreted: \_\_\_\_\_

2. An interpretation of the Zoning Code is requested because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Appform.doc revised September 2013]



Town of Haverstraw Zoning Board of Appeals  
LEGAL NOTICE

Please take notice the Town of Haverstraw Zoning Board of Appeals shall hold a Public Hearing to consider the application of Core Development Group to construct a new 480,725 Sq. Ft., 5 Mega-Watt (AC) Ground Mounted Solar Array at 174 Filors Lane, Stony Point.

The following Variance is required:

**Minimum Lot Frontage, R-25 Zoning District:**

125' is required.

46.1' is provided.

**A 78.9' Variance is required.**

Said property being located on the South side of Filors Lane, approximately 2300 ft. from Hammond Road and located on the Town of Haverstraw Tax Map as Section: 20.13 Block: 01 Lot: 01.

Said Public Hearing shall be held on Wednesday, February 14, 2024 at 7:10 PM in the large meeting room of Haverstraw Town Hall, One Rosman Road, Garnerville.

All interested parties are invited to attend and will be heard by the board.

By Order of the Zoning Board of Appeals of the Town Of Haverstraw

Gregg Lawless, Acting Chairman  
Christie Tomm Addona, Zoning Board Attorney  
Annette Hendrie, Chief Clerk  
February 01, 2024

The Town of Haverstraw  
Building Department

1 Rosman Road  
Garnerville, NY 10993  
Phone: 845-942-3710  
Fax: 845-786-7647

ORIGINAL  
FOR OFFICE FILE

George T. Behn, Jr.  
*Building Inspector II*

Erich J. Desch  
*Deputy Building Inspector*

---

2/1/2024

RE: A variance required to construct a new 480,725 sq/ft, 5 mega-watt (AC) ground mounted solar array.

Owner: Marian Shrine

Address: 174 Filors Ln Stony Point, NY 10980

Project Name: Marian Shrine Solar Field

Project Developer: Core Development Group 860 Wyckoff Ave Suite 200 Manhattan, NJ 07430

Site Location: 174 Filors Ln Stony Point, NY 10980

SBL: 20.13-1-1

To Whom It May Concern,

The following area variance is required:

- Minimum Lot Frontage, R-25 Zoning District: Required is 125', Provided is 46.1'; **a 78.9' variance is required.**



George T. Behn Jr. *Building Inspector II*



# Rockland County

Ed Day, Rockland County Executive

**DEPARTMENT OF PLANNING**  
 Dr. Robert L. Yeager Health Center  
 50 Sanatorium Road, Building T  
 Pomona, New York 10970  
 Phone: (845) 364-3434 Fax: (845) 364-3435

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

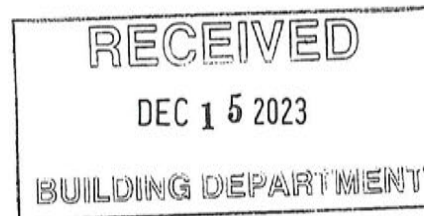
**Richard M. Schiafo**  
*Deputy Commissioner*

December 15, 2023

Haverstraw Zoning Board of Appeals  
 One Rosman Road  
 Garnerville, NY 10923

Tax Data: 20.09-1-33

20.13-1-1



Re: **GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M  
 Map Date: 01/17/2023

Date Review Received: 11/17/2023

Item: **MARIAN SHRINE (H-190E)**

Street frontage variance to permit the two-lot subdivision of a 131-acre parcel located in the R-25 zoning district. The existing structures on the site will remain on Lot 1 (93.09 acres). A 5 MW, ground mounted community solar array is proposed for Lot 2 (37.91 acres). The site also includes a 29.72-acre parcel located in the Town of Stony Point. A site plan and subdivision application has been concurrently submitted to the Planning Board, as well as a special permit application from the Town Board. South side of Filors Lane; opposite Carolann Court; east side of Hammond Road and Suffern Lane

**Reason for Referral:**

Hammond Road & Thiells Road (CR 47), Suffern Lane (CR 94), Filors Lane & Willow Grove Road (CR 98), Minisceongo Creek, Town of Stony Point

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***

The Rockland County Department of Planning is generally supportive of the development of renewable energy facilities in the County to help meet the goals of The New York State Climate Leadership and Community Protection Act to reduce greenhouse gas emissions by 85 percent from 1990 levels by 2050. However, we urge the Town to strongly consider the environmental sensitivity of the site, particularly the impacts associated with a large loss of trees and forested area. Solar development must not result in the overall degradation of the environmental quality of the Town, the County, and the region.

