



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

Building T
Pomona, NY 10970
(845) 364-3434
Fax. (845) 364-3435

C. SCOTT VANDERHOEF
County Executive

THOMAS B. VANDERBEEK, P.E.
Commissioner

November 25, 2013

ARLENE R. MILLER
Deputy Commissioner

Wesley Hills Zoning Board of Appeals
432 Route 306
Wesley Hills, NY 10952

Tax Data: 41.14-1-63

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

Map Date: 10/2/2013

Date Review Received: 10/25/2013

Item: *MICHAEL ROZENBERG (Whi-131)*

Building height variance to allow the construction, maintenance and use of a single-family residence on .8079 acres in an R-35 zoning district.

East side of Martha Road, 300 feet north of Judith Lane

Reason for Referral:

Village of Montebello, Grandview Avenue (CR 80)

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:

***Approve**

Since the proposed variance will have no adverse impacts on any County-wide interests, this matter is remanded for local determination.

Thomas B. Vanderbeek, P.E.
Commissioner of Planning

cc: Mayor David Goldsmith, Wesley Hills
Rockland County Department of Highways
Anthony R. Celentano P.L.S.
Village of Montebello

Michael & Vivian Rozenberg

MICHAEL ROZENBERG (Whi-131)

**The proposed action is deemed to have no significant negative impact on nearby municipalities, County or State roads or facilities, County Parks or Drainage Systems or the surrounding Neighborhood Character and, therefore, the ACTION IS FOR LOCAL DETERMINATION. Approval does not necessarily mean we endorse this subject action as desirable from the viewpoint of your municipality.*

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.