

### Project Description:

The installation of a 6-foot-tall fence around my pool at 23 Klingher Court, Pomona, NY, already erected to ensure safety within the pool area.

I am writing to formally request a variance for a 6-foot-tall fence that has been constructed around the pool at 23 Klingher Court. The primary purpose of installing this fence was to ensure the safety and security of the pool area. Regrettably, we became aware of an oversight regarding the Pomona building code, which mandates a maximum height of 4 feet for fences in the front of a property, only after the fence had already been erected.

The 6-foot-tall fence was a deliberate safety measure, crucial for the security of the neighborhood. As it surrounds a pool area, its height was specifically chosen to prevent unauthorized access and to ensure the safety of children, pets, and visitors. The proximity of 23 Klingher Court to a street with varying topography further underscores the necessity of this fence. A 4-foot fence, as stipulated by the code, would unfortunately be inadequate in providing the necessary safety measures required for such a property.

### Previous Zoning Board Decisions:

I would like to draw attention to a precedent set by the Zoning Board of Pomona. At 11 Galileo Court, a similar request for a variance was granted in the past for a fence exceeding the standard height. This decision acknowledged the unique circumstances and safety considerations surrounding properties with pools.

### Minimal Impact on Surroundings

23 Klingher Court is the last property on this side of the street. The 6-foot-tall fence, already in place, poses no hindrance to anyone and does not disrupt the visual harmony of the neighborhood.

### Conclusion:

In light of the above, I respectfully request the Zoning Board of Pomona to grant a variance to permit the 6-foot-tall fence at 23 Klingher Court to remain as it is. The safety and security of the neighborhood, particularly concerning properties with pools, must be given utmost consideration. The precedent set by the board in past decisions further supports this request.



Joe Gutman &lt;joegutman1@gmail.com&gt;

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**permit fee**

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**Louis Zummo** <Louis.Zummo@pomonavillage.com>

Fri, Sep 8, 2023 at 8:53 AM

To: Joe Gutman &lt;joegutman1@gmail.com&gt;, sharon.brigando@pomonavillage.com

Mr. Gutman,

I apologize for not getting back to you immediately, I am part time and only work three days a week in the morning. The issue I have with closing out the pool permit is the location of the fence that was installed around the pool. The permit for a pool requires a fence by state code, no fence was drawn on the approved drawings. The pool was positioned so it was located in the side yard, The fence should have stayed closer to the front line of the house. Where the fence is now and based on the height, you are in violation of a Pomona zoning code: 130-16 (L) 1 –

*1) Except as provided in Subsection Q below, such fences or walls shall not exceed four feet in height if located in a front yard and six feet in height in any other yard, except that such fences or walls shall not exceed six feet in height if located in a front yard abutting a state road. The Code Enforcement Officer may, where necessary for safety, require the addition to a retaining wall of a motor vehicle bumper guard or fence.*

There are several ways to remediate this issue, one would be to relocate the fence. Another would be to apply to the ZBA for a variance on the height and location of the fence. I suggest you contact the professionals that installed the fence in that location and investigate your options. Please let me know once you make a decision .

Best Regards,

**Louis M. Zummo****Building Inspector II**

Village of Pomona NY

100 Ladentown Rd

Pomona, NY 10970

Louis.zummo@pomonavillage.com

[Quoted text hidden]

# APPLICATION REVIEW FORM

## PART I

Name of Municipality village of Pomona, NY Date 2/18/2024

*Please check all that apply:*

<input type="checkbox"/> Planning Board	<input type="checkbox"/> Municipal Board
<input checked="" type="checkbox"/> Zoning Board of Appeals* <i>(*Fill out Parts I &amp; II of this form)</i>	<input type="checkbox"/> Historical Board
	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Subdivision # of Lots	<input type="checkbox"/> Pre-preliminary/Sketch
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Final
<input type="checkbox"/> Conditional Use	
<input type="checkbox"/> Zoning Code Amendment	
<input type="checkbox"/> Zone Change	
<input checked="" type="checkbox"/> Variance	

Project Name: 23 Klingher Court, Fence around pool

Tax Map Designation:

Section 24.12 Block 2 Lot(s) 21  
Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Location: On the west side of Klingher court,  
100 feet west of Cornell Peak in the  
town/village of village pomona, NY

Street Address: 23 Klingher Court Pomona, NY 10970

Acreage of Parcel 3.94 Zoning District R-40

School District East Ramapo Postal District Pomona

Fire District Hillcrest - Moleston Ambulance District Haverstraw

Water District Veolia Sewer District NA

Project Description: *(If additional space required, please attach a narrative summary.)*

Fence to enclose swimming pool. Request to allow fence to be 6 feet  
instead of 4 feet for safety and privacy concerns.

## APPLICATION REVIEW FORM

**If subdivision:**

- 1) Is any variance from the subdivision regulations required? NO
- 2) Is any open space being offered? NO If so, what amount? \_\_\_\_\_
- 3) Is this a standard or average density subdivision? yes

**If site plan:**

- 1) Existing square footage NA
- 2) Total square footage NA
- 3) Number of dwelling units NA

**If special permit**, list special permit use and what the property will be used for.

NA

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**Environmental Constraints:**

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area. NO

Are there streams on the site? If yes, please provide the names. NO

Are there wetlands on the site? If yes, please provide the names and type NO

**Project History:** Has this project ever been reviewed before? Yes

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

\_\_\_\_\_  
v v

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

NONE

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# APPLICATION REVIEW FORM

## Contact Information:

Applicant: Joseph Gutman Phone # 203-725-1692

Address 23 Klingher Court Pomona, NY 10970  
Street Name & Number (Post Office) State Zip code

Property Owner: Joseph Gutman Phone # 203-725-1692

Address 23 Klingher Court Pomona, NY 10970  
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Atzl, Nasher & ziglet Phone # 845-634-4694

Address 234 N Main St, New City, NY 10956  
Street Name & Number (Post Office) State Zip code

Attorney: n/a Phone # \_\_\_\_\_

Address \_\_\_\_\_  
Street Name & Number (Post Office) State Zip code

Contact Person: Joseph Gutman Phone # 203-725-1692

Address 23 Klingher Court Pomona, NY 10970  
Street Name & Number (Post Office) State Zip code

## General Municipal Law Review:

This property is within 500 feet of:  
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> State or County Road | <input type="checkbox"/> State or County Park |
| <input type="checkbox"/> Long Path                       | <input type="checkbox"/> County Stream        |
| <input checked="" type="checkbox"/> Municipal Boundary   | <input type="checkbox"/> County Facility      |

List name(s) of facility checked above. County Rd  
Town of Haverstraw

**Referral Agencies:** (Please make sure that the appropriate agencies as needed received copies of your application and plans for their review.)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> RC Highway Department                           | <input type="checkbox"/> RC Division of Environmental Resources  |
| <input checked="" type="checkbox"/> RC Drainage Agency                              | <input type="checkbox"/> RC Dept. of Health                      |
| <input type="checkbox"/> NYS Dept. of Transportation                                | <input type="checkbox"/> NYS Dept. of Environmental Conservation |
| <input type="checkbox"/> NYS Thruway Authority                                      | <input type="checkbox"/> Palisades Interstate Park Comm.         |
| <input checked="" type="checkbox"/> Adjacent Municipality <u>Town of Haverstraw</u> |  |
| <input type="checkbox"/> Other _____  |  |

\*\*All applicants must send copies of their applications and plans to:  
Orange and Rockland, Regional manager, 75 West Route 59, Spring Valley, NY 10997.



## APPLICATION REVIEW FORM

C. To the extent that the same is known to your applicant, and to the owner of the subject premises **there is disclosed herewith** the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of Pomona in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee NONE
- b. Nature of interest NONE
- c. If stockholder, number of shares NONE
- d. If officer or partner, nature of office and name of partnership NONE
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. NONE
- f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of NONE.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

**4. Reimbursement for Professional Consulting Services.** I understand that the Town/Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village and each such consultant for the cost of such consultant services upon receipt of the bill.



# APPLICATION REVIEW FORM

**5. Application Fee(s)**

I, Joseph Gutman, have paid to the Town/Village Clerk and/or Treasurer, the required fee for this application. (The fee is subject to the Schedule of Fees of the municipality). I shall review a copy of the zoning Local Law and Land Development Regulations, and be ready and prepared to review this application when scheduled. The Municipal Board, Planning Board, or Zoning Board of Appeals in the review of any application described above, may refer the subject application to an engineering, planning, environmental, or other technical consultant as such Board shall deem reasonably necessary to enable it to review the application as required by law.

*\*\*The following paragraph is optional to add if your municipality establishes escrow accounts:*

(I agree to establish an escrow account with the Town/Village of Pomona from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Town/Village. Any additional sums needed to pay the Town's/Village's consultants shall be paid prior to final action on the application. The Town/Village may suspend processing of the application if there is a deficiency in the escrow account. Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Town/Village.)

Applicant's Signature

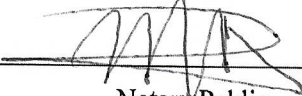


Print Applicant's Name

Joseph Gutman

SWORN to before me this

29 day of February, 2024

  
\_\_\_\_\_  
Notary Public



I have received from \_\_\_\_\_ the sum of \_\_\_\_\_ on this date

\_\_\_\_\_.

Reviewed by the \_\_\_\_\_ on \_\_\_\_\_  
Municipal Clerk/Treasurer

Action Taken: \_\_\_\_\_

APPLICATION REVIEW FORM

Affidavit of Ownership/Owner's Consent

State of New York)
County of Rockland) SS.:
Town/Village of Pomona )

I, Joseph Gutman being duly sworn, hereby
depose and say that I reside at: 23 Klingher Court Pomona, NY 10970

in the county of Rockland in the state of New York

I am the (\* ) owner in fee simple of premises located at:
23 Klingher Court Pomona, NY 10970

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber of conveyances, page or as Instrument ID # 2022-00000508

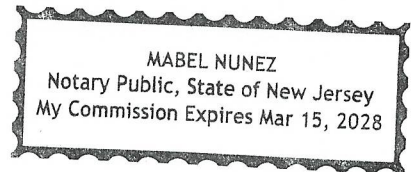
Said premises have been in my/its possession since 2021. Said premises are also
known and designated on the Town of Pomona Tax Map as:
section 24.12 block 2 lot(s) 21

I hereby authorize the within application on my behalf, and that the statements of fact
contained in said application are true, and agree to be bound by the determination of the
board.

Owner
Mailing Address
J. M.
23 Klingher Ct
Pomona, NY 10972

SWORN to before this
29th day of February, 2024

[Signature]
Notary Public



\* If owner is a corporation or LLC, fill in the office held by deponent and name of
corporation or LLC, and provide a list of all directors, officers, and stockholders
owning more than 5% of any class of stock and all members having greater than 5%
beneficial interest.



12 Klingher LLC  
21 Cornell Peak  
Pomona, NY 10970

18 Klingher LLC  
11 Old Rte 202  
Pomona, NY 10970

Hershy Beck  
22 Klingher Ct  
Pomona, NY 10970

Eliyohu Braun  
Charna Braun  
17 Klingher Ct  
Pomona, NY 10970

Mordchay Breuer  
26 Cornell Peak  
Pomona, NY 10970

Briarwoods Farm Inc  
5 Eastview Rd  
Monsey, NY 10952

Briarwoods Farm Inc  
5 Eastview Rd  
Monsey, NY 10952

Yonaton Englard  
Sara Englard  
7 Cornell Peak  
Pomona, NY 10970

Yoel Felberbaum  
20 Klingher Ct  
Pomona, NY 10970

Moshe Greenberg  
Trana Greenberg  
18 Cornell Peak  
Pomona, NY 10970

Neil Herskowitz  
Daphne Hersowitz  
27 Klingher Ct  
Pomona, NY 10970

Indig Family Irrev.Trust  
Toby Indig -Trustee  
19 Klingher Ct  
Pomona, NY 10970

Meir Y. Kohn  
Rachelle Kohn  
21 Cornell Peak  
Pomona, NY 10970

Chaim Mermelstein  
11 Cornell Peak  
Pomona, NY 10970

Yitzchak Moeller  
Caryn Moeller  
20 Cornell Peak  
Pomona, NY 10970

Eli Raksin  
22 Cornell Peak  
Pomona, NY 10970

Naftali D. Rosenberg  
Erica Rosenberg  
14 Klingher Ct  
Pomona, NY 10970

Mayer Schiller  
Mindy Schiller  
9 Cornell Peak  
Pomona, NY 10970

Daniel Sheinfil  
Laureen Sheinfil  
21 Klingher Ct  
Pomona, NY 10970

Gabreal Shimunov  
15 Cornell Peak  
Pomona, NY 10970

Sheldon Streicher  
Naomi Streicher  
15 Klingher Ct  
Pomona, NY 10970

Yehuda Zvi Surkis  
24 Cornell Peak  
Pomona, NY 10970

Nochum C. Wilner  
Esty Wilner  
17 Cornell Peak  
Pomona, NY 10970

Ann Zeilingold  
19 Cornell Peak  
Pomona, NY 10970

121 Call Hollow LLC  
1609 Route 202 F12  
Pomona, NY 10970

93 Call Hollow LLC  
c/o Julian Schulman  
PO BOX 343  
Pomona, NY 10970

Charles A. Izzo Jr..  
Laura Ann Izzo  
3 Shale Ln  
Campbell Hall, NY 10916

Krucker's Realty Corp.  
77 Call Hollow Rd  
Pomona, NY 10970



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77 Call Hollow Rd  
Pomona, NY 10970

Krucker's Realty Corp.  
77 Call Hollow Rd  
Pomona, NY 10970

Patrick O' Carroll  
Donna O' Carroll  
91 Call Hollow Rd  
Pomona, NY 10970

Elwood Reynolds  
Patricia Reynolds  
119 Call Hollow Rd  
Pomona, NY 10970

Felix Santana  
117 Call Hollow Rd  
Pomona, NY 10970

The Jewish Community Center  
in Manhattan, Inc.  
334 Amsterdam Ave  
New York, NY 10023

# APPLICATION REVIEW FORM

## PART II\*

### Application before the Zoning Board of Appeals

Application, petition, or request is hereby submitted for:

- Area Variance from the requirement of Section 130-16 (L) 1 \_\_\_\_\_;
- Use Variance from the requirement of Section \_\_\_\_\_;
- Special permit per the requirements of Section \_\_\_\_\_;
- Review of an administrative decision of the Building Inspector;
- An order to issue a Certificate of Occupancy;
- An order to issue a Building Permit;
- An interpretation of the Zoning Ordinance or Map;
- Certification of an existing non-conforming structure or use;
- Other (*explain*) \_\_\_\_\_;

To permit construction, maintenance and use of fence to enclose pool to the height of 6 feet

#### Previous Appeal:

- a. A previous appeal  has, or  has not, been made with respect to this property.
- b. Such appeal was in the form of:
  - An AREA Variance; or
  - A USE Variance; or
  - Appeal from decision of Town Official or Officer; or
  - Interpretation of the Zoning Ordinance or Map; or
  - Other
- c. The previous appeal described above was appeal number \_\_\_\_\_,  
dated \_\_\_\_\_ and was \_\_\_\_\_ (Granted/Denied).

**TO ALL APPLICANTS:** Complete all relevant information by the section or sections pertaining to your appeal ONLY. You may also include extra pages to supplement this form with a narrative explanation. At the time of the hearing, you must present written documentation in support of all the statements made in this application. You must also substantiate all financial information supplied.

## APPLICATION REVIEW FORM

**A. AREA VARIANCE** *(This section to be completed only for an AREA variance. Use additional pages, if needed.)*

This application seeks a variance from the provisions of Article 130-,  
 Section(s) 16 (L) 1. Specifically, the applicant seeks a variance  
 from the requirements from:

Dimension*	Column	Required	Provided
front- side yard to allow a fence greater than 4 feet up to height of 4 feet			

*\*e.g., front yard, side setback, FAR, etc.*

1. Is the requested variance the minimum necessary to relieve the practical difficulty or economic injury? Yes

**Describe:** for the safety of everyone living around us it would be better to have a taller fence due to the varied topography of the land

2. Is the variance substantial in relation to the zoning code? no

**Explain:** its a minor height adjustment

3. Will a substantial change be produced in the character of the neighborhood, or a substantial detriment to adjoining property owners be created, if this variance is granted? no

**Explain:** its on a side without ant neighbors

4. Can the alleged practical difficulty or economic injury be overcome by some method other than a variance? no

**Explain:** for the safety of everyone living around us it would be better to have a taller fence. The minimum needed is 6 feet

## APPLICATION REVIEW FORM

5. Will the granting of this variance affect the health, safety, or welfare of the neighborhood or community? no

Explain: By granting my request it will make it safer

6. Will there be any affect on governmental facilities or services if this variance is granted? no

Describe: no government services are involved with this

7. Other factors I/we wish the Board to consider in this case are

The fence is already built. The owner was unaware of the height restriction

it is necessary for the safety of all, to leave it as is.

