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

June 11, 2018

Orangetown Planning Board
21 Greenbush Road
Orangeburg, NY 10962

Tax Data: 68.08-1-1

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 N
Map Date: 4/25/2018 **Date Review Received:** 5/11/2018

Item: ***PEARL RIVER CAMPUS INTERNAL COMMERCIAL SUBDIVISION - BLD B205 (O-905VVVVVV)***

Internal subdivision of Building B205, which is part of the Pearl River Campus (formerly Pfizer). The internal subdivision of the 125,652 sq. ft. building will be divided into two tenant spaces; a 3,596 sq. ft. space for Tenant 1, and the remaining 122,056 sq. ft. will be subdivided in the future. The building is located on a parcel that is within the LI zoning district and occupies a total of 180.4 acres.
West side of N. Middletown Road, north side of NYS Route 304

Reason for Referral:

N. Middletown Road (CR 33), NYS Route 304, 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 With regard to the proposed internal subdivision, since it will have no adverse impacts on any County-wide interests, this matter is remanded for local determination.

2 The tax parcel information listed in the application packet and Lead Agency notification is incorrect. The correct tax parcel is 68.08-1-1 and not 68.07-2-39. In addition, the tax parcel information is incorrect on the site plan for the internal subdivision. This information must be corrected. If the public hearing notice lists the wrong parcel, it must be corrected and re-issued.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
New York State Department of Transportation
Rockland County Drainage Agency

PEARL RIVER CAMPUS INTERNAL COMMERCIAL SUBDIVISION - BLD B205 (O-905VVVVVV)

Rockland County Department of Highways

Edward T. Gannon, P.L.S.
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.