



# 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*

**Arlene R. Miller**  
*Deputy Commissioner*

May 23, 2016

Orangetown Planning Board  
21 Greenbush Road  
Orangeburg, NY 10962

**Tax Data:** 68.08-1-5

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

**Map Date:** 4/20/2016

**Date Review Received:** 4/22/2016

**Item:** *PFIZER, INC. - ADDITION TO EXISTING STRUCTURE #222 & #222A (O-905NNNNNN)*

Site plan for a proposed one-story, 4,008 sq. ft. addition to an existing 528,123 sq. ft. building located in the LI zoning district on 22.9 acres, in a research complex. This portion of the building will house a freezer module and associated mechanical space. A new sidewalk is proposed on the southern portion of the building, connecting this building to the building to the south. New piping lines for fire water, storm drainage, and liquid nitrogen will be installed.

North side of NYS Route 304, west side of N. Middletown Road

### Reason for Referral:

NYS Route 304, N. Middletown Road

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 As noted in the March 23, 2016 letter from the Rockland County Department of Highways, a work permit must be obtained prior to any construction on site.
- 2 An updated review shall be done by the New York State Department of Transportation, and all required permits obtained.
- 3 In a letter dated April 7, 2016 to the Orangetown Zoning Board of Appeals, the Town of Clarkstown requested some additional information regarding the project in order to make a proper recommendation. Specific information requested included what will be stored in the freezer, and the operation of the facility. The information requested by the Town of Clarkstown must be submitted to them for their review.

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4 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.

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

  
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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 Department of Health  
  
Donn McMullen, Stantec Consulting Services, Inc.  
Town of Clarkstown Planning Board

*\*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.*

*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.*