**B. USE VARIANCE** *(This section to be completed only for a USE variance. Use additional pages, if needed.)*

1. This property cannot be used for any uses currently permitted in this zone because:

We are not changing the use

2. The problem with this property is due to unique circumstances and not to the general conditions of the neighborhood in that:

We are not changing the use

3. The use requested by this variance will not alter the essential character of the neighborhood in that:

We are not changing the use

4. The amount paid for the entire parcel was: 900,000

5. The date of purchase of the property was: 12/28/2021

6. The present value of the entire property is: 1,000,000

7. The monthly expenses attributed to normal and usual maintenance of the property are: NA

8. The annual taxes on the property are: 2166.52



APPLICATION REVIEW FORM

9. The current income from the property is: 0

10. The amount of mortgages and other encumbrances on the property in question is:

- a. Date of mortgage: 12/28/2021
b. Scheduled maturity (payoff) date: 12/1/2051
c. Present monthly payment amount: 4292.58
d. Current principal balance: 817,000
e. Current interest rate: 3.37

11. Other factors I/we wish the Board to consider in this case are:

The cost of taken down the fence and redoing it will be more than the whole inintial project. This will create a financial hardship as well as saftly issues for the neighbors

C. APPEAL OF DECISION OF BUILDING INSPECTOR (This section to be completed for an appeal, only. Use additional pages, if needed.)

1. Name and position of official making the decision:

NA

2. Nature of decision:

NA

3. The decision described above is hereby appealed because:

NA

D. INTERPRETATION OF ZONING CODE (This section to be completed for an interpretation, only. Use additional pages, if needed.)

1. Section(s) to be interpreted: NA

2. An interpretation of the Zoning Code is requested because:

NA

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Joseph Gutman			
Name of Action or Project: 23 Klingher Court, Fence around pool			
Project Location (describe, and attach a location map): 23 Klingher Court Pomona, NY 10970			
Brief Description of Proposed Action: Set height of fence at 6 feet			
Name of Applicant or Sponsor: Joseph Gutman		Telephone: 203-725-1692	
		E-Mail: joegutman1@gmail.com	
Address: 23 Klingher court			
City/PO: pomona		State: NY	Zip Code: 10970
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.05	acres
b. Total acreage to be physically disturbed?		.050	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.940	acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline    Forest    Agricultural/grasslands    Early mid-successional  
 Wetland    Urban    Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. Is the project site located in the 100-year flood plan?

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

17. Will the proposed action create storm water discharge, either from point or non-point sources?  
If Yes,

a. Will storm water discharges flow to adjacent properties?

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?  
If Yes, briefly describe:

	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?  
If Yes, explain the purpose and size of the impoundment:

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>


19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?  
If Yes, describe:

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?  
If Yes, describe:

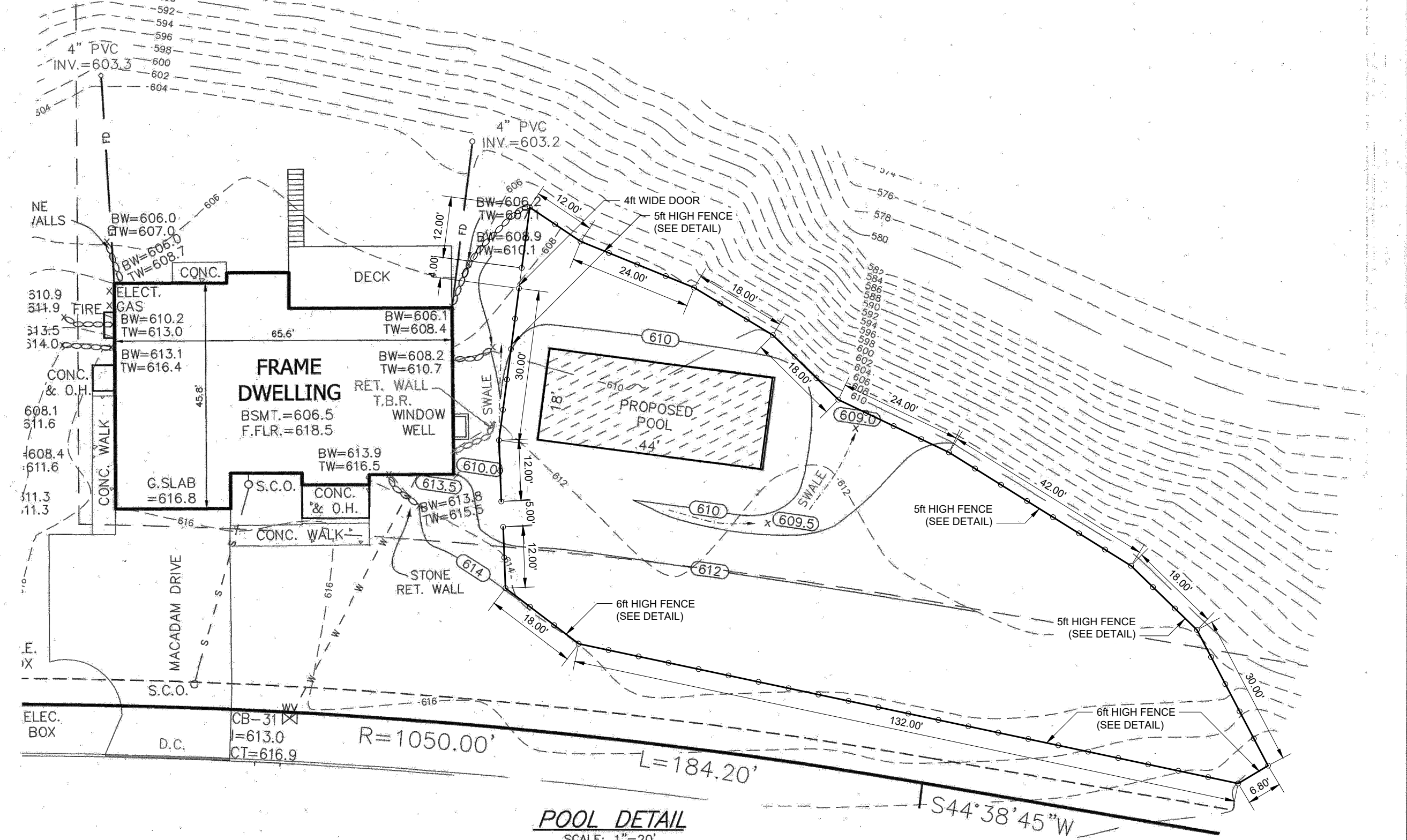
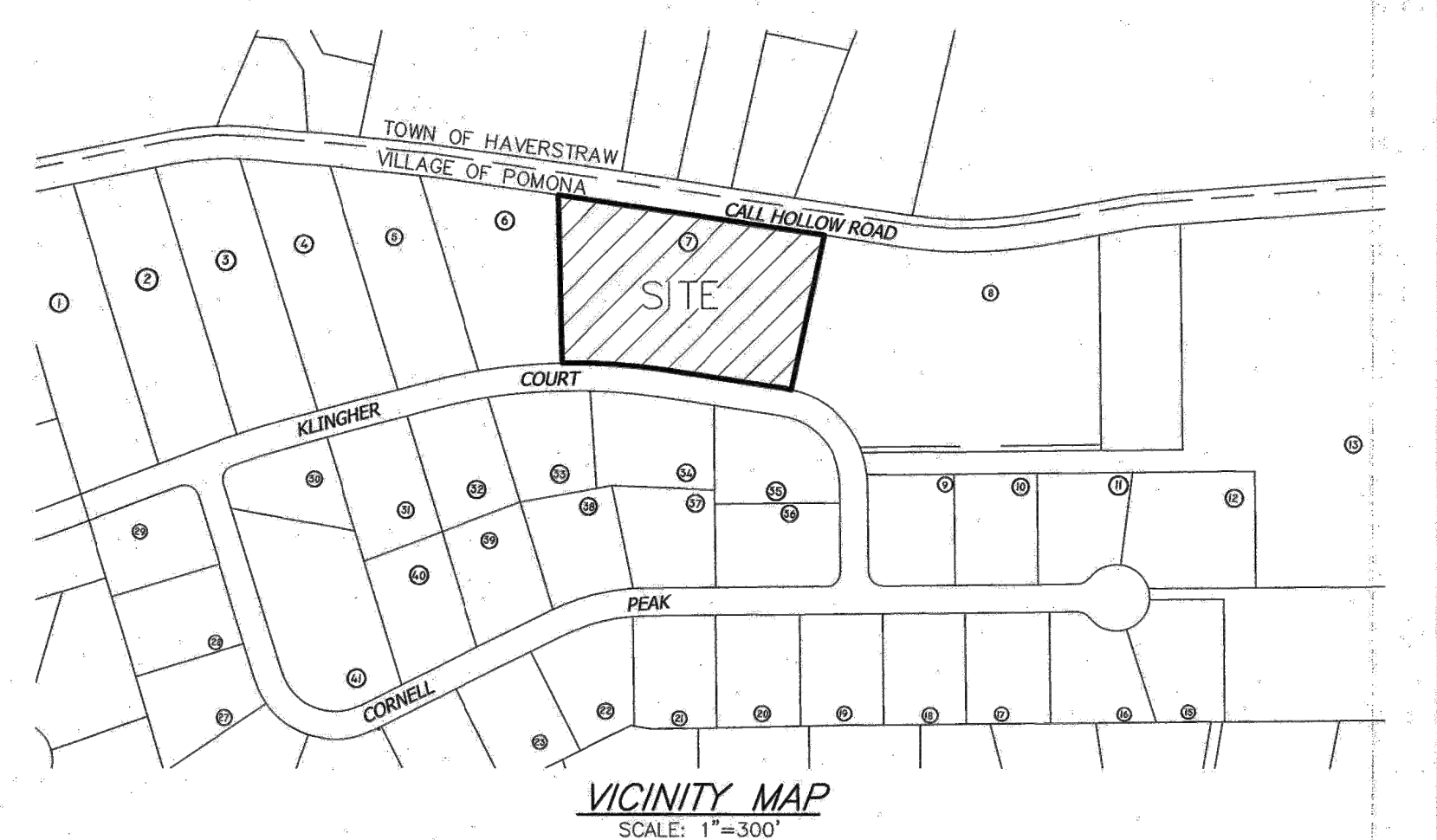
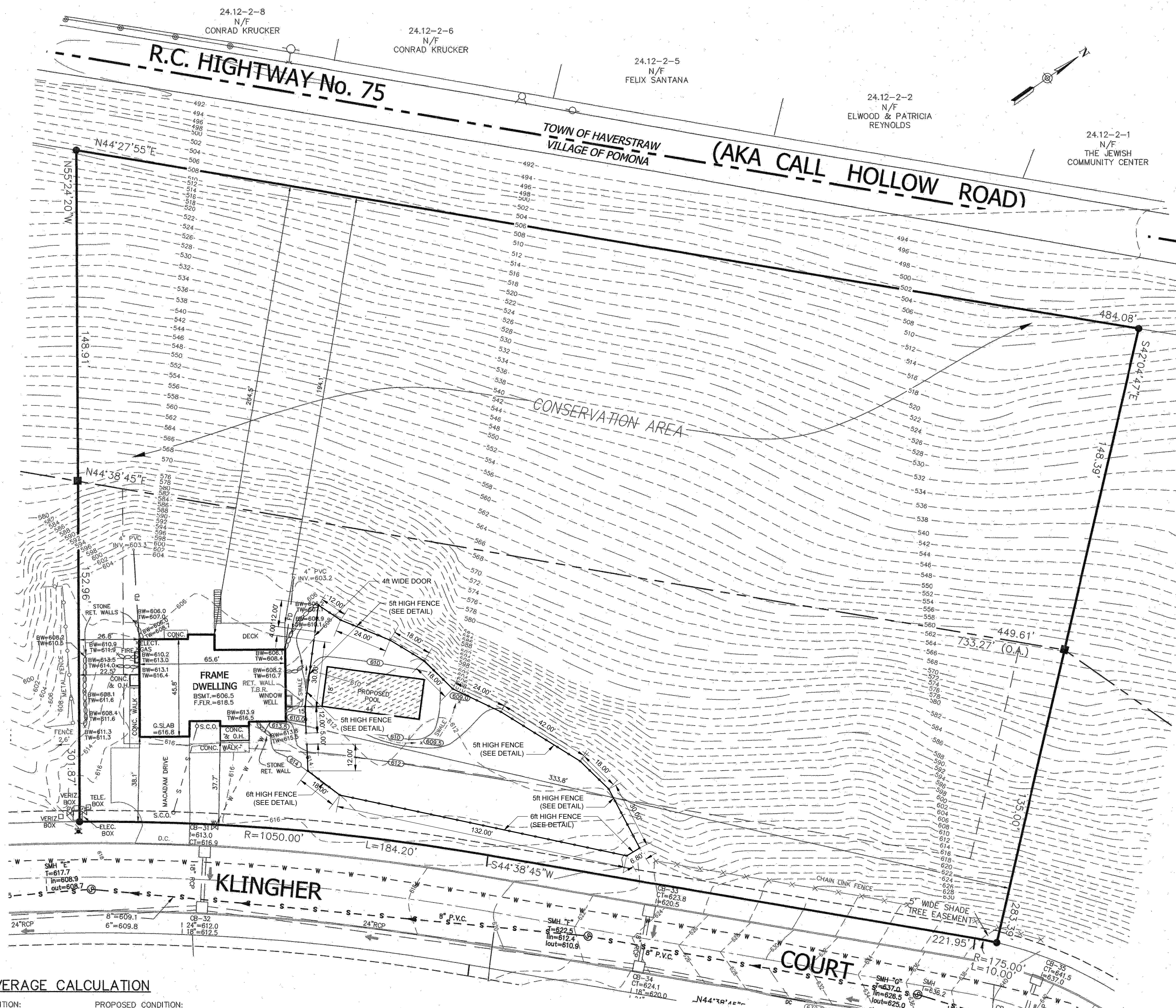
	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Joseph Gutman Date: 2/18/2024  
Signature:  Title: owner

**PRINT FORM**





**LOT COVERAGE CALCULATION**

EXISTING CONDITION:	PROPOSED CONDITION:
DWELLING 2,487 SQ.FT.	DWELLING 2,487 SQ.FT.
CONC. 376 SQ.FT.	CONC. 376 SQ.FT.
WALL 138 SQ.FT.	WALL 114 SQ.FT.
MACADAM DRIVE 1,183 SQ.FT.	MACADAM DRIVE 1,183 SQ.FT.
POOL DECK N/A	POOL DECK 792 SQ.FT.
	POOL DECK 624 SQ.FT.
<b>TOTAL: 4,190 SQ.FT.</b>	<b>TOTAL: 5,586 SQ.FT.</b>