- 1 The applicant must comply with the comments made by the Rockland County Highway Department in their November 30, 2023 letter.
- 2 A review must be completed by the County of Rockland Department of Health, any comments or concerns addressed, and any required permits obtained.
- 3 A review must be completed by the County of Rockland Drainage Agency, and any required permits obtained.

**MARIAN SHRINE (H-190E)**

4 The Town of Stony Point is one of the reasons this proposal was referred to this department for review. The municipal boundary bisects the subject site at the property line between lots 20.13-1-1 and 20.09-1-33, approximately 965 feet south of Filors Lane. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations with respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; and the protection of community character as regards to predominant land uses, population density, and the relation between residential and nonresidential areas.

The Town of Stony Point must be given the opportunity to review the proposal and its impact on community character, traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Town of Stony Point must be considered and satisfactorily addressed, as well as any additional concerns about the proposal.

5 The bulk tables for Lot 1 on both the subdivision plan, prepared by Anthony R. Celentano P.L.S., and the site plan prepared by Core Development Group, list the building coverage as "<15%," the lot coverage as "<25%," and the maximum height as "<35'." The provided height for Lot 2 is also stated to be "<35'." The bulk table shall not include estimations. The building and lot coverage calculations must be provided on the site plan, and the accurate values indicated on the bulk table. If any variances are required from these standards, we request the opportunity to review them, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

6 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.

7 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.

8 The following additional comments are offered strictly as observations and are not part of our General Municipal Law (GML) review. The board may have already addressed these points or may disregard them without any formal vote under the GML process:

8.1 The proposed size of Lot 2 is listed as 39.91 acres on the Referral Form. This shall be corrected to 37.91 acres.

8.2 The site plan prepared by Core Development Group does not contain a map date. This must be provided.

8.3 Our department previously issued review letters for this site in June 2023. At that time, a subdivision plat prepared by Anthony R. Celentano P.L.S. was submitted which was dated January 17, 2023. The subdivision plan provided with current submission is also dated January 17, 2023, but has been altered to depict the proposed fence, as well as other minor edits. All revision dates must be stated on this plat.

  
 \_\_\_\_\_  
 Douglas J. Schuetz  
 Acting Commissioner of Planning

cc: Supervisor Howard Phillips, Haverstraw  
 Rockland County Department of Health  
 Rockland County Drainage Agency

**MARIAN SHRINE (H-190E)**

Rockland County Highway Department

Core Development Group

Town of Stony Point Planning Board

Anthony R. Celentano, PLS

NYSERDA

Rockland County Planning Board Members

*\*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 County of Rockland Department of Planning 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 County of Rockland Department of Planning 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 County of Rockland 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.*





**MARIAN SHRINE (H-190B)**

satisfactorily addressed, as well as any additional concerns about the proposal.

2 A review must be completed by the County of Rockland Department of Health, any comments or concerns addressed, and any required permits obtained.

3 A review must be completed by the County of Rockland Drainage Agency, and any required permits obtained.

4 The bulk table for Lot 1 lists the building coverage as "<15%," the lot coverage as "<25%," and the maximum height as "<35'." The building height for Lot 2 is also stated to be "<35'." The bulk table shall not include estimations. The building and lot coverage calculations must be provided on the site plan, and the accurate values indicated on the bulk table. If any variances are required from these standards, we request the opportunity to review them, as required by New York State General Municipal Law, Section 239-m (3)(a)(v).

5 We request the opportunity to review the special permit and site plan that are needed to implement the proposed development, as required by New York State General Municipal Law, Section 239-m (3)(a)(iii) & (iv).

6 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.

7 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.

8 The following additional comments are offered strictly as observations and are not part of our General Municipal Law (GML) review. The board may have already addressed these points or may disregard them without any formal vote under the GML process:

8.1 The project narrative indicates a special permit from the Town Board is required. As per the Table of General Use Requirements, special permits for public utilities in the R-25 zoning district are obtained from the Zoning Board of Appeals. The narrative shall be corrected.

8.2 The proposed size of Lot 2 is listed as 29.91 acres on the Referral Form. This shall be corrected to 37.91 acres.

8.3 The provided maps are difficult to read due to their reduced size. Full-sized maps should be provided.

  
 \_\_\_\_\_  
 Douglas J. Schuetz  
 Acting Commissioner of Planning

cc: Supervisor Howard Phillips, Haverstraw  
 Rockland County Department of Health  
 Rockland County Drainage Agency  
 Rockland County Highway Department

Jennifer Knarich, Esq.

Rockland County Planning Board Members

\*NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.

