

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

April 25, 2016

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

Tax Data: 68.08-1-5

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

Map Date: 2/19/2016

Date Review Received: 3/30/2016

Item: *PFIZER INC. - HAMILTON BIOS PROJECT - BLD. 222 & 222A (O-905MMMMMM)*

Variances to permit a proposed one-story, 4008 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. Required variances include greater than permitted floor area ratio and maximum land coverage.

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

Reason for Referral:

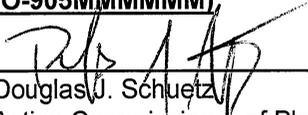
NYS Route 304, N. Middletown Road

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 A review must be completed by the County of Rockland Department of Highways and all required permits obtained.
- 2 A review shall be completed by the New York State Department of Transportation and any required permits obtained.
- 3 In a letter dated April 7, 2016 the Town of Clarkstown requested some additional information in order to make their recommendation. The applicant should provide the Town with this information.
- 4 To help to reduce the amount of land coverage, and to reduce the amount of stormwater runoff from the site, the applicant must incorporate pervious pavers into their design.

PFIZER INC. - HAMILTON BIOS PROJECT - BLD. 222 & 222A (O-905MMMMMM)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Andrew Stewart, Orangetown
New York State Department of Transportation
Rockland County Department of Highways

Stantec Consulting Services, Inc.
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.