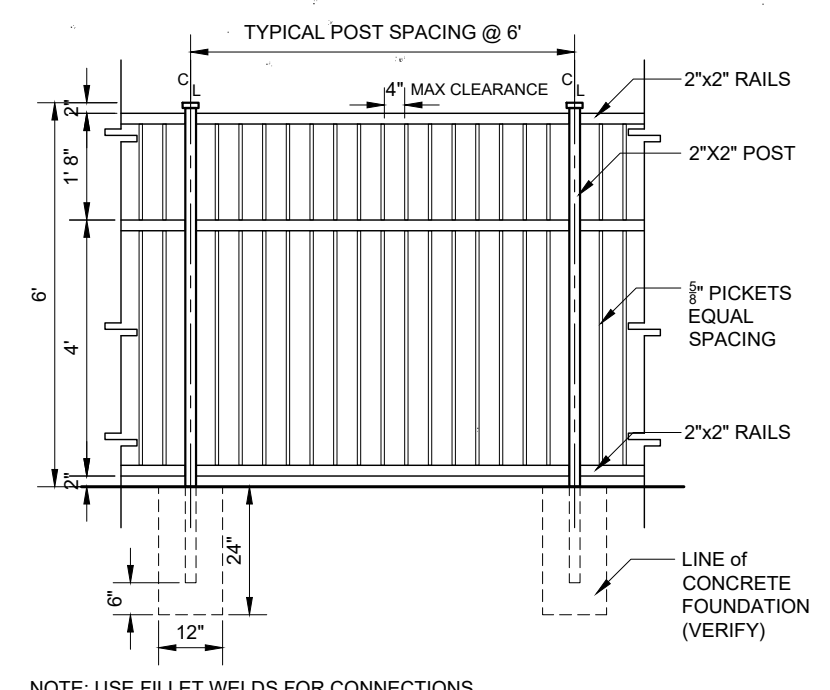
**LEGEND**

--- 360 ---	EXISTING 2' CONTOUR	--- 360 ---	PROPOSED 2' CONTOUR
--- 10 ---	EXISTING 10' CONTOUR	--- 10 ---	PROPOSED 10' CONTOUR
W	EXISTING WATERLINE	WS	PROPOSED WATER SERVICE
WV	EXISTING WATER VALVE	WV	PROPOSED WATER VALVE
EH	EXISTING FIRE HYDRANT	EH	PROPOSED FIRE HYDRANT
G	EXISTING GAS LINE	GS	PROPOSED GAS SERVICE
GV	EXISTING GAS VALVE	GV	PROPOSED GAS VALVE
CB	EXISTING CATCH BASIN	CB	PROPOSED CATCH BASIN
SD	EXISTING STORM DRAIN LINE	SD	PROPOSED STORM DRAIN LINE
SMH	EXISTING SEWER MANHOLE	CO	PROPOSED SEWER CLEANOUT
S	EXISTING SEWER LINE	SS	PROPOSED SEWER HOUSE CONNECTION
+ 360.0	EXISTING SPOT ELEVATION	+ 360.0	PROPOSED SPOT ELEVATION
--- 360 ---	EXISTING STONEWALL	--- 360 ---	PROPOSED SILT FENCE

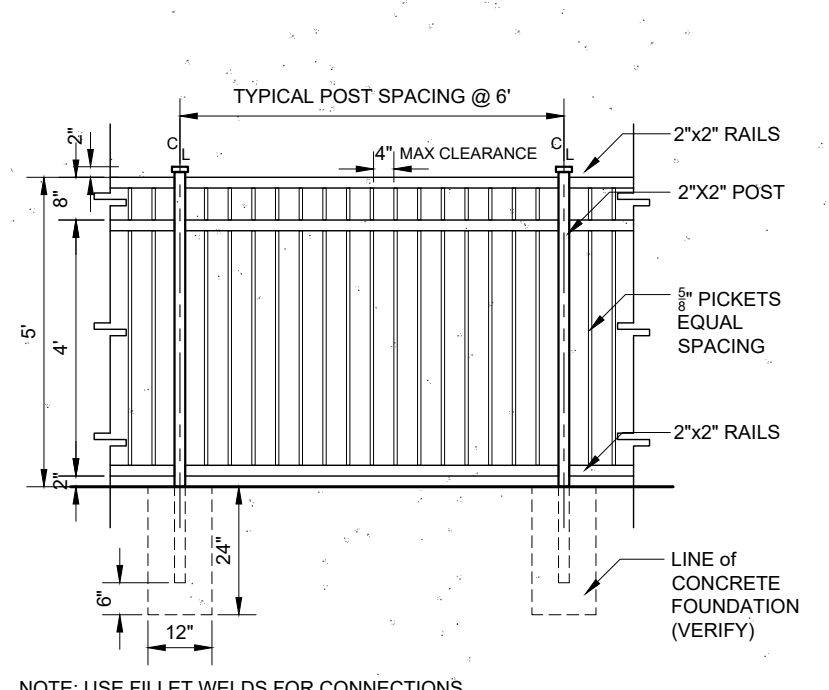
**BULK REQUIREMENTS**

ZONE R-40 (AVERAGE DENSITY)	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	30,000 SQ. FT.	128,167 SQ. FT. GROSS 59,355 SQ. FT. NET	128,167 SQ. FT. GROSS 59,355 SQ. FT. NET
MINIMUM LOT WIDTH	125 FT.	420 FT.	420 FT.
MINIMUM FRONT YARD	35 FT.	38 FT.	38 FT.
MINIMUM SIDE YARD	20 FT.	27 FT.	27 FT.
MINIMUM TOTAL SIDE SETBACK	50 FT.	360.6 FT.	360.6 FT.
MINIMUM REAR YARD	35 FT.	204.5 FT.	204.5 FT.
FLOOR AREA RATIO	30%	10.8% *	10.8% *
LOT COVERAGE	15%	7% *	9% *

\* - BASED ON NET LOT AREA



**6' HIGH FENCE DETAIL**  
N.T.S.



**5' HIGH FENCE DETAIL**  
N.T.S.

**OWNER:**  
JOSEPH GUTMAN  
23 KLINGHER COURT  
POMONA, NY 10970

**AREA:**  
2.94 ACRES TOTAL  
1.36 ACRES NET (LESS CONSERVATION AREA)

**TAX MAP REFERENCE:**  
TOWN OF HAVERSTRAW TAX MAP  
SECTION 24.12, BLOCK 1, LOT 21

**REFERENCE:**  
"HALLEY ESTATES II", FILED IN THE ROCKLAND COUNTY CLERK'S OFFICE ON APRIL 3, 2012, IN BOOK 129, PAGE 11 & 12, AS MAP NOS. 8167 AND 8168.

**NOTE:**  
SUBJECT TO AN ORANGE AND ROCKLAND UTILITIES, INC. EASEMENT

**DISTRICTS:**  
SCHOOL DISTRICT: EAST RAMAPO CENTRAL  
FIRE DISTRICT: MOLESTON  
LIGHT DISTRICT: POMONA  
WATER DISTRICT: POMONA  
SEWER DISTRICT: HAVERSTRAW

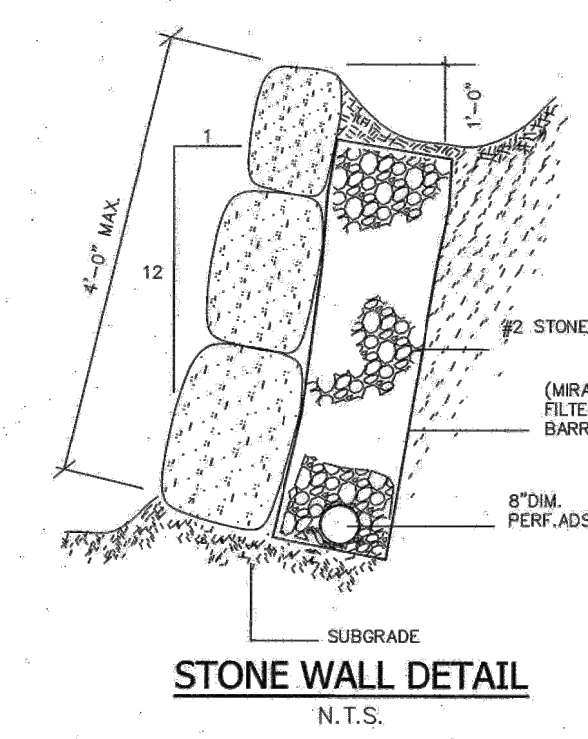
**PROPERTY & EASEMENT CORNERS/MONUMENT LEGEND**

- I. PIN MON. SET
- 3/4 I.P. OR I.PIN SET

**NOTES:**  
1. SUBJECT TO NOTES AND CONDITIONS PER FILED SUBDIVISION PLAT.

**GENERAL NOTES:**

- PER S119-7(C)(6)(V)  
NO TRUCKS IN EXCESS OF 10,000 POUNDS GROSS WEIGHT SHALL BE PERMITTED TO MAKE DELIVERIES TO THE SITE BEFORE 9:00 AM OR AFTER 6:00 MONDAYS THROUGH FRIDAYS NOR AT ANY TIME DURING WEEKENDS AND HOLIDAY.
- ALL EXTERIOR LIGHTING WILL BE DIRECTED DOWNWARD AND NO LIGHTING IS TO SPILLOVER ONTO ADJACENT PROPERTIES.
- EXCAVATED/SURPLUS MATERIAL SHALL BE REMOVED FROM THE SITE.



**STONE WALL DETAIL**  
N.T.S.

THE EDUCATION LAW OF THE STATE OF NEW YORK...

REVISION	DATE	DESCRIPTION
2	5-13-22	REV. LOT COVERAGE CALC.
1	4-29-22	PER VILLAGE ENGINEER 4-3-22

**ATZL, NASHER & ZIGLER P.C.**  
ENGINEERS-SURVEYORS-PLANNERS  
232 North Main Street  
New City, New York 10956  
Tel: (845) 634-4694  
Fax: (845) 634-5543  
E-mail: info@anzny.com  
Web: www.ANZNY.com

**PROJECT:**  
**HALLEY ESTATES-II**

**VILLAGE OF POMONA  
ROCKLAND COUNTY, NEW YORK**

**TITLE:**  
**POOL PLAN  
LOT 7 / 23 KLINGHER COURT**

DRAWN BY: MM	CHECKED BY: JRA
DATE: JANUARY 24, 2022	SCALE: 1 IN. = 30 FT.
PROJECT NO:	DRAWING NO:



**NARRATIVE SUMMARY  
68 CALL HOLLOW ROAD  
S/B/L: 24.16-1-2**

This narrative summary is submitted in support of the application of Moses Goldberger for variances in order to permit the re-construction of a single-family home at the premises located at 68 Call Hollow Road. The property was previously improved with a single-family dwelling. The previous dwelling was removed from the site more than 20 years ago and the property has been vacant since that time.

In or around 2007-2008, the prior owner, John Quattrochi, applied to the Zoning Board of Appeals for variances to reconstruct a single-family home on the property. In February of 2008 the Zoning Board of Appeals granted the following variances from Section 130-12<sup>1</sup>:

	<u>Required</u>	<u>Provided</u>
Min Lot Area	40,000SF	6,787
Lot Frontage	100'	50.44'
Lot Width	150	46.17
Front Yard	50'	21.5
Side Yard (south)	25	5.9
Side Yard (north)	25	16.2
Lot Coverage	15%	22%

Thereafter, on March 13, 2008, a building permit (Building Permit #2283) was issued by the Village for the construction of a single-family dwelling. A copy of the building permit is attached as **Exhibit B**. The house was never constructed and the building permit expired. Consequently, the variances also expired.

The current owner purchased the premises on March 23, 2021 with the intent to build the a house on the same foot print as was proposed by John Quattrochi. However, due to the expiration of the variances, as well as slight change to the plans, the owner requires that the previously granted variances be re-granted by the Zoning Board of Appeals with some modifications prior to the issuance of a building permit.

The applicant is seeking variances to permit the construction of a single-family dwelling. According to the denial letter of Building Inspector Louis Zummo dated March 1, 2024, the applicant requires the following variances from Section 130-12:

	<u>Required</u>	<u>Proposed</u>
Min Lot Area	40,000 S.F.	6,787 S.F.
Lot Frontage	100'	50.44'
Lot Width	150'	46.17
Front Yard	50	43.3
Side Yard (south)	25'	7'
Side Yard (north)	25'	8.7'
Lot Coverage	20% <sup>2</sup>	24%

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<sup>1</sup> See copy of a memo from Jan Ulman dated 3/1/2008 attached as **Exhibit A** regarding the grant of the variances.

<sup>2</sup> The maximum lot coverage requirement was increased from 15% to 20% per Local Law 2 of 2022.

A copy of the Building Inspector's denial letter is attached as **Exhibit C**.

In making its determination to grant a variance, a zoning board of appeals must take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the zoning board of appeals is also required to consider the following factors:

***a. An undesirable change will not be produced in the character of the neighborhood, nor a detriment created to nearby properties by the granting of the area variances.***

The requested variances will not create an undesirable change to the character of the neighborhood. The same or very similar variances were previously granted in 2008 and the neighborhood has not changed since the grant of the variances. The fact that the Zoning Board previously granted the same or very similar variances is conclusive that there will be no impact on the neighborhood as the Board would not have granted the variance if the grant of the variances would have had changed the character of the neighborhood or created any detriment to neighboring properties. The slight variations between the prior variance and the current are insignificant.

***b. The benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue, other than an area variance.***

There are no other feasible alternatives for the applicant to pursue that will not require a variance. The lot is considerably undersized and incapable of meeting the bulk requirements of the Village. The proposed house is planned to be built in substantially the same footprint as the as was approved by the Zoning Board in 2008. The current plan increases the side setback from 5.9' previously approved to 7' and increases the front yard from 21.5' approved to 49.9'.

***c. That the requested area variances are not substantial.***

In considering whether a variance is substantial the ZBA must examine the totality of the circumstances of an application. When reviewing these variance requests in the context of the overall impact they would have on the neighborhood, it is clear that the requests are not substantial because the variances are for a use that will have no impact on any adjacent properties. Further, the variances being sought are no greater or slightly more than were previously approved by the Zoning Board in 2008. The only increase over the prior variance is 2% more lot coverage than was previously approved.<sup>3</sup>

***d. That the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.***

The proposed variance requests will not have an adverse effect or impact on the physical

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<sup>3</sup> Although the Ulman memo references a side yard to the north as 16.2', in actuality, based upon the plan that was approved by the ZBA entitled "proposed Dwelling for Quattrocchi" prepared by Anthony Celentano, P.E., dated 6/14/04 and last revised 6/6/07, that distance was a 8.7' and the same as being proposed by the applicant. (See Exhibit D.)

or environmental conditions of the neighborhood or district. A Short Environmental Assessment Form (“EAF”) has been submitted with this application. The variance requests are considered Type II pursuant to SEQRA 617.5(c)(11), (16) and (17) (i.e., construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections; the granting of individual setback and lot line variances and adjustments; and granting of area variances for a single-family, two-family or three-family residences). Based on the above, the proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

*f. That the alleged difficulty was not self-created.*

This improvement will not detract from the community. Even if the Zoning Board finds the difficulties to be self-created, this factor is not dispositive of the applicant’s variance requests. Instead, any perceived self-created harm is greatly outweighed by the fact that the area variances will not result in any adverse impacts and will not change the character of the neighborhood. The applicant purchased the property knowing that variances were previously granted by the Zoning Board of Appeals and did not realize that the variances had expired. The applicant is not seeking anything different than what was previously approved by the Zoning Board.

**CONCLUSION**

The granting of the variances to construct a single-family dwelling on the lot will not have an impact on the neighborhood or create any detriment to neighboring properties. A house previously existed on this lot and approvals were previously granted to permit the construction of a house upon this lot and a building permit was actually issued for the construction. There has been no change in circumstances of the surrounding community that would prevent the re-approval of the variances requested.

Under the particular circumstances of this case, the benefit to the applicant from the grant of the variances significantly outweighs any detriment to the health, safety and welfare of the neighborhood. The balance of equities lies in favor of the granting of the variances.

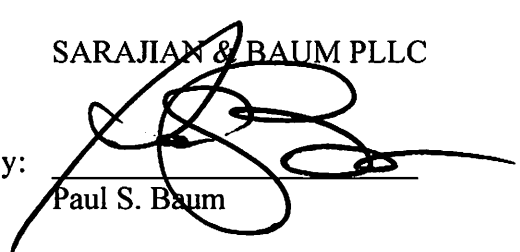
It is therefore respectfully requested that the Zoning Board grant the variances requested.

Dated: March 4, 2024

Respectfully submitted,

SARAJIAN & BAUM PLLC

By:

  
Paul S. Baum

**EXHIBIT A**  
**Jan Ulman Memo**

FROM :

FAX NO. :

Mar. 01 2008 10:46PM P1

**Jan Ulman***Attorney at Law*

134 Camp Hill Road

Pomona, New York 10970

(845) 354-6436

Fax: (845) 354-3861

**FAX COVER SHEET**

FAX NUMBER TRANSMITTED TO:

To: Mike, Carol

From: Jan Ulman

Client/Matter: Quattrochi ZBA application

Date: March 1, 2008

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The information regarding the ZBA decision about the Quattrochi application is as follows:

The ZBA granted variances from the provisions of Article V, § 130-12(A), (B), (C), (E), (G) & (I) of the Zoning Law of the Village of Pomona to permit a single family dwelling having (a) 33,213 square feet less than the minimum required lot area of 40,000 square feet, (b) 49.56 feet less than the minimum required frontage of 100 feet (c) 103.85 feet less than the required lot width, (d) 7% more than the maximum permitted lot coverage of 15%, (e) 28.5 feet less than the minimum required front yard of 50 feet, (f) 19.1 feet less than the minimum required side yard of 25 feet on the south side and (g) 8.8 feet less than the minimum required side yard of 25 feet for premises situated on the East side of Call Hollow Road, 114.65 feet from its intersection with Camp Hill Road, owned by Michael Ferguson, known as 68 Call Hollow Road, in the Village of Pomona, designated on the Town of Haverstraw Tax Map as Section 24.16, Block 1, Lot 2 in the Village of Pomona, Town of Haverstraw in an R-40 Zoning District

The variance is subject to the following conditions:

1. That the January 22, 2007 letter from the Rockland County Highway Department be complied with;
2. That the Village Engineer approve plans for appropriate drainage and the applicant complies with that plan;
3. That appropriate trees or shrubbery to absorb maximum amounts of water be planted as determined by a landscape architect;
4. That the house not exceed the footprint or the height of the prior house;
5. That the house be hooked up to sewers if the County permits it.