**MARIAN SHRINE (H-190B)**

*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.*



**DRAINAGE AGENCY**  
**DIVISION OF THE HIGHWAY DEPARTMENT**  
23 New Hempstead Road  
New City, New York 10956  
Phone: (845) 638-5060; Fax: (845) 708-7116

**Charles H. "Skip" Vezzetti**  
Superintendent of Highways  
Chairman, Drainage Agency

**Vincent Altieri, Esq.**  
Executive Director

Via email: [atorres@townofhaverstraw.org](mailto:atorres@townofhaverstraw.org)

June 12, 2023

Planning Board & Zoning Board of Appeals  
Town of Haverstraw  
One Rosman Road  
Garnerville, NY 10923  
Attn.: Ms. Annette Hendrie, Clerk to the Planning Board

**Re: Marian Shrine Subdivision**

Location: 174 & 180 Filors Lane, Stony Point  
Parcel ID(s): Section 20.09, Block 1, Lot(s) 33, & Section 20.13, Block 1, Lot(s) 1  
Municipality: Town of Haverstraw  
**Resource: Minisceongo Creek**

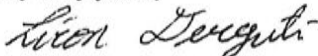
Dear Planning and Zoning Board members:

The Rockland County Drainage Agency (RCDA) has reviewed the above referenced proposal as described in the County Department of Planning General Municipal Law (GML) Review letter/report dated 6/05/23, see pages 1 of 3 and 1 of 3 attached. Based on a review, the RCDA offers the following comment(s):

- 1) The above referenced site is outside the jurisdiction of the RCDA, pursuant to the Rockland County Stream Control Act, Chapter 846. Therefore, a Stream Control Act permit from the RCDA is not required for developments within this site. Also, the RCDA has no further comments regarding the proposal, pursuant to the State Environmental Quality Review (SEQR).
- 2) The RCDA recommends that the municipal land use boards and/or departments review all development proposals for this site and ensure that developments with increase in impervious areas and/or land disturbances will not result any increase in stormwater runoff from the site and will have adequate measures to prevent soil erosion and control sediment from leaving the site.

Please contact the undersigned at (845) 638-5060 or by email: [dergutil@co.rockland.ny.us](mailto:dergutil@co.rockland.ny.us), if you have any questions regarding this matter.

Very truly yours,



Liron Derguti, Engineer I  
Rockland County Drainage Agency

c: Vincent Altieri, Esq., RCDA  
Building Department, Town of Haverstraw  
Rockland County Planning Department  
Rockland County Highway Department  
Joseph LaFiandra, Rockland County Sewer District No. 1  
File

[gbehn@townofhaverstraw.org](mailto:gbehn@townofhaverstraw.org)  
(by email)  
(by email)  
(by email)  
(File: 23 HGR 40)

Planning Board  
Town of Haverstraw  
1 Rosman Rd,  
Garnerville, NY 10923  
RE : Marian Shrine – Subdivision Application

**Project Background and Structure**

Beginning in 2021, Core Development Group has been working with the leadership at the Marian Shrine to develop a ground mounted solar array on its property at 174 Filors Lane. The solar project would generate electricity delivered directly to the Orange and Rockland utility grid. Monetary credits created by this power generation would be applied to the utility bills of remote (off-site) participants at a discounted rate. This transaction is made possible through participation in New York’s Remote Crediting program.

**Design and Site Considerations**

Projects participating in the Remote Crediting Program are limited to 5 MW AC in size. For a ground mount system such as the one proposed, this translates to approximately 15 acres of land. Core Development Group and the Salesians of Don Bosco have agreed upon a land lease option to accommodate this solar land use. The lease would cover approximately 15 acres of the proposed subdivided lot totaling 37.91 acres. The total property area is 160 acres (spanning both the Town of Stony Point and the Town of Haverstraw) and the subdivision proposed will be located in the far southern portion of the property (entirely within the Town of Haverstraw’s boundaries). In addition to an agreed-upon annual lease rate (per acre), Core has committed to providing an additional community benefit for the local population of the citizens of Haverstraw. Details of this benefit have not yet been finalized.

**Utility Requirements and Cost Considerations**

Initially, Core Development Group approached O&R utilities with a proposal to connect to their local lines at Filors Lane, at the Northern edge of the Marian Shrine property. This design included nearly one mile of upgraded utility lines and was not feasible to the project due to extremely high cost. As an alternative, Core proposed a new point of interconnection to the south-west on Suffern Lane. This reduced distance and cost significantly, thereby making the project feasible once again. However, utility regulations require that in order to allow this new utility service entrance, the served parcel must be a legally-defined separate parcel. Due to this requirement, and with the support of the leadership at the Marian Shrine, we are seeking a subdivision of the property.

