



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

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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

May 14, 2015

ARLENE R. MILLER  
Deputy Commissioner

Clarkstown Town Board  
10 Maple Avenue  
New City, NY 10956

**Tax Data:** 65.06-1-2

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

**Map Date:**

**Date Review Received:** 4/16/2015

**Item:** *FAIR PRODUCTION II, INC. (C-1335GGG)*

Permit to allow a fair to be located in the commuter parking lot (Lot J) of the Palisades Center Mall, from June 19 through July 5, 2015 on 34.45 acres in the MRS zoning district.

West side of NYS Route 303, south side of the New York State Thruway, north side of NYS Route 59

**Reason for Referral:**

NYS Routes 303 & 59, New York State Thruway, Hackensack River

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 During last year's event, semi-tractors that delivered Fair components were parked in the commuter portion of the lot. These trucks took up valuable commuter parking space. Preserving commuter parking is especially critical as the number of commuters using Lot J has increased and more parking is now needed. Therefore, the trailers used to haul the Fair equipment must be parked in the Fair area only to ensure that they do not block the bus travel lane or commuter spaces, as they are unloading/loading the equipment. In addition, if the Fair delivery vehicles are to remain during the event, they must be parked in the Home Depot lot so that they do not interfere with commuter parking in Lot J. Lastly, the Rockland County Department of Public Transportation (Michael D'Angelo, 364-3439, dangelom@co.rockland.ny.us) must be notified in advance of when the Fair equipment is planned to arrive so that staff can monitor the site.

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2 A site visit to Lot J earlier this month showed that dumpsters, landscaping equipment, trailers, and front end loaders are located in the southwestern portion of the lot, behind a fenced in area. This area comprises a large portion of the remaining lot that would be available for the commuters, once the northern portion is occupied by the Fair equipment. The entire southern portion of the lot must be cleared of all equipment, landscaping materials and fencing prior to the occupation of the site by the Fair. All other equipment and vehicles parked in the lot must be removed prior to the Fair, and no additional trailers are to be parked in Lot J during the event.

3 The permanent passenger waiting facility shall remain available to commuters at all times during the Fair and shall be kept free and clear in order for commuters to access the facility. In addition, the permanent facility shall be for commuter use only.

4 The Fair's plan indicates that buses will be unable to access the existing bus shelter. Therefore, a temporary canopy shelter must be installed near the bus shelter. In addition, signage shall be provided to indicate that the temporary shelter is a bus stop.

5 The permanent passenger structure shall not be used as an anchor for any tent or temporary structure and nothing shall be adhered to the permanent structure. No portion of the permanent structure shall be used as a host to any part of the Fair.

6 The moveable handicapped parking signs must be relocated to the parking spaces closest to the temporary shelter. The site layout plan must also identify where these parking spaces will be located.

7 The Fair shall provide cones and fencing for the duration of the event and they shall provide traffic guards prior, during and after any posted show time.

8 Staff from Fair Productions must monitor the site before and during the Fair event to ensure that no conflicts with the commuter parking area arise, and to monitor tEt capacity of parking at Lot J to determine if overflow parking accommodations are needed, and if so, direct the Fair patrons to the western portion of the Home Depot parking lot.

9 Flyers, posters, and/or other outreach must be provided to notify the commuters in advance of the upcoming Fair event regarding the shared usage of the commuter lot.

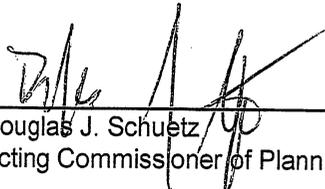
10 Tappan Zee Bridge workers, which consists of approximately 50 workers, are parking in Lot J and taking small shuttle buses to the work site. Signs should be posted for these workers to stage their park-n-ride area from the NYS Route 303 or other parking lot area instead, while the Fair is at the Palisades Mall.

11 The applicant shall repair all damage to the parking facility, and return the site to pre-Fair condition, including but not limited to, the permanent structure, displaced signage, and any damaged pavement.

12 In advertisements for the Rockland County performances of the Fair, please include references to public transportation options for reaching the Palisades Center Mall. The message should direct customers to call the Rockland Transit Information Center at (845) 364-3333 or go to [www.rocklandbus.com](http://www.rocklandbus.com). A link from the applicant's website to the transit information portion of the Rockland County website would also help to reduce the number of cars and might increase attendance. That link should be as follows: [rocklandgov.com/departments/public-transportation/](http://rocklandgov.com/departments/public-transportation/).

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- 13 Dates and times of performances must be provided to the Rockland County Department of Public Transportation (Michael D'Angelo, 364-3439, dangelom@co.rockland.ny.us) in advance. It is recommended that show times do not start or end during PM peak commuter travel times (5-7 PM).
- 14 Personnel must be provided to help pedestrians cross the ring road if the Home Depot parking lot is needed for overflow parking. The crossing staff must be present one hour before and after the performances for traffic control.
- 15 A pedestrian walkway must be designated through Lot J for safe access to the bus stop and fair for the commuters and patrons.
- 16 An operations contact person for the Fair (and their contact information) must be provided to the Rockland County Department of Public Transportation (Michael D'Angelo, 364-3439, dangelom@co.rockland.ny.us). This Fair Productions person must be on site in the event that any issues arise, so that the bus operators or the Rockland County Department of Public Transportation can contact someone immediately to resolve any issues.
- 17 A review shall be completed by the Rockland County Office of Fire and Emergency Services in regards to the proposed emergency evacuation plan and any concerns addressed.
- 18 Any fine and/or violation determined by the County of Rockland Department of Health during or after the event may preclude any event from occurring at the site in the future.
- 19 Animal and human waste shall be properly handled on the site and transported off of the site for disposal.
- 20 A review shall be completed by the Rockland County Department of Health as to the adequacy of the proposed sanitary facilities, the disposal of human sewage and animal waste, and the availability of drinking water. Any necessary permits shall be obtained.
- 21 As stated in the Clarkstown Code, the site shall be cleared of all debris and rubble within 72 hours after the closing of the Fair.
- 22 The use of the site shall comply with the performance standards for odor, noise and hours of operation so as not to disturb the surrounding uses.

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Supervisor Alex Gromack, Clarkstown  
New York State Department of Transportation  
New York State Thruway Authority  
Rockland County Drainage Agency  
Rockland County Department of Public Transportation  
Rockland County Department of Health  
Rockland County Office of Fire and Emergency Services  
  
Brian Schuman  
Palisades Mall Manager  
Tina Scala, Clarkstown Building Department  
Attention Pat McDonald, Town Attorney's Office  
Justin Sweet, Town Clerk

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Clarkstown Planning Board, Attention Joe Simoes

*\*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.*