\* NOT COUNTING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT (845) 354-6436.

**EXHIBIT B**  
**Building Permit**

BY LAW THIS CARD MUST BE VISIBLE FROM THE ROAD 24.16-1-2

OWNER QUATTROCCHI

**VILLAGE OF POMONA BUILDING ZONE ORDINANCE**

This **PERMIT** Notice

To be fastened on a part of building for which it is issued where it may be plainly seen by all persons.

Permit No. 2283 has been  
**Issued for this building**

This notice shall not be removed from building to which it is attached and the building shall not be used until a Certificate of occupancy has been issued by the "Building Inspector."

Date 3/13/08  
Permit expires ~~two~~ one years from above date.

Mihal R. Zuleta Jr. P.A.  
Building Inspector  
VILLAGE OF POMONA



**EXHIBIT C**

**Building Inspector Denial Letter**

# VILLAGE OF POMONA

100 LADENTOWN ROAD

POMONA, N.Y. 10970

Phone (845) 354-0545 ~ Fax (845) 354-0604

March 1, 2024

Mr. Brecher

68 Call Hollow Rd S/B/L 24.16-1-2

Pomona NY

RE: Building Permit for the construction of a single family home, 68 Call Hollow Rd.

Dear Mr. Brecher:

Please be advised that the material submitted for a building permit application has been reviewed and currently the permit cannot be issued because the project requires variances. Based on the site plan generated by A Celentano dated 2/14/24, the following variances are required:

- a. Min Lot Area – 40,000 S.F. required, 6,787 S.F. supplied - a 83% variance
- b. Lot Frontage – 100' required, 50.44' supplied – a 50% variance
- c. Lot Width – 150' required, 46.17' supplied – a 69% variance
- d. Min Front Yard – 50' required, 43.3' supplied – 13.4 % variance
- e. Min Side Yard North – 25' required, 8.7' supplied - 65% variance
- f. Min Side Yard South– 25' required, 7' supplied – a 72% variance.
- g. Lot Coverage – 20% allowed, 24% proposed – a 16% variance

Please see the Head Clerk for application to proceed to the ZBA for relief from the variances.

Please call the Village Hall (845) 354-0545, if you have any questions.

Best Regards,

Louis Zummo

Building Inspector II

Village of Pomona NY

**EXHIBIT D**

**Plan for Proposed Dwelling for Quattrocchi**

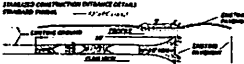
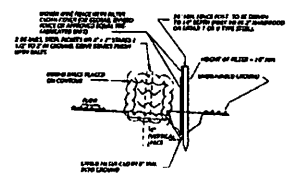
**BULK REQUIREMENTS**

TOWNSHIP R-40									
APPLICABLE	MIN. SETBACK	MIN. FRONT SETBACK	MIN. SIDE SETBACK	MIN. REAR SETBACK	MIN. FRONT YARD	MIN. SIDE YARD	MIN. REAR YARD	MIN. FRONT SETBACK	MIN. SIDE SETBACK
RESIDENTIAL	35.00 FT	10.00 FT	10.00 FT	10.00 FT	20.00 FT	10.00 FT	10.00 FT	10.00 FT	10.00 FT
COMMERCIAL	45.00 FT	15.00 FT	15.00 FT	15.00 FT	25.00 FT	15.00 FT	15.00 FT	15.00 FT	15.00 FT

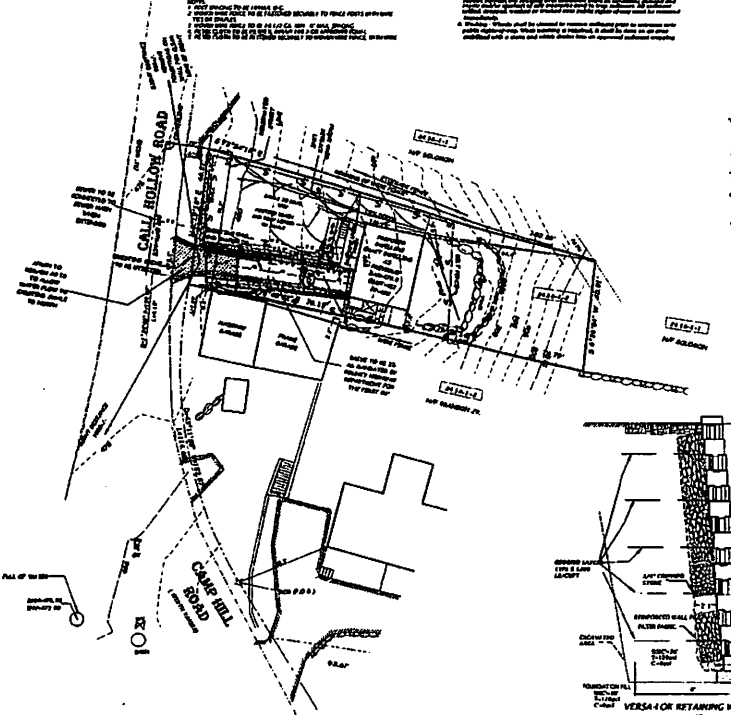
EXISTING ALIQUOT  
152-125 + 492 SQ FT  
222-18147 SQ FT  
125141 SQ FT

1. MINIMUM GARAGE FLOOR HEIGHT TO BE 8 FEET 6 INCHES FROM FINISH FLOOR LEVEL.

**SILT FENCE AND HAY BALE DETAIL**



1. Base Soil - 18" 100% sand or equivalent material minimum requirement.
2. Layers - 18" 100% sand or equivalent material minimum requirement.
3. Thickness - 18" 100% sand or equivalent material minimum requirement.
4. When 18" 100% sand or equivalent material is not available, the 18" 100% sand or equivalent material may be substituted with 24" 100% sand or equivalent material.
5. Surface - 18" 100% sand or equivalent material minimum requirement.
6. Slope - 18" 100% sand or equivalent material minimum requirement.
7. Drainage - 18" 100% sand or equivalent material minimum requirement.
8. Maintenance - 18" 100% sand or equivalent material minimum requirement.
9. Inspection - 18" 100% sand or equivalent material minimum requirement.
10. Approval - 18" 100% sand or equivalent material minimum requirement.



**SPECIAL NOTES**

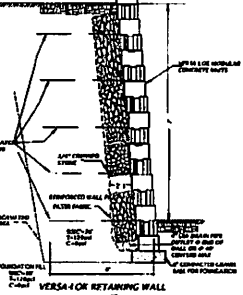
1. Immediately after installation of erosion control fencing and other structural devices, before trees, shrubs and other vegetation are to be installed, there shall be no exposed soil. There shall be no exposed soil, or any other material, until the erosion control devices are in place and the vegetation is established.
2. After the erosion control devices are installed, the contractor shall be responsible for the maintenance of the devices until the vegetation is established. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
3. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
4. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
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12. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
13. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
14. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
15. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
16. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
17. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
18. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
19. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.
20. The contractor shall be responsible for the maintenance of the devices until the vegetation is established.

**SETBACK CONTROL & EROSION NOTES**

1. A TEMPORARY EROSION CONTROL SYSTEM SHALL BE INSTALLED TO PROTECT AREAS THAT ARE TO BE SETBACK FROM THE EXISTING STRUCTURE. THE SYSTEM SHALL BE INSTALLED BEFORE THE START OF CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. STRUCTURAL EROSION CONTROL SHALL BE INSTALLED TO PROTECT AREAS THAT ARE TO BE SETBACK FROM THE EXISTING STRUCTURE. THE SYSTEM SHALL BE INSTALLED BEFORE THE START OF CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
3. EROSION CONTROL SHALL BE INSTALLED TO PROTECT AREAS THAT ARE TO BE SETBACK FROM THE EXISTING STRUCTURE. THE SYSTEM SHALL BE INSTALLED BEFORE THE START OF CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
4. EROSION CONTROL SHALL BE INSTALLED TO PROTECT AREAS THAT ARE TO BE SETBACK FROM THE EXISTING STRUCTURE. THE SYSTEM SHALL BE INSTALLED BEFORE THE START OF CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
5. EROSION CONTROL SHALL BE INSTALLED TO PROTECT AREAS THAT ARE TO BE SETBACK FROM THE EXISTING STRUCTURE. THE SYSTEM SHALL BE INSTALLED BEFORE THE START OF CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
6. EROSION CONTROL SHALL BE INSTALLED TO PROTECT AREAS THAT ARE TO BE SETBACK FROM THE EXISTING STRUCTURE. THE SYSTEM SHALL BE INSTALLED BEFORE THE START OF CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
7. EROSION CONTROL SHALL BE INSTALLED TO PROTECT AREAS THAT ARE TO BE SETBACK FROM THE EXISTING STRUCTURE. THE SYSTEM SHALL BE INSTALLED BEFORE THE START OF CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
8. EROSION CONTROL SHALL BE INSTALLED TO PROTECT AREAS THAT ARE TO BE SETBACK FROM THE EXISTING STRUCTURE. THE SYSTEM SHALL BE INSTALLED BEFORE THE START OF CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
9. EROSION CONTROL SHALL BE INSTALLED TO PROTECT AREAS THAT ARE TO BE SETBACK FROM THE EXISTING STRUCTURE. THE SYSTEM SHALL BE INSTALLED BEFORE THE START OF CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
10. EROSION CONTROL SHALL BE INSTALLED TO PROTECT AREAS THAT ARE TO BE SETBACK FROM THE EXISTING STRUCTURE. THE SYSTEM SHALL BE INSTALLED BEFORE THE START OF CONSTRUCTION AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

**PROPOSED DWELLING FOR QUATTROCCHI**

TOWNSHIP OF HAVERTHURNE, ROCKLAND COUNTY  
 PONDIA NEWBURGH  
 JUNE 14, 2004  
 SCALE: 1" = 10'  
 ANTHONY R. CELENTANO P.E.  
 15 HESMAN ROAD  
 FORT LEE, NJ 07024  
 TEL: 201-261-1234  
 FAX: 201-261-1234



# APPLICATION REVIEW FORM

## PART I

Name of Municipality Village of Pomona Date 2/7/24

*Please check all that apply:*

<input checked="" type="checkbox"/> Planning Board	<input type="checkbox"/> Municipal Board
<input checked="" type="checkbox"/> Zoning Board of Appeals* <i>(*Fill out Parts I &amp; II of this form)</i>	<input type="checkbox"/> Historical Board
<input type="checkbox"/> Subdivision _____ # of Lots _____	<input type="checkbox"/> Architectural Board
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Pre-preliminary/Sketch
<input type="checkbox"/> Special Permit	<input type="checkbox"/> Preliminary
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Final
<input type="checkbox"/> Zoning Code Amendment	
<input type="checkbox"/> Zone Change	
<input checked="" type="checkbox"/> Variance	

Project Name: 68 Call Hollow Road

Tax Map Designation:

Section 24.16 Block 1 Lot(s) 2

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Location: On the East side of Call Hollow Rd,  
60 feet north of Camp Hill Rd in the  
town/village of pomona.

Street Address: 68 Call Hollow Road

Acreage of Parcel .15 Zoning District R-40

School District East Ramapo Postal District Pomona

Fire District Hillcrest Fire Dept Ambulance District Pomona

Water District \_\_\_\_\_ Veolia Sewer District RCSD

Project Description: *(If additional space required, please attach a narrative summary.)*

Construction of a new single family house, see attached narrative summary.

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# APPLICATION REVIEW FORM

**If subdivision:**

- 1) Is any variance from the subdivision regulations required? \_\_\_\_\_
- N/A 2) Is any open space being offered? \_\_\_\_ If so, what amount? \_\_\_\_\_
- 3) Is this a standard or average density subdivision? \_\_\_\_\_

**If site plan:**

- 1) Existing square footage \_\_\_\_\_
- N/A 2) Total square footage \_\_\_\_\_
- 3) Number of dwelling units \_\_\_\_\_

**If special permit**, list special permit use and what the property will be used for.

N/A \_\_\_\_\_  
\_\_\_\_\_

**Environmental Constraints:**

Are there **slopes greater than 25%**? If yes, please indicate the amount and show the gross and net area. 1835

Are there **streams** on the site? If yes, please provide the names. no

Are there **wetlands** on the site? If yes, please provide the names and type. no

**Project History:** Has this project ever been reviewed before? yes

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

See Attached narrative

\_\_\_\_\_  
\_\_\_\_\_

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

N/A  
\_\_\_\_\_  
\_\_\_\_\_

# APPLICATION REVIEW FORM

## Contact Information:

Applicant: Moses Goldberger Phone # 917-560-2164

Address 13 Chevron Rd # 302, Monroe, NY 10950  
Street Name & Number (Post Office) State Zip code

Property Owner: 68 Call Hollow LLC Phone # 917-560-2164

Address 68 Call Hollow Road, Pomona, NY 10970  
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: A.R. Celentano, PLLC Phone # (845) 429-5290

Address 31 Rosman Road Thiells, NY 10984  
Street Name & Number (Post Office) State Zip code

Attorney: Paul Baum Phone # 845-205-4556

Address 155 N Main St., New City, NY 10956  
Street Name & Number (Post Office) State Zip code

Contact Person: Builders Expediting Phone # 845-444-2006

Address PO Box 998, Monsey, NY 10952  
Street Name & Number (Post Office) State Zip code

## General Municipal Law Review:

This property is within 500 feet of:  
(Check all that apply)

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> State or County Road | <input type="checkbox"/> State or County Park |
| <input type="checkbox"/> Long Path                       | <input type="checkbox"/> County Stream        |
| <input checked="" type="checkbox"/> Municipal Boundary   | <input type="checkbox"/> County Facility      |

List name(s) of facility checked above. Highway 75 & Town of Haverstraw

**Referral Agencies:** (Please make sure that the appropriate agencies as needed received copies of your application and plans for their review.)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> RC Highway Department                           | <input type="checkbox"/> RC Division of Environmental Resources  |
| <input type="checkbox"/> RC Drainage Agency   | <input type="checkbox"/> RC Dept. of Health                      |
| <input type="checkbox"/> NYS Dept. of Transportation                                | <input type="checkbox"/> NYS Dept. of Environmental Conservation |
| <input type="checkbox"/> NYS Thruway Authority                                      | <input type="checkbox"/> Palisades Interstate Park Comm.         |
| <input checked="" type="checkbox"/> Adjacent Municipality <u>Town of Haverstraw</u> |  |
| <input type="checkbox"/> Other _____  |  |

\*\*All applicants must send copies of their applications and plans to:  
Orange and Rockland, Regional manager, 75 West Route 59, Spring Valley, NY 10997.





## APPLICATION REVIEW FORM

C. To the extent that the same is known to your applicant, and to the owner of the subject premises **there is disclosed herewith** the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of Pomona in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state) None

- a. Name and address of officer or employee \_\_\_\_\_  
\_\_\_\_\_
- b. Nature of interest \_\_\_\_\_
- c. If stockholder, number of shares \_\_\_\_\_
- d. If officer or partner, nature of office and name of partnership \_\_\_\_\_
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. \_\_\_\_\_  
\_\_\_\_\_

f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of \_\_\_\_\_.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

**4. Reimbursement for Professional Consulting Services.** I understand that the Town/Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village and each such consultant for the cost of such consultant services upon receipt of the bill.