### **Subdivision Details and Variance**

Core proposes a subdivision of the Marian Shrine property along an east-west line just North of the leased area (with sufficient set-back, as required by code). An examination of sub-division requirements has revealed that our proposal will comply with all zoning regulations but for the required road frontage, which 125' of road frontage is required and proposed road frontage is 46.1'. This will require variance relief from the Town of Haverstraw Zoning Board of Appeals. Further details are available in the included survey and subdivision plat drawings.

### **Next Steps and Other Approvals**

Subsequent to (or in parallel with) an approval for subdivision, Core will be pursuing various other permits and approvals related to this project. The following is a list of approvals required prior to commencing work at the site:

- Subdivision approval from the Planning Board
- Variance Relief for Lot frontage from the Zoning Board of Appeals
- Site Plan approval from the Planning Board
- Special Use Permit from the Town Board
- Building and Electrical Permits from the Building Department (Code Enforcement)

Thank you for your consideration in this matter. Please direct any questions or communications to:

Kai Nybro, Project Developer  
Core Development Group  
860 Wyckoff Ave.  
Mahwah, NJ 07430  
(551) 315-3670  
[knybro@coredevusa.com](mailto:knybro@coredevusa.com)

ZBA-2024-002

ROCKLAND COUNTY DEPARTMENT OF PLANNING  
REFERRAL FORM FOR GENERAL MUNICIPAL LAW REVIEWS

Municipality Town of Haverstraw Date Sent May 11, 2023

Board  Planning  ZBA  Town/Village Meeting Date \_\_\_\_\_

File Name Proposed Subdivision for Marian Shrine  
Contact Person Jennifer Knarich, Esq., Price, Meese, Shulman & D'Arminio, P.C.  
Address 50 Tice Boulevard, Suite 380  
Woodcliff Lake, NJ 07677

Referral Agencies

(Please indicate the agencies that have also received copies of this application)

- RC Highway Department
- RC Division of Environmental Resources
- RC Drainage Agency
- RC Department of Environmental Health (Sewers, Water, Mosquito Code, Underground Tanks)
- RC Sewer District #1
- NYS Department of Environmental Conservation
- NYS Department of Transportation
- NYS Thruway Authority
- NY-NJ Trail Conference (Long Path)
- Palisades Interstate Park Commission
- US Army Corps of Engineers
- Cornell Cooperative Extension of Rockland County
- Adjacent Municipality Stony Point
- Other \_\_\_\_\_

Pursuant to the General Municipal Law Article 12-B, Section

- 239 (n)  Subdivision
- 239 (l) & (m):  Site Plan  Variance  Special Permit  Zone Change/Amendment
- Other - Please list \_\_\_\_\_

Location of Parcel(s) Town of Haverstraw 20.13-1-1; Town of Stony Point 20.09-1-33

Acreeage of Parcel (s) 160.49 Ac

Existing Sq. Footage +/- 7,000,000 sf Proposed Sq. Footage Lot #1 122.58 Ac; Lot #2 39.91 Ac

The Property in Question Lies Within 500 Feet of:

- County Road  State Road, Thruway, or Parkway
- County Stream  State Park
- County Park  Village, Town, or County Boundary (Stony Point)
- County or State Facility  The Long Path

Map 20.13 Block 1 Lot(s) 1 Map Date \_\_\_\_\_  
Map \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_ Current Zoning R-25

Brief Project Description See narrative attached.

Variances Needed (if applicable)		Required	Provided
Lot #2	Lot Frontage	125'	46.1'

APPLICATION REVIEW FORM

If subdivision:

- 1) Is any variance from the subdivision regulations required? Yes
- 2) Is any open space being offered? No If so, what amount? N/A
- 3) Is this a standard or average density subdivision? No

If site plan:

- 1) Existing square footage \_\_\_\_\_
- 2) Total square footage \_\_\_\_\_
- 3) Number of dwelling units \_\_\_\_\_

If special permit, list special permit use and what the property will be used for.

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Environmental Constraints:

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area. No

Are there streams on the site? If yes, please provide the names. Hydrographic Category = Perennial

Are there wetlands on the site? If yes, please provide the names and type. Freshwater Pond; Riverine

Project History: Has this project ever been reviewed before? No

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

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List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

N/A

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# APPLICATION REVIEW FORM

## Contact Information:

Applicant: Kai Nybro, Solar Project Developer, Core Development Group Phone # 551-315-3670

Address 860 Wyckoff Avenue, Suite 200, Mahwah, NJ 07430  
Street Name & Number (Post Office) State Zip code

Property Owner: Marian Shrine (Salesians of Don Bosco) Phone # 845-947-2200

Address 174 Filors Lane, Stony Point, NY 10980  
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Anthony R. Celentano, P.L.S. Phone # 914-429-5290

Address 31 Rosman Road, Thiells, NY 10984  
Street Name & Number (Post Office) State Zip code

