



Rockland County

Ed Day, Rockland County Executive

DEPARTMENT OF PLANNING

Dr. Robert L. Yeager Health Center

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Pomona, New York 10970

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Douglas J. Schuetz
Acting Commissioner

Arlene R. Miller
Deputy Commissioner

November 15, 2019

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

Tax Data: 70.19-1-45

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

Map Date: 8/23/2019

Date Review Received: 10/31/2019

Item: *INSTRUMENTATION LABORATORY EXPANSION PERFORMANCE STANDARDS (O-1920F)*

Performance standards for the construction of a 23,304 SF addition to an existing 99,335 SF building located on 8.817 acres in the LO zoning district. The expansion will house warehousing, manufacturing, research and development, and office space.

Southwest corner of NYS Route 303 and Glenshaw Street

Reason for Referral:

NYS Route 303

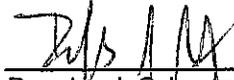
The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

**Recommend the following modifications*

- 1 By State Law, the applicant must register with the local fire inspector using Form 209U for the proposed chemical bulk storage materials.
- 2 Under SARA - Title 3, the applicant must register with the Rockland County Fire Training Center.
- 3 The applicant must obtain any necessary permits from the New York State Department of Environmental Conservation's Division of Air Resources for the proposed generator.
- 4 A review must be completed by the New York State Department of Transportation, any comments or concerns addressed, and all required permits obtained.

INSTRUMENTATION LABORATORY EXPANSION PERFORMANCE STANDARDS (O-1920F)

5 The site plan indicates the expansion to the existing building will be 23,304 SF. The Short Environmental Assessment Form states the expansion will be 52,000 SF. It must be clarified how large the expansion is to be.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Chris Day, Orangetown
New York State Department of Environmental Conservation
New York State Department of Transportation
Rockland County Office of Fire and Emergency Services
EI Associates Architecture & Engineers, PA

Donald Brenner

**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.