# APPLICATION REVIEW FORM

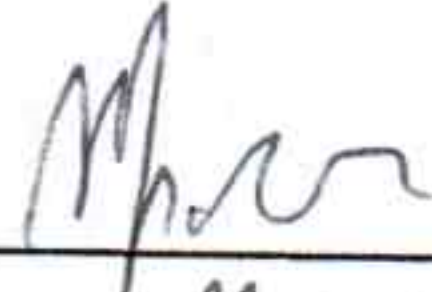
## 5. Application Fee(s)

I, Moses Goldberger, have paid to the Town/Village Clerk and/or Treasurer, the required fee for this application. (The fee is subject to the Schedule of Fees of the municipality). I shall review a copy of the zoning Local Law and Land Development Regulations, and be ready and prepared to review this application when scheduled. The Municipal Board, Planning Board, or Zoning Board of Appeals in the review of any application described above, may refer the subject application to an engineering, planning, environmental, or other technical consultant as such Board shall deem reasonably necessary to enable it to review the application as required by law.

*\*\*The following paragraph is optional to add if your municipality establishes escrow accounts:*

(I agree to establish an escrow account with the Town/Village of Pomona from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Town/Village. Any additional sums needed to pay the Town's/Village's consultants shall be paid prior to final action on the application. The Town/Village may suspend processing of the application if there is a deficiency in the escrow account. Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Town/Village.)

Applicant's Signature

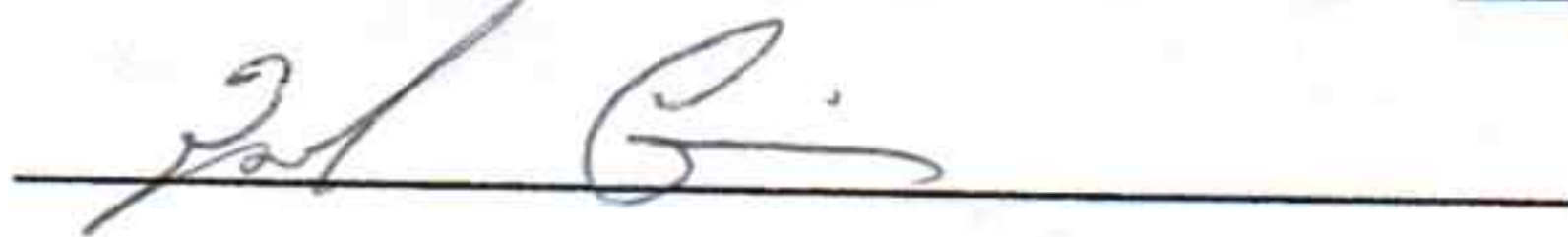


Print Applicant's Name

Moses Goldberger

SWORN to before me this

7 day of Feb, 2024



Notary Public



I have received from \_\_\_\_\_ the sum of \_\_\_\_\_ on this date

\_\_\_\_\_

Reviewed by the \_\_\_\_\_ on \_\_\_\_\_ Municipal Clerk/Treasurer

Action Taken: \_\_\_\_\_



APPLICATION REVIEW FORM

Affidavit of Ownership/Owner's Consent

State of New York)
County of Rockland) SS.:
Town/Village of Pomona )

I, Moses Goldberger, on behalf of 68 Call Hollow LLC, being duly sworn, hereby
depose and say that I reside at: 13 Chevron Rd # 302, Monroe, NY 10950

in the county of Orange in the state of NY

I am the (\* Memeber of 68 Call hollow LLC ) owner in fee simple of premises located at:
68 Call Hollow Road, Pomona, NY 10970

described in a certain deed of said premises recorded in the Rockland County Clerk's
Office in Liber of conveyances, page or as Instrument ID # 2021-00024971

Said premises have been in my/its possession since 2021. Said premises are also
known and designated on the Town of Ramapo / Village of Pomona Tax Map as:
section 24.16 block 1 lot(s) 2

I hereby authorize the within application on my behalf, and that the statements of fact
contained in said application are true, and agree to be bound by the determination of the
board.

Owner
Mailing Address
13 Chevron Rd unit 302
Monroe NY 10950

SWORN to before this
7th day of Feb, 2024

[Signature]
Notary Public



\* If owner is a corporation or LLC, fill in the office held by deponent and name of
corporation or LLC, and provide a list of all directors, officers, and stockholders
owning more than 5% of any class of stock and all members having greater than 5%
beneficial interest.







# APPLICATION REVIEW FORM

## PART II\*

### Application before the Zoning Board of Appeals

Application, petition, or request is hereby submitted for:

- Area Variance from the requirement of Section 130-12 (A) (B) (C) (D) (G) (I) ;
- Use Variance from the requirement of Section \_\_\_\_\_ ;
- Special permit per the requirements of Section \_\_\_\_\_ ;
- Review of an administrative decision of the Building Inspector;
- An order to issue a Certificate of Occupancy;
- An order to issue a Building Permit;
- An interpretation of the Zoning Ordinance or Map;
- Certification of an existing non-conforming structure or use;
- Other (*explain*) \_\_\_\_\_ ;

To permit construction, maintenance and use of a new single family house, see attached narrative

#### Previous Appeal:

- a. A previous appeal  has, or  has not, been made with respect to this property.
- b. Such appeal was in the form of:
  - An AREA Variance; or
  - A USE Variance; or
  - Appeal from decision of Town Official or Officer; or
  - Interpretation of the Zoning Ordinance or Map; or
  - Other
- c. The previous appeal described above was appeal number \_\_\_\_\_,  
dated March 1, 2008 and was granted (Granted/Denied).

**TO ALL APPLICANTS:** Complete all relevant information by the section or sections pertaining to your appeal ONLY. You may also include extra pages to supplement this form with a narrative explanation. At the time of the hearing, you must present written documentation in support of all the statements made in this application. You must also substantiate all financial information supplied.

## APPLICATION REVIEW FORM

**A. AREA VARIANCE** *(This section to be completed only for an AREA variance. Use additional pages, if needed.)*

This application seeks a variance from the provisions of Article  V ,  
Section(s)  130-12 A, B, C, E, G, I . Specifically, the applicant seeks a variance  
from the requirements from:

Dimension*	Column	Required	Provided
A Min Lot Area		40,000	6787
B Lot Frontage		100'	50.44'
C Lot Width		150	46.17
I Lot Coverage		20%	24%
E Min Front Yard		50	43.3
G Min Side Yard		25'	North s. 7' south s. 8.7

*\*e.g., front yard, side setback, FAR, etc.*

1. Is the requested variance the minimum necessary to relieve the practical difficulty or economic injury?  yes

**Describe:**  See attached narrative

2. Is the variance substantial in relation to the zoning code?  no

**Explain:**  See attached narrative

3. Will a substantial change be produced in the character of the neighborhood, or a substantial detriment to adjoining property owners be created, if this variance is granted?  no

**Explain:**  See attached narrative

4. Can the alleged practical difficulty or economic injury be overcome by some method other than a variance?  no

**Explain:**  See attached narrative

## APPLICATION REVIEW FORM

5. Will the granting of this variance affect the health, safety, or welfare of the neighborhood or community? NO

**Explain:** See attached narrative

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6. Will there be any affect on governmental facilities or services if this variance is granted? NO

**Describe:** See attached narrative

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7. Other factors I/we wish the Board to consider in this case are

See attached narrative

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N/A

**B. USE VARIANCE** *(This section to be completed only for a USE variance. Use additional pages, if needed.)*

1. This property cannot be used for any uses currently permitted in this zone because:

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2. The problem with this property is due to unique circumstances and not to the general conditions of the neighborhood in that:

---

---

3. The use requested by this variance will not alter the essential character of the neighborhood in that:

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4. The amount paid for the entire parcel was: \_\_\_\_\_

5. The date of purchase of the property was: \_\_\_\_\_

6. The present value of the entire property is: \_\_\_\_\_

7. The monthly expenses attributed to normal and usual maintenance of the property are: \_\_\_\_\_

8. The annual taxes on the property are: \_\_\_\_\_

## APPLICATION REVIEW FORM

9. The current income from the property is: \_\_\_\_\_

10. The amount of mortgages and other encumbrances on the property in question is:

- a. Date of mortgage: \_\_\_\_\_
- b. Scheduled maturity (payoff) date: \_\_\_\_\_
- c. Present monthly payment amount: \_\_\_\_\_
- d. Current principal balance: \_\_\_\_\_
- e. Current interest rate: \_\_\_\_\_

11. Other factors I/we wish the Board to consider in this case are:

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N/A

**C. APPEAL OF DECISION OF BUILDING INSPECTOR** *(This section to be completed for an appeal, only. Use additional pages, if needed.)*

1. Name and position of official making the decision:

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2. Nature of decision:

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3. The decision described above is hereby appealed because:

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N/A

**D. INTERPRETATION OF ZONING CODE** *(This section to be completed for an interpretation, only. Use additional pages, if needed.)*

1. Section(s) to be interpreted: \_\_\_\_\_

2. An interpretation of the Zoning Code is requested because:

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[Appform.doc revised March 2015]



# VILLAGE OF POMONA

100 LADENTOWN ROAD

POMONA, N.Y. 10970

Phone (845) 354-0545 ~ Fax (845) 354-0604

March 1, 2024

Mr. Brecher

68 Call Hollow Rd S/B/L 24.16-1-2

Pomona NY

RE: Building Permit for the construction of a single family home, 68 Call Hollow Rd.

Dear Mr. Brecher:

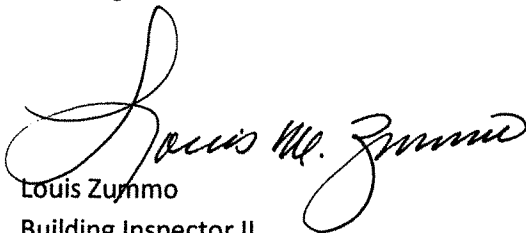
Please be advised that the material submitted for a building permit application has been reviewed and currently the permit cannot be issued because the project requires variances. Based on the site plan generated by A Celentano dated 2/14/24, the following variances are required:

- a. Min Lot Area – 40,000 S.F. required, 6,787 S.F. supplied - a 83% variance
- b. Lot Frontage – 100' required, 50.44' supplied – a 50% variance
- c. Lot Width – 150' required, 46.17' supplied – a 69% variance
- d. Min Front Yard – 50' required, 43.3' supplied – 13.4 % variance
- e. Min Side Yard North – 25' required, 8.7' supplied - 65% variance
- f. Min Side Yard South – 25' required, 7' supplied – a 72% variance.
- g. Lot Coverage – 15% allowed, 24% proposed – a 60% variance

Please see the Head Clerk for application to proceed to the ZBA for relief from the variances.

Please call the Village Hall (845) 354-0545, if you have any questions.

Best Regards,



Louis Zurmo

Building Inspector II

Village of Pomona NY

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*


### Instructions for Completing

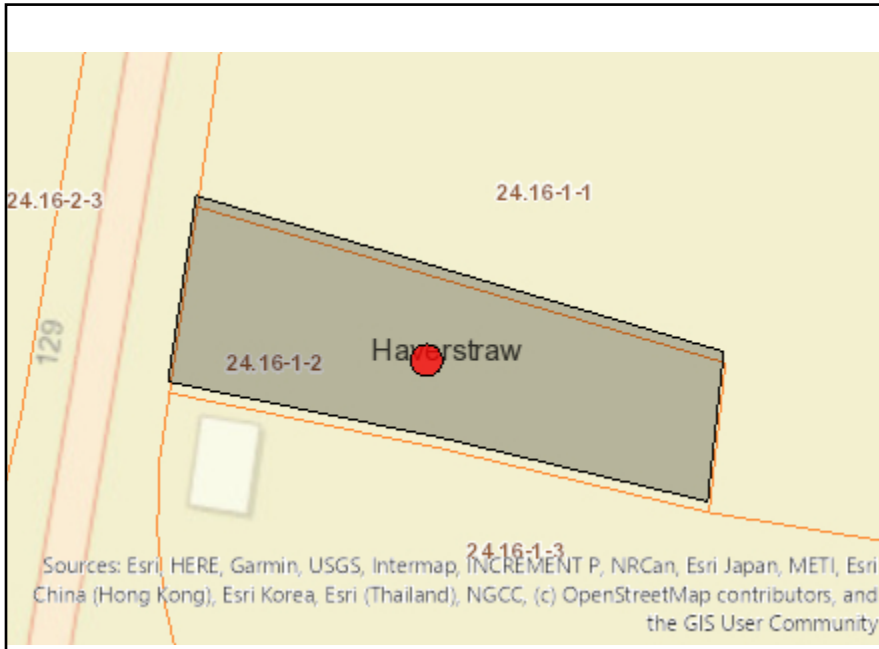
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5.     Urban           Rural (non-agriculture)           Industrial           Commercial           Residential (suburban)			
<input type="checkbox"/> Forest           Agriculture                           Aquatic           Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban    Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____  Signature:  Title: _____		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



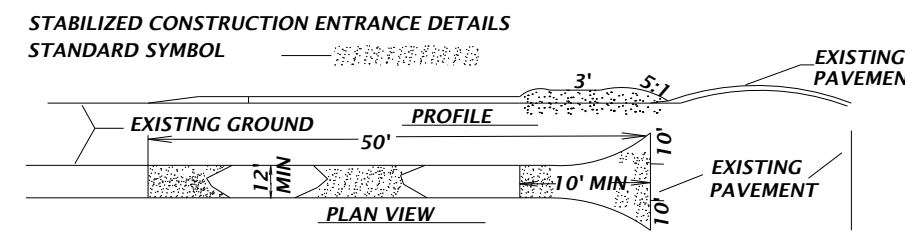
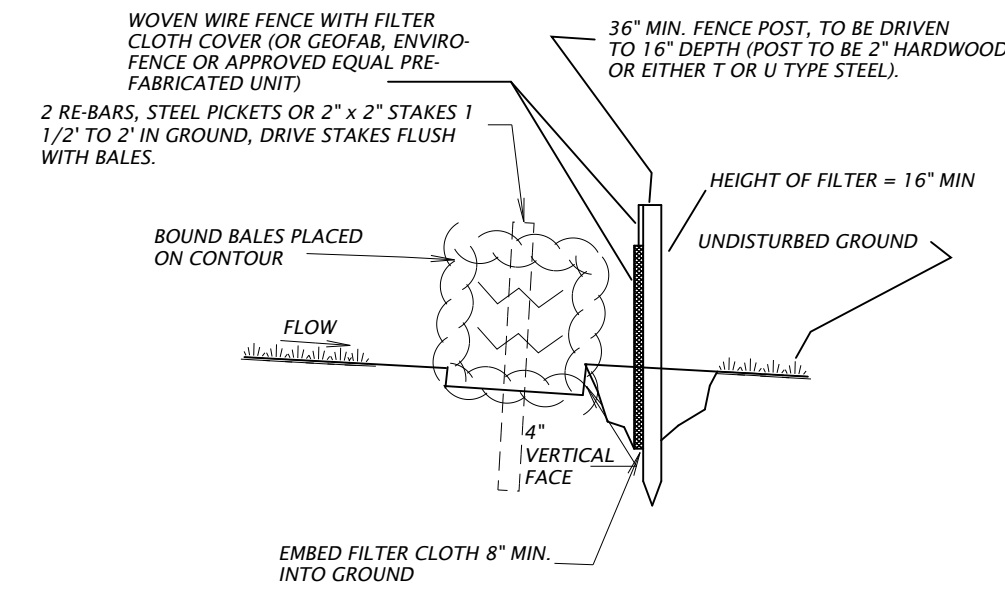
Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

**BULK REQUIREMENTS**

	ZONE: R-40											
	MIN. LOT AREA	LOT FRONTAGE	LOT WIDTH	LOT DEPTH	MINIMUM FRONT YARD	MINIMUM REAR YARD	MINIMUM SIDE YARD NORTH	MINIMUM SIDE YARD SOUTH	MAXIMUM HEIGHT	LOT COVERAGE	MAXIMUM BUILDING COVERAGE	OFF STREET PARKING
REQUIRED	40,000 S.F.	100'	150'	140'	50'	30'	25'	25'	35'	20%	15%	2
PROVIDED	6,787 S.F.	50.44'	46.17'	141.73'	43.3'	64.6'	8.7'	7'	+35'	24%	10.9%	2