Attorney: Jennifer M. Knarich, Esq., Price, Meese, Shulman & D'Arminio, P.C. Phone # 201-391-3737

Address 50 Tice Boulevard, Suite 380, Woodcliff Lake, NJ 07677  
Street Name & Number (Post Office) State Zip code

Contact Person: Jennifer M. Knarich, Esq., Price, Meese, Shulman & D'Arminio, P.C. Phone # 201-391-3737

Address 50 Tice Boulevard, Suite 380, Woodcliff Lake, NJ 07677  
Street Name & Number (Post Office) State Zip code

## General Municipal Law Review:

This property is within 500 feet of:  
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> State or County Road | <input type="checkbox"/> State or County Park |
| <input type="checkbox"/> Long Path                       | <input type="checkbox"/> County Stream        |
| <input checked="" type="checkbox"/> Municipal Boundary   | <input type="checkbox"/> County Facility      |

List name(s) of facility checked above. Filors Lane and Haverstraw / Stony Point

**Referral Agencies:** (Please make sure that the appropriate agencies as needed received copies of your application and plans for their review.)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> RC Highway Department                    | <input type="checkbox"/> RC Division of Environmental Resources  |
| <input type="checkbox"/> RC Drainage Agency                                  | <input type="checkbox"/> RC Dept. of Health                      |
| <input type="checkbox"/> NYS Dept. of Transportation                         | <input type="checkbox"/> NYS Dept. of Environmental Conservation |
| <input type="checkbox"/> NYS Thruway Authority                               | <input type="checkbox"/> Palisades Interstate Park Comm.         |
| <input checked="" type="checkbox"/> Adjacent Municipality <u>Stony Point</u> |  |
| <input type="checkbox"/> Other _____   |  |

\*\*All applicants must send copies of their applications and plans to:

Orange and Rockland, Regional manager, 75 West Route 59, Spring Valley, NY 10997.

# APPLICATION REVIEW FORM

## Applicant's Combined Affidavit and Certification

State of New <sup>Jersey</sup>~~York~~ )  
County of <sup>Bergen</sup>~~Rockland~~ ) ss.:  
Township of ~~Rockland~~ )  
Town/Village of Mahwah )

Kai Nybro, Solar Project Developer,  
Core Development Group, being duly sworn, deposes and says:  
*Applicant's Name*

I am the applicant in this matter. I make these statements to induce the Town/Village of Haverstraw, its boards, commissions, officers, employees, and consultants, to entertain my application, knowing that the Town/Village will rely upon the statements made herein.

**1. Verification of Facts.** All statements contained in this application and in all documents, drawings, writings, and other communications submitted in connection with this application are true.

**2. Consent to Enter.** I hereby give permission to members of said boards and/or supporting staff to visit the property in question at a reasonable time during the day.

**3. Affidavit Pursuant to General Municipal Law Section 809.** All the following statements and the statements contained in the papers submitted herewith are true and the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

A. I certify that I am the owner, officer, member or agent of owner, of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

B. There is no state officer, Rockland County officer or employee or town/village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such town/village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.



APPLICATION REVIEW FORM

C. To the extent that the same is known to your applicant, and to the owner of the subject premises there is disclosed herewith the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of Haverstraw in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee None
- b. Nature of interest \_\_\_\_\_
- c. If stockholder, number of shares \_\_\_\_\_
- d. If officer or partner, nature of office and name of partnership \_\_\_\_\_
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. \_\_\_\_\_

f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of \_\_\_\_\_.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

**4. Reimbursement for Professional Consulting Services.** I understand that the Town/Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village and each such consultant for the cost of such consultant services upon receipt of the bill.

APPLICATION REVIEW FORM

5. Application Fee(s)

I, Kai Nybro, Core Development Group, have paid to the Town/Village Clerk and/or Treasurer, the required fee for this application. (The fee is subject to the Schedule of Fees of the municipality). I shall review a copy of the zoning Local Law and Land Development Regulations, and be ready and prepared to review this application when scheduled. The Municipal Board, Planning Board, or Zoning Board of Appeals in the review of any application described above, may refer the subject application to an engineering, planning, environmental, or other technical consultant as such Board shall deem reasonably necessary to enable it to review the application as required by law.

\*\*The following paragraph is optional to add if your municipality establishes escrow accounts:

(I agree to establish an escrow account with the Town/Village of Haverstraw from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Town/Village. Any additional sums needed to pay the Town's/Village's consultants shall be paid prior to final action on the application. The Town/Village may suspend processing of the application if there is a deficiency in the escrow account. Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Town/Village.)

