COUNTY OF ROCKLAND

DEPARTMENT OF PLANNING

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EDWIN J. DAY
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DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

August 12, 2014

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 68.08-1-1B

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

Map Date: 7/11/2014 **Date Review Received:** 7/18/2014

Item: ***ANELLOTECH, INC. (O-905GGGGGG)***

Site plan for a proposed 2,254 sq. ft. addition to an existing building (Building #123) that will be used for research and development in an existing complex on 180.4 acres in the LI zoning district.
North side of NYS Route 304, west side of Middletown Road, east side of the railroad tracks

Reason for Referral:

NYS Route 304, S. Middletown Road (CR 33), W. Townline Road (CR 42), Muddy Creek, Town of Clarkstown

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

Recommend the following modifications

1 A review must be completed by the County of Rockland Department of Highways and all required permits obtained.

2 A review must be completed by the County of Rockland Drainage Agency and all required permits obtained.

3 A review shall be completed by the New York State Department of Transportation and any required permits obtained.

4 If the proposed Liquid N2 tank will contain 1,000 gallons or more, a review must be completed by the County of Rockland Department of Health and all required permits obtained. In addition, a listing of all proposed chemicals to be stored on site must be provided to them.

5 A listing of all chemicals to be stored on site must be provided to both the Rockland County Office of Fire and Emergency Services and the Pearl River Fire Department so that they can better serve the facility if an emergency were to arise.

ANELLOTECH, INC. (O-905GGGGGG)

6 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.

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

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
Rockland County Department of Highways
Rockland County Drainage Agency
Rockland County Department of Health
Rockland County Office of Fire and Emergency Services
Civil Tec Engineering & Surveying PC
Town of Clarkstown
Pearl River Fire Department

**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.