\*VARIANCE REQUIRED

**SILT FENCE AND HAY BALE DETAIL**



**CONSTRUCTION SPECIFICATIONS**

1. Stone Size - Use 2" stone, or reclaimed or recycled concrete equivalent.
2. Length - As required, but not less than 50 feet (except on a single residence lot where a 30 foot minimum length would apply).
3. Thickness - Not less than six (6) inches.
4. Width - Ten (10) foot minimum, but not less than the full width at points where ingress or egress occurs.
5. Filter Cloth - Will be placed over the entire area prior to placing of stone. Filter will not be required on a single family residence lot.
6. Surface Water - All surface water flowing or diverted toward construction entrance shall be piped across the entrance. If piping is impractical, a mountable berm with 5:1 slope will be permitted.
7. Maintenance - The entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto public rights-of-way. This may require periodic top dressing with additional stone as conditions demand and repair and/or cleanest of any measures used to trap sediment. All sediment spilled, dropped, washed or tracked onto public rights-of-way must be removed immediately.
8. Washing - Wheels shall be cleaned to remove sediment prior to entrance onto public rights-of-way. When washing is required, it shall be done on an area stabilized with a stone and which drains into an approved sediment trapping

- NOTES:
1. POST SPACING TO BE 10' MAX. O.C.
  2. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
  3. WOVEN WIRE FENCE TO BE 14 1/2 GA. MIN. 6" MAX. SPACING.
  4. FILTER CLOTH TO BE FILTER X, MIRAFL 100 X OR APPROVED EQUAL.
  5. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE, WITH WIRE

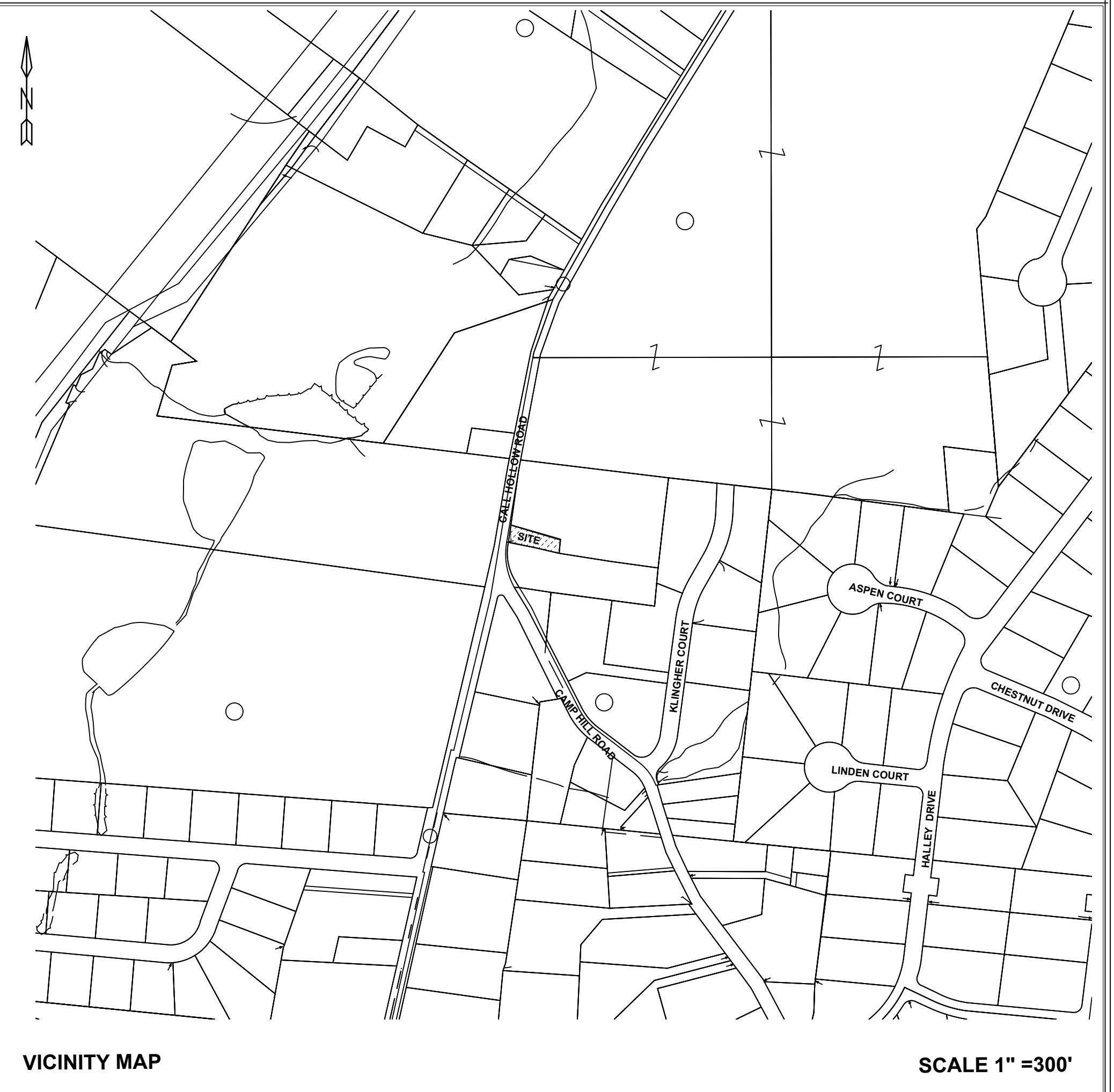
**GENERAL NOTES**

1. Immediately after installation of erosion control fencing and other structural devices, fallen trees, loose stones and construction debris are to be removed. These items are to be removed, as necessary, prior to issuance of a certificate of occupancy, along with erosion control devices that are no longer necessary.
2. Filter fabric fencing (silt fence) shall be installed at the clearing limit line as detailed on this plan.
3. Along the road frontage, temporary fencing, such as the plastic orange construction fencing, shall be installed, prior to construction of the residence, to limit vehicular access to the site to the stone wheel cleanout provided.
4. A written and dated certification is to be provided by the builder or his professional representative, prior to each inspection request, stating, "that he professionally inspected the erosion control measures approved by the village and these erosion control measures are in place and in accordance with the approved plan." Unless modified by the building inspector or village engineer.
5. Property corners (3/4" iron pins) are to be installed prior to issuance of certificate of occupancy.
6. Foundation location and elevation shall be surveyed prior to framing the house. Tolerance shall be +/- 6" horizontal and vertical. If as-built location of foundation fails to fall within these limits, foundation shall be adjusted (reconstructed) to bring it within limits or the revised site plan shall be referred to the planning board.
7. The burning or burying of trees, shrubs, branches or any debris on not permitted on site.
8. Any disturbance of steep slopes shall be completed within 90 days (one construction season). All disturbed areas shall not be left bare and exposed for more than 30 days. The disturbance of vegetative cover shall not take place more than 15 days prior to commencing grading or related construction activities. Temporary soil stabilization shall be applied within 2 days after disturbance is completed and in no case, greater than 15 days from the initial disturbance or when additional disturbance is not to occur within 7 days.
9. No trucks in excess of 10,000 pounds gross weight shall be permitted to make deliveries to the site before 9 A.M. or after 6 P.M. Mondays through Fridays nor at any time during weekends and holidays.
10. No changes are permitted to the approved site plan without prior approval by the village engineer or at his discretion the planning board.
11. Temporary seeding shall be applied to disturbed areas that are left bare for 2 days unless construction will begin within 15 days. If construction is suspended or completed, areas shall be seeded or mulched immediately.
12. All retaining walls are to be certified to be structurally sound and in compliance with all laws prior to the issuance of a certificate of occupancy. The certification is to be provided by a New York state licensed structural engineer.
13. Wall height and materials are to be shown and are subject to approval of the village engineer.
14. Construction activity is limited to foundation and site work construction only, until the landscape plan is approved by the planning board.
15. Any tree that is removed in violation of a clearing limit line, tree map or landscape plan shall be replaced with one or more trees of similar size and species to be determined by the planning board. No work shall be performed on the site until the planning board has approved a plan for tree replacement and has determined when the planting shall take place.

**EROSION CONTROL & SEDIMENT NOTES:**

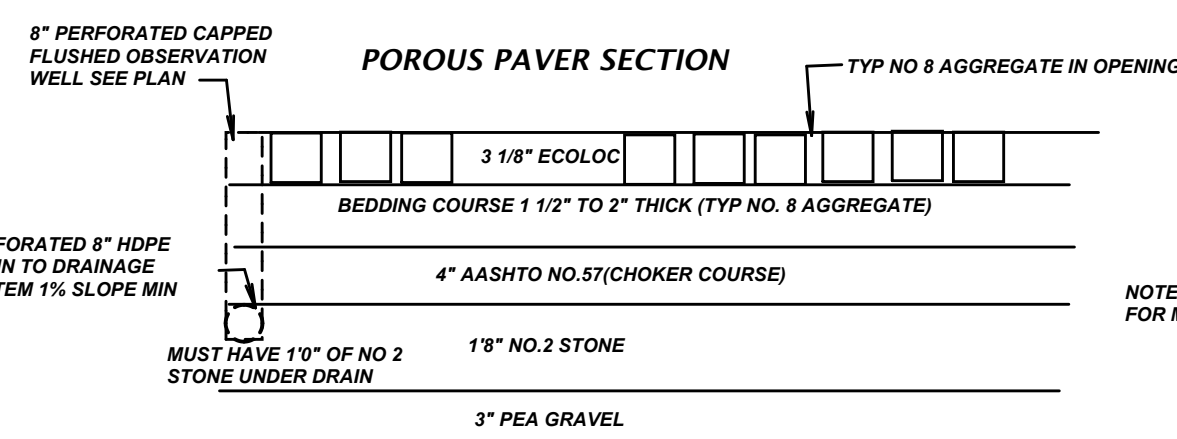
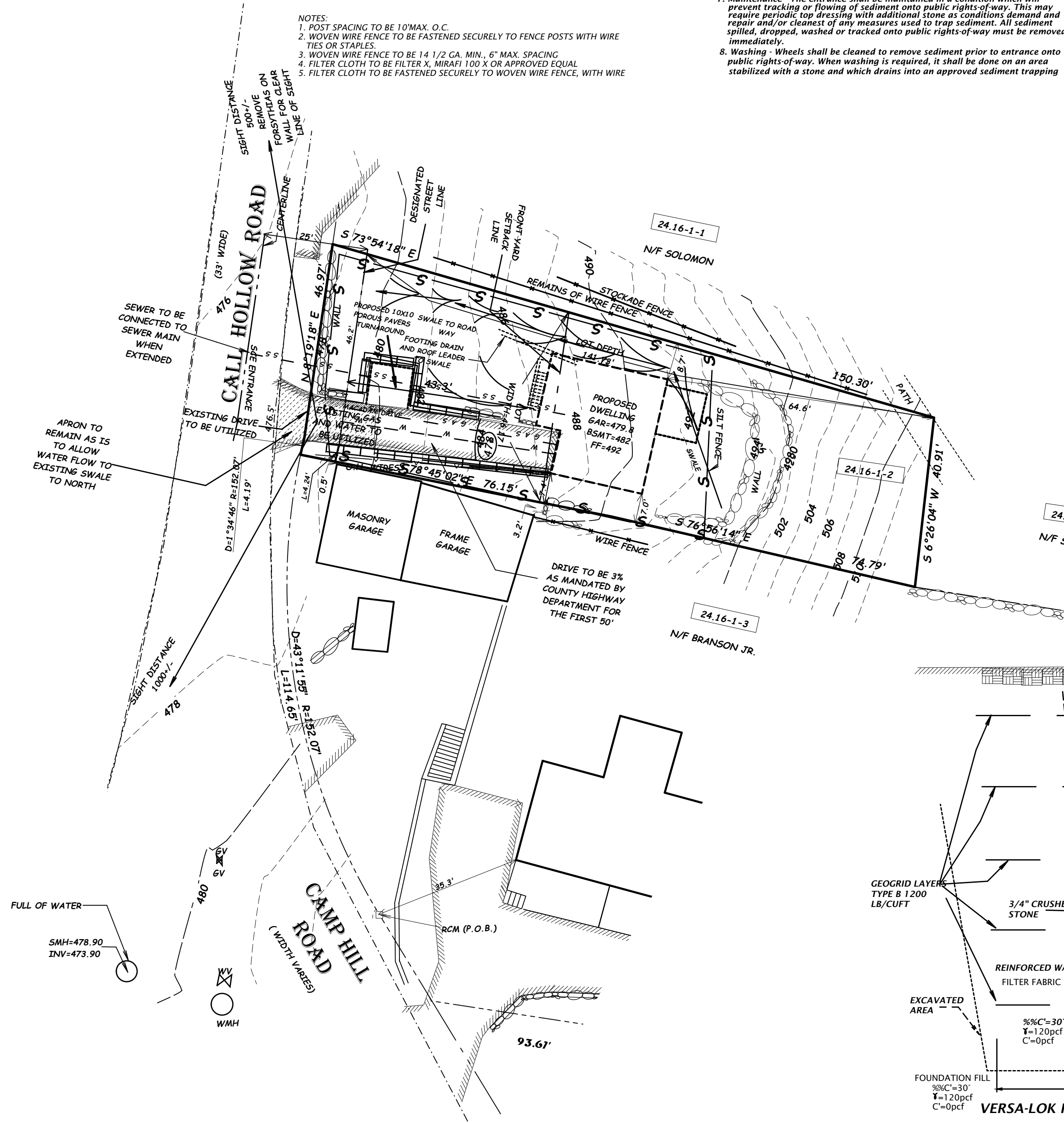
1. A TEMPORARY SEEDING SHALL BE APPLIED TO DISTURBED AREAS THAT ARE LEFT BARE FOR 15 DAYS UNLESS CONSTRUCTION WILL BEGIN WITHIN 30 DAYS. IF CONSTRUCTION IS SUSPENDED OR COMPLETED AREAS SHALL BE SEEDING DOWN OR MULCHED IMMEDIATELY.
2. STRUCTURAL MEASURES MUST BE MAINTAINED TO BE EFFECTIVE. IN GENERAL, THESE MEASURES MUST BE PERIODICALLY INSPECTED TO INSURE STRUCTURAL INTEGRITY, DETECT VANDALISM DAMAGE, AND FOR CLEANING AND REPAIR WHENEVER NECESSARY.
3. DURING CONSTRUCTION, ALL STRUCTURE SHALL BE INSPECTED WEEKLY AND AFTER EVERY RAIN.
4. AFTER CONSTRUCTION, INSPECTION SHALL BE MADE AT LEAST SEMI-ANNUALLY AND AFTER EVERY RAIN.
5. THE STORM DRAIN INLET STRUCTURES SHALL BE PROTECTED WITH A FILTER BERM UNTIL THE AREA IS STABILIZED WITH VEGETATION OR THE BASE COURSE OF PAVEMENT IS INSTALLED.
6. CONSIDER LIMITING LAND DISTURBANCE TO ONLY THAT AREA NECESSARY FOR DEVELOPMENT.
7. THE MACADAM SURFACE SHALL BE SWEEP "BROOM CLEAN" AT THE END OF EACH DAY DURING THE CONSTRUCTION PHASE OF THE SIDEWALKS AND CURBS.
8. A STABILIZED CONSTRUCTION ENTRANCE SHALL BE INSTALLED AT ALL POINTS WHERE A DISTURBED AREA MEETS AN IMPERVIOUS SURFACE, THIS INCLUDES ALL NEW DRIVEWAY CONNECTIONS ALONG THE NEW ROADWAY.
9. CONSTRUCTION EQUIPMENT SHALL BE LIMITED TO THOSE AREAS WITHIN THE SILT FENCE SEDIMENT PROTECTION. AT THE CONCLUSION OF CONSTRUCTION OPERATIONS, THE AREA COMPACTED BY MACHINERY SHALL BE DICED OR OTHERWISE LOOSENEED TO A DEPTH OF 1-2 INCHES PRIOR TO FINAL GRADING WITH TOPSOIL AND SEEDING.

NOTE:  
"IT IS A VIOLATION OF THE STATE EDUCATION LAW FOR ANY PERSON UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY."  
"ONLY COPIES OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED OR INK SEAL ARE THE PRODUCT OF THE LAND SURVEYOR."  
"THIS SURVEY WAS PREPARED FOR THE PARTIES AND PURPOSE INDICATED HEREON. ANY EXTENSION OF THE USE BEYOND THE PURPOSES AGREED TO BETWEEN THE CLIENT AND THE SURVEYOR EXCEEDS THE SCOPE OF THE ENGAGEMENT."  
THIS SURVEY MAP IS SUBJECT TO AN ACCURATE ABSTRACT OF TITLE  
EASEMENTS OR RIGHTS OF WAY ON OR BELOW THE SURFACE OF THE GROUND THAT ARE NOT VISIBLE ARE NOT SHOWN.