Applicant's Signature [Handwritten Signature]
Print Applicant's Name KAI NYBRO

SWORN to before me this 11th day of May, 2025

[Handwritten Signature]
Notary Public

Jennifer Gutierrez
Notary Public
New Jersey
My Commission Expires 5-5-2025
No. 2328679

I have received from \_\_\_\_\_ the sum of \_\_\_\_\_ on this date \_\_\_\_\_.

Reviewed by the \_\_\_\_\_ on \_\_\_\_\_ Municipal Clerk/Treasurer

Action Taken: \_\_\_\_\_

APPLICATION REVIEW FORM

Affidavit of Ownership/Owner's Consent

State of New York)
County of Rockland) SS.:
Town/Village of Haverstraw, NY

I, DENNIS D. DONOVAN being duly sworn, hereby
depose and say that I reside at: 174 FILORS LANE, STONY POINT, NY

in the county of ROCKLAND in the state of NEW YORK

I am the (\* DIRECTOR ) owner in fee simple of premises located at:
SALESIAN SOCIETY INC. dba MARIAN SHRINE
174 FILORS LANE, STONY POINT, NY 10980

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber of conveyances, page or as Instrument ID #

Said premises have been in my possession since 1945. Said premises are also
known and designated on the Town of Haverstraw Tax Map as:
section 20.13 block 1 lot(s) 1

I hereby authorize the within application on my behalf, and that the statements of fact
contained in said application are true, and agree to be bound by the determination of the
board.

Owner Dennis Donovan, DIR,
Mailing Address SALESIAN SOCIETY INC, dba MARIAN SHRINE
174 FILORS LANE
STONY POINT, NY 10980

SWORN to before this

1 day of May, 2023

Notary Public signature

ANNMARIE BLASET CRUZ
Notary Public, State of New York
Qualified in Rockland County
Reg. No. 01CR6004760
My Commission Expires June 30, 2024

\* If owner is a corporation or LLC, fill in the office held by deponent and name of
corporation or LLC, and provide a list of all directors, officers, and stockholders
owning more than 5% of any class of stock and all members having greater than 5%
beneficial interest.



20.17-1-6 Julissa Amaro 30 Woodlake Dr Thiells, NY 10984	20.17-1-5 Gregory Azzari 34 Woodlake Dr Thiells, NY 10984	20.17-3-76 Tamara Benoit Jean 68 So Lilburn Dr Garnerville, NY 10923
20.17-2-3 Joseph Brancato 3 Margaret Ln Thiells, NY 10984	20.17-1-9 Edward Brignoni 18 Woodlake Dr Thiells, NY 10984	20.13-2-89 Carmine & Linda Conforti Fam T 18 So Lilburn Dr Garnerville, NY 10923
20.17-3-74 Silvio Chimbo Yupa 72 So Lilburn Dr Garnerville, NY 10923	20.17-2-5 Tariq Clyburn 7 Margaret Ln Thiells, NY 10984	20.17-2-37 Christine Croyle 29 Bubenko Dr Garnerville, NY 10923
20.17-2-2 William D' Amelio 1 Margaret Ln Thiells, NY 10984	20.17-3-75 Robert De Giso 70 So Lilburn Dr Garnerville, NY 10923	20.13-2-95 Edward Delapp 5 Phyllis Cir Garnerville, NY 10923
20.13-1-2 Eric Dipaolo 69 Highlake Dr Thiells, NY 10984	20.13-2-96 Ronald Diz 7 Phyllis Cir Garnerville, NY 10923	20.13-2-81 Robert Engel 34 So Lilburn Dr Garnerville, NY 10923
20.13-2-86 Alex Ereifej 24 So Lilburn Dr Garnerville, NY 10923	20.17-1-3 Mary Ferlauto 42 Woodlake Dr Thiells, NY 10984	20.17-2-39 Edwin Fernandez 121 North High St Mount Vernon, NY 10550
20.17-3-70 Michael Finnerty 62 Madison Ave Garnerville, NY 10923	20.17-1-24 Stacy Fitzgerald 6 Beverly Dr Warwick, NY 10990	20.17-2-7 Robert Fitzsimmons 11 Margaret Ln Thiells, NY 10984
20.17-3-73 Addison Golding 74 So Lilburn Dr Garnerville, NY 10923	20.17-3-77 Angella Golding 66 So Lilburn Dr Garnerville, NY 10923	20.17-2-36 Fred Goncher 27 Bubenko Dr Garnerville, NY 10923
20.17-3-78 Raisa Gonzalea Pena 64 So Lilburn Dr Garnerville, NY 10923	20.17-3-71 Jose Gonzalez, Jr 69 So Lilburn Dr Garnerville, NY 10923	20.13-2-85 Gilbert Hernandez 26 So Lilburn Dr Garnerville, NY 10923
20.17-1-20 Naim Idrizi 9 Hemlock Ln Thiells, NY 10984	20.13-2-83 Sijimon Jacob 30 So Lilburn Dr Garnerville, NY 10923	20.17-2-42 Sabu Jose 39 Bubenko Dr Garnerville, NY 10923

