



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

Building T

Pomona, NY 10970

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**EDWIN J. DAY**  
County Executive

**DOUGLAS J. SCHUETZ**  
Acting Commissioner

February 27, 2015

**ARLENE R. MILLER**  
Deputy Commissioner

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

**Tax Data:** 41.07-1-31

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

**Map Date:** 11/6/2014

**Date Review Received:** 1/30/2015

**Item:** *DR. MIRIAM ARONOFF (WHI-128A)*

Variations for front yard (Route 306), rear yard, maximum building coverage and maximum building height to allow the construction, maintenance and use of a three-story addition to an existing single-family residence on .3632 acres in an R-35 zoning district.

Northeast corner of Pearl Drive and Route 306

**Reason for Referral:**

NYS Route 306, Lime Kiln Road (CR 84)

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 The applicant must comply with the conditions of the New York State Department of Transportation's letter of February 4, 2015.

2 Permitting development that does not comply with the applicable bulk standards can set an undesirable land use precedent and result in the overutilization of individual sites. The ability of the existing infrastructure to accommodate large residences on undersized parcels is a countywide concern and must be evaluated. This evaluation must consider whether local roads will become more congested and the sewer system, stormwater management systems and the public water supply will be overburdened. The Village must consider the cumulative and regional impacts of permitting such development.

**DR. MIRIAM ARONOFF (WHI-128A)**

  
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Douglas J. Schuetz  
Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills  
New York State Department of Transportation  
Rockland County Department of Highways  
Rockland County Department of Health  
Jay A. Greenwell, PLS, LLC

Dr. Miriam Aronoff

*\*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.*