

Andrew J. Spano
County Executive

Department of Health

Joshua Lipsman, M.D., J.D., M.P.H.
Commissioner

May 13, 2008

Mr. Ray Tartaglione
101 Westmoreland Avenue
White Plains, NY 10606

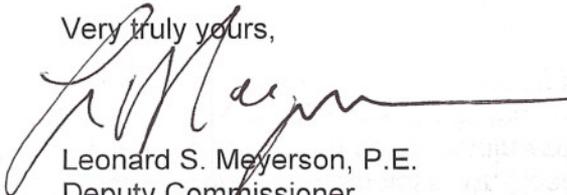
Re: Hen Island
Rye, New York

Dear Mr. Tartaglione:

Please accept this letter in response to your letter dated March 26, 2008 and received by this office on March 31, 2008. You indicate in your letter that mis-representations have been made to the Department of Health ("DOH") with respect to the work to be performed on Mr. Ederer's cottage on Hen Island. However, please note that the local building department is not required to have health department approval on file in order to issue a building permit for a building reconstruction. Nonetheless, Mr. Ederer had approached this Department at the direction of the local building department to obtain written correspondence confirming that this Department would not have any objection to the cottage being rebuilt in-kind. To the extent that your letter indicates that the cottage is not being rebuilt in-kind, DOH relies upon the local building department to advise when such a discrepancy exists. It is not the practice of DOH to become involved in a dispute between neighbors unless the local building department advises DOH that the information submitted to DOH was inaccurate.

Based on the information provided by Mr. Ederer to be submitted to the building department for their consideration, this Department issued a letter of no objection. It is the building department's prerogative to verify that the information provided as the basis of our no objection letter is accurate or to contest the information. To date, this office has not received any indication from the local building department that the information that Mr. Ederer provided to the DOH was misleading or inaccurate. Until the local building department advises DOH that the information was incorrect, there is no basis to revisit this office's letter of no objection.

Very truly yours,



Leonard S. Meyerson, P.E.
Deputy Commissioner
Division of Environmental Health

cc: Vince Tamburro, Building Department, City of Rye
Gary Ederer