20.13-2-92  
Brian King  
12 So Lilburn Dr  
Garnerville, NY 10923

20.17-1-1  
Yvette Lopez-Diaz  
37 Highlake Dr  
Thiells, NY 10984

25.19-3-50  
James Mc Kay  
3 Phyllis Cir  
Garnerville, NY 10923

20.17-1-23  
George Mulligan  
3 Hemlock Ln  
Thiells, NY 10984

20.18-3-1  
North Rockland School Dist  
65 Chapel St  
Garnerville, NY 10923

20.17-3-79  
Kenneth Patterson  
62 So Lilburn Dr  
Garnerville, NY 10923

20.17-1-10  
Paul Ravo  
14 Woodlake Dr  
Thiells, NY 10984

20.17-1-18  
Miguel Rivera  
8 Pine Dr  
Thiells, NY 10984

20.13-2-87  
Richard Ryan  
22 So Lilburn Dr  
Garnerville, NY 10923

20.13-2-82  
Ahiana Tribio  
32 So Lilburn Dr  
Garnerville, NY 10923

20.13-2-90  
James Laverty  
16 So Lilburn Dr  
Garnerville, NY 10923

20.17-1-19  
Jose Martinez  
12 Pine Dr  
Thiells, NY 10984

20.13-2-91  
Carlos Medina  
14 So Lilburn Dr  
Garnerville, NY 10923

20.13-2-88  
Talat Mureb  
20 So Lilburn Dr  
Garnerville, NY 10923

20.17-2-1  
Francis O'Rourke  
82 Suffern Ln  
Garnerville, NY 10923

20.17-3-2  
Jeffrey Pierce  
40 So Lilburn Dr  
Garnerville, NY 10923

20.17-1-7  
Ravo Family Trust  
26 Woodlake Dr  
Thiells, NY 10984

20.17-3-1  
Paul Roman  
38 So Lilburn Dr  
Garnerville, NY 10923

20.13-2-1  
Manoj Samuel  
10 Phyllis Cir  
Garnerville, NY 10923

20.17-1-8  
Hung Truong  
22 Woodlake Dr  
Thiells, NY 10984

20.13-2-80  
Christopher Linhart  
36 So Lilburn Dr  
Garnerville, NY 10923

20.17-2-6  
Robert Mc Carthy  
9 Margaret Ln  
Thiells, NY 10984

25.19-3-51  
Ewolff Michel  
1 Phyllis Cir  
Garnerville, NY 10923

20.13-2-84  
Luke Nica  
28 So Lilburn Dr  
Garnerville, NY 10923

20.17-1-4  
Christine Olivier  
38 Woodlake Dr  
Thiells, NY 10984

25.19-3-43  
Valentina Qama  
9 Phyllis Cir  
Garnerville, NY 10923

20.17-2-4  
Benjamin Riba  
5 Margaret Ln  
Thiells, NY 10984

20.17-2-41  
Steven Ruffino  
37 Bubenko Dr  
Garnerville, NY 10923

20.17-2-40  
Yves Taylor  
35 Bubenko Dr  
Garnerville, NY 10923

20.17-1-2  
Timothy Tuckey  
46 Woodlake Dr  
Thiells, NY 10984

26.43-1-86  
Robert John Vandunk Jr  
42 Coolidge St  
Haverstraw, NY 10927

20.17-1-22  
Catherine Welsh Trust -LR  
5 Hemlock Ln  
Thiells, NY 10984

20.17-1-21  
Theresa Grace Wunderlich  
7 Hemlock Ln  
Thiells, NY 10984



APPLICATION REVIEW FORM

PART II\*

Application before the Zoning Board of Appeals

Application, petition, or request is hereby submitted for:

- Area Variance from the requirement of Section 167-9 \_\_\_\_\_;
- Use Variance from the requirement of Section \_\_\_\_\_;
- Special permit per the requirements of Section \_\_\_\_\_;
- Review of an administrative decision of the Building Inspector;
- An order to issue a Certificate of Occupancy;
- An order to issue a Building Permit;
- An interpretation of the Zoning Ordinance or Map;
- Certification of an existing non-conforming structure or use;
- Other (*explain*) \_\_\_\_\_;

To permit construction, maintenance and use of ground mounted solar array to generate electricity delivered directly to Orange and Rockland Utility grid.

