



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

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EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

November 21, 2014

ARLENE R. MILLER  
Deputy Commissioner

Orangetown Zoning Board of Appeals  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 68.08-1-1

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

**Map Date:** 9/7/2014

**Date Review Received:** 10/3/2014

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

Performance standards for a proposed 2,254 sq. ft. addition to an existing building (Building #123), that will be used as a for research and development facility to learn how to produce organic chemicals from sustainable and renewable biomass, 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***

After our initial review, it was brought to our attention that the Rockland County Department of Health only monitors storage tanks containing petroleum products. Since the storage of N2 is not within their purview, we have modified our previous review dated November 3, 2014, specifically modifying condition #5. Below is our amended recommendation:

- 1 As requested in the October 23, 2014 letter from the Town of Clarkstown Planning Board, a detailed narrative clarifying what would be emitted from the Anellotech facility, and how it will be treated, must be provided to them.
- 2 As indicated in the October 23, 2014 letter from the Rockland County Drainage Agency, an application must be submitted to them and all required permits obtained.
- 3 A review must be completed by the County of Rockland Department of Highways and all required permits obtained.

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- 4 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 5 The Rockland County Department of Health must be provided with a listing of all chemicals to be stored on site in the event that there are any hazardous spills on site.
- 6 The listing of chemicals to be stored on site must be provided to 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 occur.

  
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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 Department of Planning  
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.*