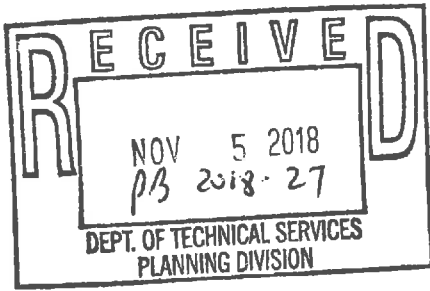


### **Right to Know/FOIL**

Information contained herein is compiled and made available for informational purposes only. While every effort has been made to provide correct and timely information neither the Town nor its employees or agents assume any legal liability or responsibility for the accuracy, scope or timeliness of its content. The Town reserves the right to alter or remove any material or information posted or contained on this website without notice. The DRAFT Resolutions and documentation herein are for the convenience of the Board and should not be construed as an indication as to how the Board will vote. The Resolutions are only proposed and do not become final until approved by a majority of the Board.



Copies ..... 1 Planning Board

..... Town Board

..... Zoning Board

..... Legal Dept.

..... DOTS Director

..... C.A.C.

..... A.P.C.

..... Applicant

.....

.....

November 2, 2018

Sent 11/21/18

- Matthew J. Acocella
- Michael H. Bauscher
- Katelyn E. Ciolino
- David J. Cooper
- Jody T. Cross
- Marsha Rubin Goldstein
- Helen Collier Mauch
- Zachary R. Mintz
- Erik P. Pramschufel
- Daniel M. Richmond
- Kate Roberts
- Brad K. Schwartz
- Lisa F. Smith
- David S. Steinmetz
- Edward P. Teyber
- Michael D. Zarin

- Also admitted in DC
- Also admitted in CT
- Also admitted in NJ
- Also admitted in MD

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**

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. 5-16, which was on February 2, 2016. This letter report is also submitted pursuant to Condition No. 2 of your Board's Resolution No. 5-16, 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 Department of Technical Services and the Westchester County Department of Health to find a viable sewer connection for its facility. To this end, it has secured a commitment for a \$1,000,000.00 grant from New York State with the assistance of State Senator Terrence Murphy. The Yeshiva remain optimistic that its persistent efforts to resolve this issue will bear fruit in the near future, and the Yeshiva stands ready to implement this long-awaited project as soon as it gets all required approvals for a sewer connection.

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."). While the precise location of the offsite sewer

connection still must be finalized, the "use" of the 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

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

**CIARCIA ENGINEERING, P.C.**

360 Underhill Avenue • Yorktown Heights • New York 10598 (914) 245-0123 Fax (914) 245-5670

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

November 16, 2018



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

Dear Chairperson Taylor and Members of the Planning Board:

As you are aware, the Yeshiva is seeking a renewal of the special use permit granted by the Planning Board in 2010. In order to process this request, we are providing the Board with the following materials:

1. Application fee in the form of Zarin & Steinmetz check # 23874 in the amount of \$500.
2. Ten (10) sets of plans consisting of the following sheets:
  - a. Site Plan New Dormitory Addition Prepared for Yeshiva Ohr Hameir dated February 21, 2012, last revised June 19, 2014 (Sheet 1 of 3).
  - b. Details New Dormitory Addition Prepared for Yeshiva Ohr Hameir dated July 16, 2012, last revised January 27, 2014 (Sheet 2 of 3).
  - c. Details New Dormitory Addition Prepared for Yeshiva Ohr Hameir dated July 16, 2012, last revised January 27, 2014 (Sheet 3 of 3).

Should you have any questions or require additional information, please call.

Sincerely,

Daniel A. Ciarcia

DAC: mc

- cc: Rabbi Elya Kanarek
- Yaakov Rothberg
- David S. Steinmetz, Esq.
- Daniel M. Richmond, Esq.
- David Wald

1

Copies ..... Planning Board  
 ..... Town Board  
 ..... Zoning Board  
 ..... Legal Dept.  
 ..... DOTS Director  
 ..... C.A.C.  
 ..... A.R.C.  
 ..... Applicant  
 ..... \_\_\_\_\_  
 ..... \_\_\_\_\_  
 Sent 11/16/18



**TOWN OF CORTLANDT**  
**DEPARTMENT OF TECHNICAL SERVICES**  
**CODE ENFORCEMENT DIVISION**

**Michael Preziosi, P.E.**  
 Director – D.O.T.S

**Martin G. Rogers, P.E.**  
 Director of Code Enforcement/D.O.T.S.

**Ken Hoch**  
 Assistant to the Director/D.O.T.S.

Town Hall, 1 Heady Street  
 Cortlandt Manor, NY 10567  
 Main #: 914-734-1010  
 Fax #: 914-293-0991

**Town Supervisor**  
 Linda D. Puglisi

**Town Board**  
 Richard Becker  
 Debra A. Costello  
 James F. Creighton  
 Francis X. Farrell

Oct. 17, 2018

To: Chris Kehoe

From: Ken Hoch

Re: Congregation Yeshivath  
 141 Furnace Woods Road  
 44.12-1-3



There have been no complaints on the above property for the period Oct. 15, 2017 to Oct. 15, 2018.

- Copies ..... <sup>1</sup> Planning Board
- ..... Town Board
- ..... Zoning Board
- ..... Legal Dept.
- ..... Dept. of Public Works
- ..... C.A.C.
- ..... A.C.C.
- ..... Applicant
- ..... \_\_\_\_\_
- ..... \_\_\_\_\_
- Date 11/21/18