Previous Appeal:

- a. A previous appeal \_\_\_ has, or  has not, been made with respect to this property.
- b. Such appeal was in the form of:
  - \_\_\_ An AREA Variance; or
  - \_\_\_ A USE Variance; or
  - \_\_\_ Appeal from decision of Town Official or Officer; or
  - \_\_\_ Interpretation of the Zoning Ordinance or Map; or
  - \_\_\_ Other
- c. The previous appeal described above was appeal number \_\_\_\_\_, dated \_\_\_\_\_ and was \_\_\_\_\_ (Granted/Denied).

TO ALL APPLICANTS: Complete all relevant information by the section or sections pertaining to your appeal ONLY. You may also include extra pages to supplement this form with a narrative explanation. At the time of the hearing, you must present written documentation in support of all the statements made in this application. You must also substantiate all financial information supplied.

## APPLICATION REVIEW FORM

**A. AREA VARIANCE** *(This section to be completed only for an AREA variance. Use additional pages, if needed.)*

This application seeks a variance from the provisions of Article III,  
 Section(s) 167-9. Specifically, the applicant seeks a variance  
 from the requirements from:

Dimension*	Column	Required	Provided
Lot Frontage		125'	46.1'

*\*e.g., front yard, side setback, FAR, etc.*

1. Is the requested variance the minimum necessary to relieve the practical difficulty or economic injury? Yes

**Describe:** With the proposed subdivision access is limited (Suffern Place). The proposed use will not create any traffic impacts.

2. Is the variance substantial in relation to the zoning code? No

**Explain:** Considering the limited access per the proposed subdivision, the variance relief for lot frontage is not substantial because of the existing limited access (Suffern Place).

3. Will a substantial change be produced in the character of the neighborhood, or a substantial detriment to adjoining property owners be created, if this variance is granted? No

**Explain:** The proposed subdivision with required variance relief for lot frontage will not substantially change the character of the neighborhood or cause substantial detriment to adjoining property owners. The existing buffering along the property line will remain and the main access to the proposed subdivision will remain (Suffern Place).

4. Can the alleged practical difficulty or economic injury be overcome by some method other than a variance? No

**Explain:** The proposed subdivision with required variance relief for lot frontage as a result of the existing limited access (Suffern Place) cannot be overcome by some method other than a variance.

APPLICATION REVIEW FORM

5. Will the granting of this variance affect the health, safety, or welfare of the neighborhood or community? No

**Explain:** The proposed subdivision with the granting of variance relief will not affect the health, safety, or welfare of the neighborhood or community.

6. Will there be any affect on governmental facilities or services if this variance is granted? No

**Describe:** There will be no affect on governmental facilities or services if this proposed variance relief for frontage is granted.

7. Other factors I/we wish the Board to consider in this case are  
See attached narrative.

**B. USE VARIANCE** *(This section to be completed only for a USE variance. Use additional pages, if needed.)*

1. This property cannot be used for any uses currently permitted in this zone because:

\_\_\_\_\_  
\_\_\_\_\_

2. The problem with this property is due to unique circumstances and not to the general conditions of the neighborhood in that:

\_\_\_\_\_  
\_\_\_\_\_

3. The use requested by this variance will not alter the essential character of the neighborhood in that:

\_\_\_\_\_  
\_\_\_\_\_

4. The amount paid for the entire parcel was: \_\_\_\_\_

5. The date of purchase of the property was: \_\_\_\_\_

6. The present value of the entire property is: \_\_\_\_\_

7. The monthly expenses attributed to normal and usual maintenance of the property are: \_\_\_\_\_

8. The annual taxes on the property are: \_\_\_\_\_

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9. The current income from the property is: \_\_\_\_\_

10. The amount of mortgages and other encumbrances on the property in question is:

- a. Date of mortgage: \_\_\_\_\_
- b. Scheduled maturity (payoff) date: \_\_\_\_\_
- c. Present monthly payment amount: \_\_\_\_\_
- d. Current principal balance: \_\_\_\_\_
- e. Current interest rate: \_\_\_\_\_

11. Other factors I/we wish the Board to consider in this case are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C. APPEAL OF DECISION OF BUILDING INSPECTOR** *(This section to be completed for an appeal, only. Use additional pages, if needed.)*

1. Name and position of official making the decision:

\_\_\_\_\_

2. Nature of decision:

\_\_\_\_\_  
\_\_\_\_\_

3. The decision described above is hereby appealed because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. INTERPRETATION OF ZONING CODE** *(This section to be completed for an interpretation, only. Use additional pages, if needed.)*

1. Section(s) to be interpreted: \_\_\_\_\_

2. An interpretation of the Zoning Code is requested because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

