



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

Building T

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EDWIN J. DAY
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DOUGLAS J. SCHUETZ
Acting Commissioner

July 24, 2014

ARLENE R. MILLER
Deputy Commissioner

Chestnut Ridge Planning Board
277-279 Old Nyack Turnpike
Chestnut Ridge, NY 10977

Tax Data: 63.17-1-8 63.17-1-5

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

Map Date: 6/19/2014

Date Review Received: 6/26/2014

Item: *PAR PHARMACEUTICAL (CR-49R)*

Site plan for the construction, maintenance, and use of a 230-space parking lot expansion to serve employees in the new corporate headquarters of an existing industrial facility in the PI zoning district on 35.532 acres.

North and south sides of Ram Ridge Road, between Red Schoolhouse Road and the Garden State Parkway Extension; approximately 630 feet south of Chestnut Ridge Road

Reason for Referral:

Garden State Parkway Extension, Red Schoolhouse Road (CR 41)

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 An updated review must be completed by the New York State Thruway Authority and all required permits obtained.
- 2 An updated review must be completed by the New York State Department of Environmental Conservation (DEC) and all required permits obtained. As indicated in the April 25, 2014 Stormwater Management Report, a Notice of Intent (NOI) application to the DEC is required because the proposed construction activity will disturb approximately 3.2 acres.
- 3 An updated review must be completed by the County of Rockland Sewer District #1, and all required permits obtained.

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4 The Title sheet, T-1, provides a bulk table for Lot 8. The lot area is listed as 5.276 acres, which seems to be reflective of the lot size. However, General Note #2 lists the area of the tract to be 8.762 acres. In addition, the June 23, 2014 memo from Par Pharmaceutical (Diane Montalto) under the Drawing T-1 section, indicates in the General Comment that this change has been made. This discrepancy must be corrected.

5 In our last review dated June 13, 2014, we noted that the on-site lighting, depicted on Drawing E10, was shown to have the fields of illumination extending beyond the property line onto the State roadway. The current plans have eliminated the contour line footcandle level "E," which is the line that was shown to be extending into the State right-of-way. Since the light pole placements have not changed, it seems that the footcandle levels would still shine into the right-of-way. The contour for footcandle level "E" must be shown, and demonstrated that it does not shine into the State right-of-way.

6 In the areas where the parking spaces face the New York State Thruway (Garden State Parkway Extension), low evergreen landscaping must be provided to help shield the headlights from shining into the vehicles traveling on the road. This is particularly important in the winter when the leaves are no longer on the deciduous trees.

7 Areas dedicated for snow piles must be clearly delineated on the site plan so that the plow drivers will know where to place the snow piles. This will help to protect the landscaping, located in the islands, from being broken from the weight of the snow and from causing salt intrusion to the plants.

8 The June 23, 2014 memo from Par Pharmaceutical (Diane Montalto), under the Drawing T-1 section, indicates in Comment #B.1.c. that a list of bulk table/zoning variances for Building 6RR was obtained from the Village files and added. Two bulk tables are shown on Drawing T-1 (one for each lot). However it is not noted whether variances had previously been obtained, or if variances are required to implement this site plan. The bulk table for Lot #8 indicates that variances are required, if not already obtained, for front yard, side setback, rear setback, and floor area ratio. The tables must be updated in reflect all required variances or existing variances obtained. Lastly, since some of the parking for Lot #8 is being provided on Lot #5, a map note should be added to indicate this shared parking arrangement, particularly since the two lots are being maintained as individual lots. A parking easement may have to be provided.

9 The June 23, 2014 memo from Par Pharmaceutical (Diane Montalto) under the Drawing T-1 section, indicates in Comment #3 that the site lighting drawing, C-4, illustrates the light glare. Drawing C-4 is the Landscape Plan and does not contain the fields of illumination. This instead is found on Drawing #10. The narrative should be corrected.

10 The June 23, 2014 memo from Par Pharmaceutical (Diane Montalto) under the "Additional Revision as of 6/23/14 states that the new 9 spaces on Lot 8 and the 7 new spaces on Lot 5 that lie within the property setbacks are being eliminated, and that the total number of parking spaces will be reduced to 284 spaces. This statement contradicts what is being shown on the site plan. This discrepancy must be corrected.

11 Prior to the start of construction or grading, a soil and erosion control plan shall be developed and in place for the entire site that meets the latest edition of the New York State Guidelines for Urban Erosion and Sediment Control.

12 There shall be no net increase in the peak rate of discharge from the site at all design points.

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13 We request the opportunity to review any variances which may be necessary to implement the proposed site plan.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Rosario Presti, Jr., Chestnut Ridge
New York State Thruway Authority
Rockland County Department of Highways
Rockland County Department of Health
New York State Department of Environmental Conservation
United States Army Corps of Engineers
EI Associates, Architects & Engineers, PA

**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.

