



**COUNTY OF ROCKLAND**  
**DEPARTMENT OF PLANNING**

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

EDWIN J. DAY  
County Executive

DOUGLAS J. SCHUETZ  
Acting Commissioner

September 25, 2014

ARLENE R. MILLER  
Deputy Commissioner

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

**Tax Data:** 41.16-1-76

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

**Date Review Received:** 8/25/2014

**Map Date:** 8/21/2014

**Item:** *HOLZBERG RESIDENCE (Whi-134)*

Variations for front yard impervious surface ratio and maximum gradient to allow the continued maintenance and use of a second driveway for an existing single-family residence on .8081 acres in an R-35 zoning district.

South side of Skylark Drive, approximately 325 feet east of Ridgeway Terrace

**Reason for Referral:**

Village of New Hempstead, Grandview Avenue (CR 80), Town of Ramapo

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 If the Village requires remediation for the increase in impervious coverage, an application will need to be made to the Rockland County Department of Health for review of the stormwater management system for compliance with the County Mosquito Code.

  
\_\_\_\_\_  
Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills  
Rockland County Department of Highways  
Rockland County Department of Health  
Anthony R. Celenatano P.L.S.  
Village of New Hempstead, Town of Ramapo

Ronald Holzberg

**HOLZBERG RESIDENCE (Whi-134)**

*\*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.*