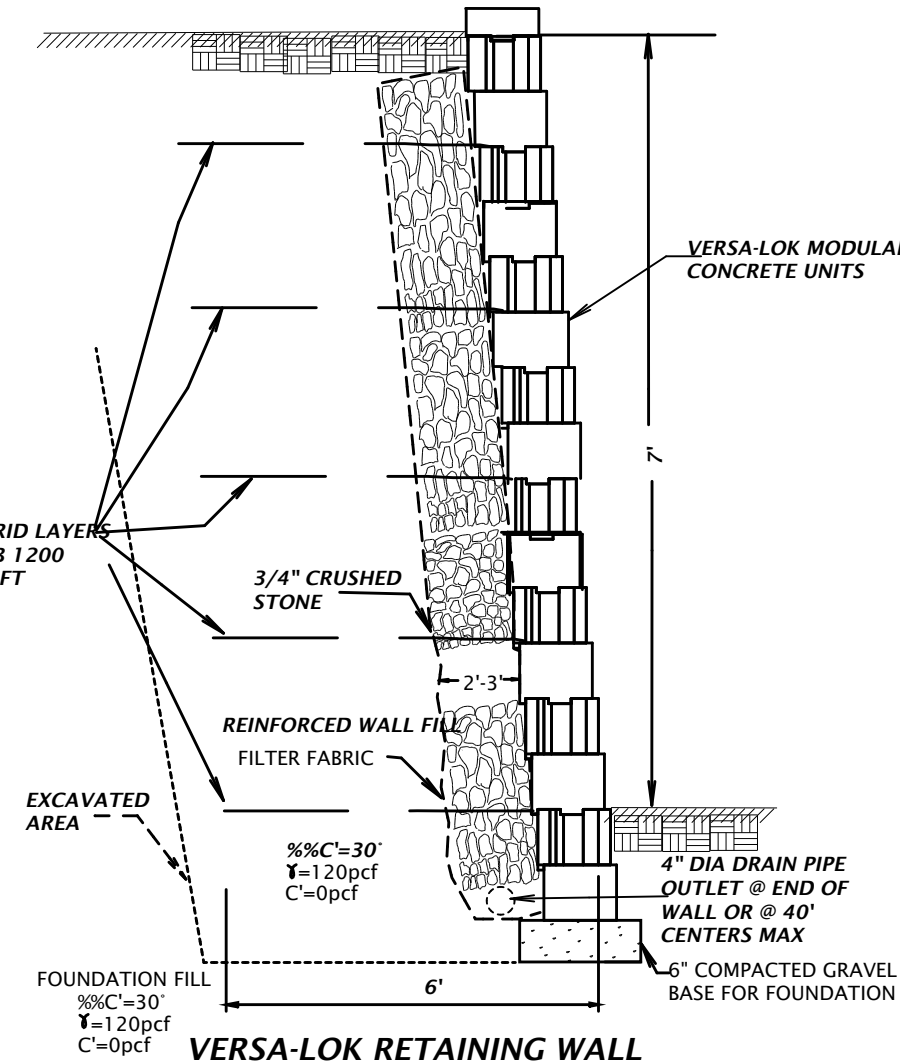


**VICINITY MAP**

SCALE 1" = 300'



NOTES FOR MAINTENANCE SEE ATTACHED DOCUMENTS



REV 6/16/24

LOT AREA=6,787 SQUARE FEET  
PROPOSED DWELLING FOR  
**68 CALL HOLLOW RD LLC**

TOWN OF HAVERSTRAW, ROCKLAND COUNTY  
REV 6/28/23 REV 9/13/23  
POMONA, NEW YORK  
REV 10/11/23 REV 2/12/24  
FEBRUARY 1, 2022 SCALE: 1" = 20'

**ANTHONY R. CELETANO P.E.**  
31 ROSMAN ROAD  
THELLS, N.Y. 10984  
845 429 5290 FAX 429 5974

*Anthony R. Celetano* LIC#76244



# SAVAD CHURGIN

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April 26, 2024

Members of the Zoning Board of Appeals  
Building Inspector Louis Zummo  
Village of Pomona  
100 Ladentown Road  
Pomona, New York 10970

### VIA Hand Delivery

Re: Appeal to ZBA: Decision of Building Inspector (dated 4/1/2024)  
Re: Special Permit Application submitted October 19, 2023  
Property Owners: Congregation Rabbinical Institute of Tartikov, Inc.  
Property Address: 65-67 Route 306, Village of Pomona,  
Town of Ramapo, County of Rockland, New York  
10970  
SBL 32.08-1-53, 54, 55.2 and 32.12-1-25, 26, 27, 28,  
29.1, 29.2, 30, 31, 33

### PETITION ON APPEAL

This Petition on Appeal is submitted in support of the attached ZBA Application of Congregation Rabbinical Institute of Tartikov, Inc. ("Tartikov" or "appellants"), the owner of property located along Route 306 in the Village of Pomona, New York identified as tax parcels 32.08-1-53, 54, 55.2 and 32.12-1-25, 26, 27, 28, 29.1, 29.2, 30, 31, 33.

The appellants appeal the Pomona Building Inspector's rejection, dated April 1, 2024, of Tartikov's October 19, 2023 special permit application (the "application"). Tartikov's application is attached hereto as **Exhibit A**. Pomona's rejection of the application is attached hereto as **Exhibit B**.

This Petition on Appeal is submitted within the time required by law.



## **BACKGROUND**

This appeal is made by Tartikov, which filed the application in order to construct, develop and operate a non-accredited rabbinical institute with adult student housing (the "Institute").

The Institute will include associated student and faculty housing in 255 student faculty housing units with accessory support facilities.

The Institute will religiously educate Orthodox Jewish men to become certified rabbis trained as *dayanim*, or religious court judges. The Institute would function as a *kollel* devoted to post-graduate studies by advanced scholars who will be trained in all four books of the Code of Jewish Law, or the *Shulchan Aruch*. Operation hours for classroom study and religious services for the rabbinical students would generally start at 6:00 a.m. and generally end at 10:30 p.m. on Sundays through Thursdays with some study and services generally from 6:00 a.m. – 1:00 p.m. and 5:00 to 10:00 p.m. on Fridays and 8:00 a.m. to 6:00 p.m. on Saturdays.

The Institute will be a Torah community that will include on-campus housing for the students and their families for the duration of their studies where the students can engage in religious study and also meet their religious obligations to their families. The purpose of the Torah community will be to isolate the students from the distractions of the outside world, permitting them to be devoted to the study of Jewish law. Tartikov, as well as the prospective students are motivated by their religious beliefs to both train and become rabbinical judges qualified in all four books of the *Shulchan Aruch*. Tartikov's facilities will include classrooms, study halls, courtrooms, a library, one or more shuls, or synagogues, on-campus housing for married students and their families and a facility to house a *mikvah*, or ritual bath. Tartikov's Institute cannot be accredited by the New York State Education Department or any other accrediting body.

### **Tartikov's Application**

On October 19, 2023 Tartikov submitted a special permit application with a request for waiver (along with a site plan application, a variance application and a proposed zone change application). On December 11, 2023 the Building Inspector rejected the variance application as premature. On March 25, 2024 the Village Board declined to consider Tartikov's zone change application. On April 1, 2024 the Building Inspector denied Tartikov's Site Plan application and Special Permit.

### **Basis for Appeal**

Tartikov's application was to build its rabbinical institute and was made pursuant to Village Code. Ex. A. The Building Inspector rejected the application on April 1, 2024. Ex. B.

Zoning Code 130-28(F) provides that:

On appeal from an order, requirement, decision or determination made by an administrative official charged with the enforcement of this chapter or on request from any official, agency or board of the Village, the Board of Appeals is authorized to decide any question involving the interpretation of any provision of this chapter. Interpretations shall be made in accordance with the intent of the particular provision being interpreted.

In this instance, the Building Inspector rejected the application. Ex. B. The Board of Appeals is therefore authorized to hear this appeal.

### **The Denial Should Be Reversed**

The Village's zoning regulations and the denial of Tartikov's Site Plan application and its Special Use Permit application violate its federal rights under the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc *et seq.* ("RLUIPA"), and the Free Exercise Clause of the Constitution. Denial of Tartikov's appeal would exacerbate these civil rights violations. Moreover, Federal and New York law make clear that the ZBA is authorized to correct these violations. We urge the ZBA to take the following into account in reviewing and deciding on Tartikov's appeal.

The Village's Building Inspector specifically cited the fact that Tartikov's proposed rabbinical institute was not accredited as grounds for issuing his denial. Prohibiting Tartikov's use throughout the Village on the grounds that the school is not accredited is a RLUIPA and Free Exercise Clause violation. RLUIPA's "Substantial burdens" section provides that "[n]o government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a . . . religious assembly or institution" unless it meets "strict scrutiny" review; that is, "unless the government demonstrates that imposition of the burden . . . is in furtherance of a compelling governmental interest; and . . . is the least restrictive means of furthering that compelling governmental interest." 42 U.S.C. § 2000cc(a)(1).

This was established by the United States District Court for the Southern District of New York, after a bench trial in the prior action by Tartikov against the Village, when it held that the accreditation requirement imposes such a substantial burden. The Court held that it was impossible for the rabbinical institute to be accredited before beginning operation, and thus "the Accreditation Law blocks Tartikov from building a rabbinical college within the Village." *Congregation Rabbinical Coll. of Tartikov, Inc. v. Village of Pomona*, 280 F. Supp. 3d 426, 456 (S.D.N.Y. 2017). This, the Court held, imposed a substantial burden on Tartikov's religious exercise, since because of the Accreditation Law Tartikov "cannot build a rabbinical college on *any* parcel of land within the Village."

*Id.* at 477 (emphasis in original); see also *id.* at 475 (“RLUIPA protects religious institutions from land use regulations that substantially affect their ability to use their property in the sincere exercise of their religion”) (citing *Fortress Bible Church v. Feiner*, 694 F.3d 208, 218 (2d Cir. 2012); *Westchester Day Sch. v. Vill. of Mamaroneck*, 504 F.3d 338, 352 (2d Cir. 2007) (restrictions on Jewish day school that prevented it from expanding to serve more students and provide educational activities that the school believed were important to Jewish education violated RLUIPA).

Also significantly, the Court held that the Village had not proven that it had any compelling justification pursued through the “least restrictive means” that could justify the burden imposed on Tartikov. 280 F. Supp. 3d at 467 (“Defendants have not explained why only accredited schools and traditional student-only dormitories are preferable to unaccredited schools and nontraditional dormitories, or how they pose greater threats to the Village” and thus they “do not survive strict scrutiny review”).

Likewise, the Court held that the Accreditation Law violated Tartikov’s Free Exercise rights. *Id.* at 485. The Court held that the Accreditation Law and the Dormitory Law “were enacted to infringe upon religious practices because of their religious motivation.” 280 F. Supp. 3d at 484. See also *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520 (1993) (zoning law that had the effect of singling out a religious group violated the Free Exercise Clause). The standard for Free Exercise Clause violation was made even less demanding by the Second Circuit since the Court’s decision. In November 2023, the Second Circuit held that there was no obligation for plaintiffs in Free Exercise cases to prove a “substantial burden” on religious exercise as required by RLUIPA; rather, all that is required is a showing of a “burden.” *Kravitz v. Purcell*, 87 F.4th 111, 127 (2d Cir. 2023).

As with the RLUIPA claim, the Court held that the Village had not proven a compelling government interest pursued through the least restrictive means that could justify its actions. 280 F. Supp. 3d at 485. See also *Roman Cath. Diocese of Brooklyn v. Cuomo*, 592 U.S. 14, 18 (2020) (striking down New York’s COVID occupancy caps on places of worship, holding that “there are many other less restrictive rules that could be adopted to minimize the risk to those attending religious services”). There is no legitimate, much less compelling justification to prohibit Tartikov’s use outright.

Courts throughout the nation regularly hold in favor of religious organizations under RLUIPA and the First Amendment where zoning laws that prohibit or severely restrict religious land uses are challenged. See *WR Prop. LLC v. Twp. of Jackson*, No. CV173226MASDEA, 2021 WL 1790642, at \*12 (D.N.J. May 5, 2021) (ordinances intended to prohibit Orthodox Jewish schools and eruvim “are not neutral and were passed with a discriminatory purpose”); *Bais Brucha Inc. v. Twp. of Toms River, New Jersey*, No. CV213239ZNQRLS, 2024 WL 863698, at \*10 (D.N.J. Feb. 29, 2024) (Court entered judgment for the Plaintiffs on RLUIPA and First Amendment claims finding “[t]he

overall effect of the Land Use Regulations was to constrict the development of places of worship in the Township.”); *St. Timothy's Episcopal Church by & through Diocese of Oregon v. City of Brookings*, No. 1:22-CV-00156-CL, 2024 WL 1303123, at \*8 (D. Or. Mar. 27, 2024) (zoning ordinance which provided for conditional use of “benevolent meal services” and how often they can occur violates RLUIPA). The same applies here.

RLUPA's Substantial Burdens provision provides:

**(a) Substantial burdens**

**(1) General rule**

No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution--

**(A)** is in furtherance of a compelling governmental interest; and

**(B)** is the least restrictive means of furthering that compelling governmental interest.

42 U.S.C.A. § 2000cc. The Supreme Court has recently described the strict scrutiny test as follows:

[S]trict scrutiny requires the State to further “interests of the highest order” by means “narrowly tailored in pursuit of those interests.” *Church of Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520, 546 (1993) (internal quotation marks omitted). That standard “is not watered down”; it “really means what it says.”

*Tandon v. Newsom*, No. 20A151, 2021 WL 1328507, at \*2 (U.S. Apr. 9, 2021).

Generalized interests are insufficient as a matter of law. *Holt*, 135 S.Ct. at 863, *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal*, 546 U.S. 418, 432, 438 (2006). A compelling governmental interest must be a specific interest of the “highest order,” which is “some substantial threat to public safety, peace[,] or order,” and “[o]nly the gravest abuses, endangering paramount interest, give occasion for permissible limitation.” *Church of the Lukumi Babalu Aye*, 508 U.S. at 546; *Wisconsin v. Yoder*, 406 U.S. 205, 215 (1972); *Sherbert v. Verner*, 374 U.S. 403, 406 (1963). A compelling governmental interest must exist in this particular case. See *O Centro*, 546 U.S. at 430 (applying RFRA); WDS, 504 F.3d at 353. It does not here. The generalized interest in “enforcing [a] Zoning Ordinance” is always at issue in a challenge to land use regulations. See *Covenant Christian Ministries, Inc. v. City of Marietta*, No. 1:06-CV-1994-CC, 2008 WL 8866408, at \*14 n.9 (N.D. Ga. Mar. 31, 2008) (“If the general government interest in zoning satisfied the first prong of the strict scrutiny test in every case, then this prong of the analysis would be eviscerated in RLUIPA cases.”); *City Walk - Urb. Mission Inc. v. Wakulla Cnty.*, 471 F. Supp. 3d 1268, 1287 (N.D. Fla. 2020) (“Defendant’s justification boils down to its interest in enforcing its zoning regulation and furthering its zoning regulation’s purpose in a general way. That is not enough.”). The test is not satisfied

through advancing “broadly formulated interes[t][s]” but “requires the Government to demonstrate that the compelling interest test is satisfied through application of the challenged law to the person—the particular claimant whose sincere exercise of religion is being substantially burdened.” *Holt*, 574 U.S. at 363 (internal quotation omitted); see also *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal*, 546 U.S. 418, 431 (2006) (“O Centro”); *Davila v. Gladden*, 777 F.3d 1198, 1206 (11th Cir. 2015) (“[T]he Defendants’ generalized interests are insufficient as a matter. . . . The Defendants offer little more than a conclusory assertion that if they grant Mr. Davila’s request, there will be a significant impact on security interests and cost concerns.”).

