# Rockland County

Ed Day, Rockland County Executive

**DEPARTMENT OF PLANNING**
Dr. Robert L. Yeager Health Center
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**Douglas J. Schuetz**
*Acting Commissioner*

**Arlene R. Miller**
*Deputy Commissioner*

October 13, 2016

Wesley Hills Village Board
432 Route 306
Wesley Hills, NY 10952

**Tax Data:**

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

**Date Review Received:** 9/12/2016

**Item:** ***VILLAGE OF WESLEY HILLS/WIRELESS COMMUNICATIONS MORATORIUM (Whi-143)***

Proposed Local Law to impose a temporary and limited moratorium on applications for Wireless Communication Services Facilities.
Throughout the Village of Wesley Hills

**Reason for Referral:**

State and County roads, parks, streams and facilities, and adjacent municipalities

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***

We concur with the Village's decision to impose a moratorium on applications for Wireless Communication Services Facilities while they review amendments concerning the consideration of such facilities. A six-month period is a reasonable initial time frame for the Village to complete its review of the proposed amendments, refer such amendments to the Planning Board for review and recommendation, conduct public hearings, consider public comments and decide upon the enactment of the proposed amendments to the Zoning Law.

Douglas J. Schuetz
Acting Commissioner of Planning

cc: Mayor Marshall Katz, Wesley Hills
New York State Department of Transportation
Rockland County Department of Highways
Palisades Interstate Park Commission
Rockland County Drainage Agency

Towns of Haverstraw and Ramapo

## VILLAGE OF WESLEY HILLS/WIRELESS COMMUNICATIONS MORATORIUM (Whi-143)

Villages of Pomona, New Hempstead and Montebello

Camille Guido-Downey, Village Clerk

**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.*

*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.*