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October 13, 2021 10/15/21

* Also admitted in DC
* Also admitted in CT

Hon. Loretta Taylor
Chairperson of the Town of Cortlandt Planning Board
and Members of the Planning Board
Town of Cortlandt Town Hall
One Heady Street
Cortlandt Manor, New York 10567

Re: Yeshiva Ohr Hameir (the "Yeshiva")
141 Furnace Woods Road; Cortlandt Manor, NY 10567
Planning Board Resolution Nos. 01-10, 18-12 & 5-16, 4-19

Dear Chairperson Taylor and Members of the Planning Board:

By this letter, the Yeshiva respectfully requests the renewal of the Special Permit granted by the Board pursuant to Resolution No. 01-10, adopted January 13, 2010, and renewed by the Board most recently pursuant to Resolution No. 4-19, which was adopted on February 5, 2019. This letter report is also submitted pursuant to Condition No. 2 of your Board's Resolution No. 4-19, which renewed the Yeshiva's Special Permit.

First, with respect to the Yeshiva's Special Permit renewal request, the Yeshiva continues to work with, and is in regular contact with, the Town of Cortlandt Department of Technical Services ("DTS") and the Westchester County Department of Health ("DOH") on the construction of a sewer main that would be able to serve the Yeshiva and the creation of a Furnace Woods Sewer District. The Yeshiva understands that, to this end, the DTS has provided DOH with revised plans for the sewer main pursuant to DOH's comments, and that the DTS anticipates that DOH will complete its review this month. The Yeshiva further understands that the Town will be able to complete bid documents and place the sewer project out for bid no later than November 2021, and that the Town anticipates that construction on the sewer project can commence in the Spring of 2022. The Yeshiva stands ready to connect to such sewer main as soon as possible.

As your Board knows, a Special Permit renewal process like the instant application is a Type II action under the State Environmental Quality Review Act. See 6 N.Y.C.R.R. § 617.5(c)(26); see also Atlantic Cement Co., Inc. v. Williams, 129 A.D.2d 84, 516 N.Y.S.2d 523,

525 (3d Dept. 1987) (“Where the Court held that “in the absence of a material change in conditions or evidence of a violation of the terms of the permit, a renewal should be granted without unduly burdening the applicant.”). Here, the use of the Yeshiva property and the on-site improvements remain the same. As such, issuance of a Special Permit renewal is lawful and appropriate.

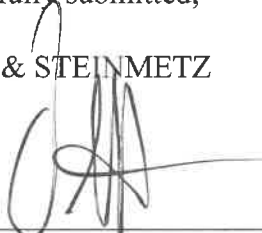
With respect to Condition No. 2 of your Board’s Resolution No. 5-16, we are unaware of any other issues or outstanding code violations, substantial or otherwise.

We look forward to appearing before your Board at its December Meeting to answer any questions you may have regarding the Yeshiva’s request. In the interim, as always, please do not hesitate to contact us with any questions or comments.

Respectfully submitted,

ZARIN & STEINMETZ

By: _____


David S. Steinmetz
Daniel M. Richmond

DSS/mth
encs.

cc: Rabbi Elya Kanarek
Yaakov Rothberg
Yeshiva Ohr Hameir
David Wald
Dan Ciarcia, P.E.
Michael Preziosi, PE
Chris Kehoe, AICP
Thomas Wood, Esq.