Neither are “community character” interests compelling. See *Solantic, LLC v. City of Neptune Beach*, 410 F.3d 1250, 1267 (11th Cir. 2005) (holding that sign code was not “narrowly tailored to accomplish the City’s asserted interests in aesthetics and traffic safety, nor has our case law recognized those interests as ‘compelling’”); *Rocky Mtn. Christian Church v. Bd. of Cnty. Comm’rs of Boulder Cnty.*, 612 F. Supp. 2d 1163, 1175 (D. Colo. 2009), *aff’d*, 613 F.3d 1229 (10th Cir. 2010) (stating that “lack of harmony with the character of the neighborhood, incompatibility with the surrounding area, . . . . generally have been found not to be compelling”); *Westchester Day Sch.*, 417 F. Supp. 2d at 554 (“[T]he visual impact of the Project does not implicate a compelling government interest.” (citations omitted)); *Cottonwood Christian Ctr.*, 218 F. Supp. 2d at 1228 (aesthetic concerns are not “a compelling interest that can justify burdening [] [Plaintiff’s] religious exercise rights”); *Congregation Rabbinical Coll. of Tartikov v. Vill. of Pomona*, 138 F. Supp. 3d 352, 418-20 (S.D.N.Y. 2015), *aff’d*, 945 F.3d 83 (2d Cir. 2019) (“aesthetic and community character rationales are generally not compelling state interests”). Additionally, “traffic safety,” although a “substantial” interest, is not a compelling governmental interest that can justify the burdening of First Amendment rights. *Solantic*, 410 F.3d at 1267-68; *Dimmitt v. City of Clearwater*, 985 F.2d 1565, 1569-70 (11th Cir. 1993); *Beaulieu v. City of Alabaster*, 454 F.3d 1219, 1234 (11th Cir. 2006).

Strict scrutiny requires more than just an assertion that there may be an impact from a religious use. See *Tandon*, 141 S. Ct. at 1296 (government “must do more than assert that certain risk factors are always present in worship” (internal quotation omitted)); *Tartikov*, 138 F. Supp. 3d at 422 (“Defendants’ only evidence connecting the Challenged Laws to alleviating traffic concerns is that ‘all dwelling units, by their nature, generate traffic.’ . . . This explanation is insufficient”); *Congregation Etz Chaim v. City of L.A.*, No. CV10-1587 CAS EX, 2011 WL 12472550, at \*5, \*7 (C.D. Cal. July 11, 2011) (rejecting the City’s argument that it had a compelling interest in “maintaining the residential nature of the neighborhood” because “this approach would render RLUIPA a nullity” and finding that, “while the City refers to its broad interest in protecting the health, safety and welfare of its citizens, and parking and traffic concerns in relation to those interests, they present no evidence ‘that any traffic or parking concerns actually existed’”).

A government must also demonstrate that it considered less restrictive means of achieving any governmental interest rather than outright denial. *Redeemed Christian Church of God*, 17 F.4th at 512 (“the [] [government] never sought to show at trial that it considered alternatives—such as roadway improvements or additional road signs—before denying the Application.”); *Cottonwood Christian Ctr. v. Cypress Redevelopment Agency*, 218 F. Supp. 2d 1203, 1229 (C.D. Cal. 2002) (outright denial is not least restrictive means and “City has done the equivalent of using a sledgehammer to kill an ant.”); *Chabad Lubavitch of Litchfield Cnty., Inc. v. Borough of Litchfield, Connecticut*, No. 3:09-CV-1419 (JCH), 2017 WL 5015624, at \*14 (D. Conn. Nov. 2, 2017) (imposition of smaller footprint on Chabad violated RLUIPA and was not least restrictive means). In *Westchester Day Sch. v. Vill. of Mamaroneck*, 417 F. Supp. 2d 477, 553-54 (S.D.N.Y. 2006), *aff’d*, 504 F.3d 338 (2d Cir. 2007), the Court found that the Village had not demonstrated that outright denial of the religious school was the least restrictive means of furthering a compelling governmental interest with respect to three categories of asserted such interests: traffic (“incremental impact of the Project on traffic could have been mitigated in a number of ways. Defendants’ have failed to carry their burden of demonstrating that no alternatives other than an outright denial could protect their interests relating to traffic.”); “visual impacts and adverse effects on property values” (aesthetic concerns could be mitigated and neither those nor property values are a compelling interest); and parking (lack of parking did not constitute “a threat to public safety”).

While some of the District Court’s holdings in the prior Tartikov litigation were overturned by the Second Circuit Court of Appeals, it did so on the ground that Tartikov had not yet filed a formal application to build its rabbinical college and thus lacked “standing” to bring suit. *Congregation Rabbinical College of Tartikov, Inc. v. Village of Pomona*, 945 F.3d 83, 110 (2d Cir. 2019) (“Tartikov . . . never submitted a formal proposal for the building project, applied for a permit, or engaged in any other conduct that would implicate or invoke the operation of the challenged zoning laws.”). This justification no longer applies as Tartikov has now done so through two applications and a rezoning petition, all of which have been rejected. Therefore, the RLUIPA and Free Exercise Clause issues will be ripe for consideration and the relevant facts and legal considerations are unchanged, leading inescapably to the conclusion that the Village will lose a new lawsuit brought against it, now that the “standing” issue is resolved.

The ZBA must consider Tartikov’s federal rights. First, it is subject to requirements of RLUIPA and the Free Exercise Clause. See 42 U.S.C. § 2000cc-5(4) (“The term “government”— (A) means—(i) a State, county, municipality, or other governmental entity created under the authority of a State; (ii) any branch, department, agency, instrumentality, or official of an entity listed in clause (i); . . .”). See *Layman Lessons, Inc. v. City of Millersville, Tenn.*, 636 F. Supp. 2d 620, 643 (M.D. Tenn. 2008) (City is a government under RLUIPA and vicariously liable under respondeat superior for acts of its employees); *Bais Brucha*, 2024 WL 863698, at \*1 (Zoning Board of Adjustment is a



“government” under RLUIPA); *Adam Cmty. Ctr. v. City of Troy*, 381 F. Supp. 3d 887, 890 (E.D. Mich. 2019) (City, City Planning Commission and Zoning Board of Appeals are proper party Defendants under RLUIPA); *DiLaura v. Twp. of Ann Arbor*, 112 F. App’x 445, 446 (6th Cir. 2004) (Town and Town’s Zoning Board of Appeals violated RLUIPA); *Bensalem Masjid, Inc. v. Bensalem Twp.*, No. CV 14-6955, 2015 WL 5611546, (E.D. Pa. Sept. 22, 2015) (RLUIPA claims could proceed against Township and Township Zoning Hearing Board); *Islamic Soc’y of Basking Ridge v. Twp. of Bernards*, 226 F. Supp. 3d 320, 351 (D.N.J. 2016) (planning board liable under RLUIPA); *Guru Nanak Sikh Soc’y of Yuba City v. Cnty. of Sutter*, 326 F. Supp. 2d 1128, 1136 (E.D. Cal. 2003) (even “individual government officials may be subject to suit under RLUIPA.”). Any argument that RLUIPA or the Free Exercise Clause do not apply to it must be rejected.

Second, RLUIPA itself provides a specific mechanism to allow local governments to avoid further violation of RLUIPA by voluntarily accommodating burdened religious exercise through any number of different ways. This provision, known as the “Safe Harbor” provision, states:

**Governmental discretion in alleviating burdens on religious exercise.** A government may avoid the preemptive force of any provision of this chapter by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions from the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden.

42 U.S.C. § 2000cc-3(e). The purpose of this “Safe Harbor” provision is to assure governmental bodies “that they retain discretion to decide how best to remedy an allegedly offending law, policy, or regulation . . . .” *Pratt v. Ott*, No. 1:20-CV-171, 2021 WL 1212587, at \*6 (M.D. Pa. Mar. 31, 2021). The legislative history of this provision supports this purpose.

“Congress intended to give each state the freedom “to choose its own means of eliminating substantial burdens on religious exercise.” See 146 Cong. Rec. E1563, E1564 (daily ed. Sept. 21, 2000) (statement of sponsoring Rep. Canady). . . . Another statement confirms that RLUIPA . . . . “leaves all other policy choices to the states.” See 146 Cong. Rec. S7774, S7776 (daily ed. July 27, 2000) (joint statement of Sens. Hatch and Kennedy). Congress plainly intended to allow each state to “eliminate the discrimination or burden in any way it chooses, so long as the discrimination or substantial burden is actually eliminated.”<sup>9</sup> See id.

*Pratt v. Ott*, No. 1:20-CV-171, 2021 WL 1212587, at \*6 (M.D. Pa. Mar. 31, 2021).

This provision authorizes any number of ways to eliminate the burden imposed by the accreditation requirement: the Village could repeal the offending provisions; the

Village could exempt religious entities from it; or the Village—through its ZBA—could exempt Tartikov specifically from it, or any other means that eliminates its application to Tartikov. The provision provides discretion to the Village in how to accomplish this, so long as it in fact eliminates the burden on Tartikov. See, e.g., *Boles v. Neet*, 402 F. Supp. 2d 1237, 1241 (D. Colo. 2005), *aff'd*, 486 F.3d 1177 (10th Cir. 2007) (“This provision has been interpreted to provide discretion in the government agency to take corrective action to eliminate any violation of the statutory provisions . . . and thereby preempt liability under RLUIPA.”).

In exercising their governmental discretion under the Safe Harbor provision to alleviate substantial burdens and discrimination toward religious land use applicants, the following are examples of governmental action taken to avoid RLUIPA liability:

- Village “amended its zoning code in 2003 so that *all* membership organizations were excluded from I–1 zones, including the business-related organizations that under the 1988 version of the code were allowed. The village also opened up additional zones to religious organizations where they previously were not allowed. Religious organizations had been allowed only in the IB zone, but now were permitted as of right in two residential districts (R–1 and R–2), and in an additional 16 districts after obtaining a special permit.” *Petra Presbyterian Church v. Vill. of Northbrook*, 409 F. Supp. 2d 1001, 1004 (N.D. Ill. 2006), *aff'd*, 489 F.3d 846 (7th Cir. 2007). “The parties agree that the 2003 amendments to Northbrook’s zoning ordinance put nonreligious assemblies on equal footing with religious assemblies. Accordingly, Northbrook has avoided liability by eliminating its discriminatory zoning provision.” *Id.* at 1008.
- “The April 8, 2015 amendment and the April 21, 2015 issuance of the conditional use permit to the Church, taken together, permitted the Church to purchase the Theater Property for use as a place of worship and placed the Church on equal footing with secular assemblies, including movie theaters. Accordingly, the amendment and the conditional use permit eliminated any alleged substantial burden and any alleged discriminatory treatment imposed by the former Zoning Ordinance or by the City’s denial of the Church’s Planning Application.” *Church v. City of St. Michael*, 205 F. Supp. 3d 1014, 1032 (D. Minn. 2016).
- Adoption by a County of a Resolution and entering into a Settlement Agreement and Release with the Church which “eliminated those obstructions to the plaintiffs’ religious exercise by permitting construction of the Church facilities and their use under conditions that were acceptable to the plaintiffs. *Grace Church of Roaring Fork Valley v. Bd. of Cnty. Comm’rs of Pitkin Cnty., Colorado*, 742 F. Supp. 2d 1156, 1160 (D. Colo. 2010).
- County approved initial land use application and entered into a Settlement Agreement. *United States v. Cnty. of Culpeper, Virginia*, No. 3:16-CV-00083, 2017 WL 3835601, at \*8 (W.D. Va. Sept. 1, 2017).

- Granting a conditional use permit to permit operation of a homeless ministry. *Family Life Church v. City of Elgin*, No. 07 CV 0217, 2007 WL 2790763, at \*2 (N.D. Ill. Sept. 24, 2007).
- Granting a building permit to a church after Special Counsel for the Town noted “[I]t is difficult to see what th[e] compelling interest [of the town] might be in light of the uses allowed at the Church site under the Bylaw. If the Town’s compelling interest was to protect the health, safety and general welfare of the Town’s inhabitants by reducing traffic and minimizing activity in that general area, it is unclear why then the Bylaw would permit the use of the Church site for a municipal use, private nonprofit library or museum, post office or medical professional offices.... As such, it is difficult to support the position that § 9.18 of the Bylaw furthers a compelling governmental interest.” *Mintz v. Roman Cath. Bishop of Springfield*, 424 F. Supp. 2d 309, 313 (D. Mass. 2006).

Significantly, the Village’s counsel admitted the same at oral argument before the Second Circuit. See *Congregation Rabbinical College of Tartikov, Inc. v. Village of Pomona*, No. 21-2822 (Transcript of Oral Argument May 16, 2022) at 19 (“I think the question there becomes—is the accreditation requirements itself unconstitutional as applied to Tartikov. But that question should initially be presented to the Village when it comes in for the land use application like many plaintiffs that file land use applications or developers.” (emphasis added)); *id.* at 14 (“if they present an argument to the Village and say that the law, as applied, would be unconstitutional as to them, the Village is the first body that should evaluate that and make a determination.” (emphasis added)). The ZBA should use that opportunity, as the Village’s own counsel insisted it should, to avoid further lengthy and expensive litigation.

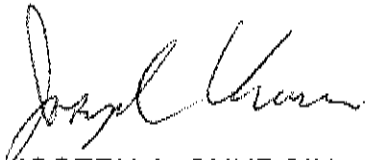
Finally, in New York, Boards of Zoning Appeals are authorized to take actions to provide accommodation to religious organizations to allow them to operate, both under RLUIPA and under the New York legal principle that “special treatment should be afforded schools and religious entities seeking to expand in residential areas.” *Septimus v. Board of Zoning Appeals for the Inc. Vill. of Lawrence*, 50 Misc. 3d 968, 975 (Sup. Ct., Nassau Cty. 2015). See also *Albany Preparatory Charter Sch. v. City of Albany*, 31 A.D.3d 870, 871, 818 N.Y.S.2d 651, 652 (2006) (“because of their inherently beneficial nature, educational institutions enjoy special treatment and are allowed to expand into neighborhoods where nonconforming uses would otherwise not be allowed”); *Assembly v. Vill. of Hempstead Bd. of Zoning Appeals*, 34 Misc. 3d 1208(A), 943 N.Y.S.2d 790 (Sup. Ct. 2011) (“greater flexibility is required in evaluating an application for a religious use than an application for another use and every effort to accommodate the religious use must be made”); *Islamic Soc. of Westchester & Rockland, Inc. v. Foley*, 96 A.D.2d 536, 537, 464 N.Y.S.2d 844, 845 (1983) (“There is an affirmative duty on the part of a local zoning board to suggest measures to accommodate the planned religious use, without causing the religious institution to incur excessive additional costs, while mitigating the detrimental effects on the health, safety and welfare of the surrounding community.”); *Cornell Univ. v. Bagnardi*, 68 N.Y.2d 583, 595, 503 N.E.2d 509, 515 (1986) (because of

their traditionally favored status, the "controlling consideration in reviewing the request of a school or church for permission to expand into a residential area must always be the over-all impact on the public's welfare.").

We request that the ZBA not further compound the violation of Tartikov's rights, and that it grant the appeal and reverse the April 1, 2024 denial of the application.

We have enclosed a \$375 application fee. Please advise if you need any more information or forms. We look forward to being placed on the May 22, 2024 ZBA agenda. Please do not hesitate to contact our office with any questions.

Respectfully Submitted,



JOSEPH A. CHURGIN  
JAC/mc  
Enc.

**EXHIBIT A**

**EXHIBIT A**



FOR SECURITY PURPOSES, THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING AT THE BORDERS.

Cong. Rabbinical Institute Of Tartikov Inc.  
PO Box 304  
Monsey, NY 10952

Northeast Community Bank  
Monsey, NY 10952  
1-201-2960

433

Pay to the Order of *VILLAGE OF JAMAICA*

*FIVE HUNDRED \$*

*10/18/23*

*\$500 →*

Memo: *SPECIAL PERMIT FEE*

SECURITY FEATURES INCLUDED. DETAILS ON BACK



⑈000000433⑈ ⑆22607251⑆⑆50461029

# SAVAD CHURGIN

## ATTORNEYS AT LAW

Paul Savad (1941-2020)  
Joseph A. Churgin

55 OLD TURNPIKE ROAD – SUITE 209  
(Rt. 59 & THRUWAY EXIT 14)  
NANUET, NEW YORK 10954

Susan Cooper  
Donna Sobel

(845) 624-3820  
Fax: (845) 624-3821  
Website: SavadChurgin.com

October 19, 2023

By Hand Delivery

Mayor Ilan Fuchs and  
Members of the Village Board of Trustees  
100 Ladentown Road  
Pomona, NY 10970  
ATTN: Village Clerk

***Re: Petition – Village of Pomona Special Use Permit  
Education Institutions / Adult Student Housing***

Dear Mayor Fuchs and Members of the Village Board of Trustees:

This Firm represents Congregation Rabbinical Institute of Tartikov Inc. f/k/a Congregation Rabbinical College of Tartikov, Inc. (“Tartikov”) in connection with land use approvals for its proposed rabbinical institute. The Rabbinical Institute is proposed on property located along Route 306 in the Village of Pomona, New York identified as identified as tax parcels 32.08-1-53, 54, 55.2, and 32.12-1-25, 26, 27, 28, 29.1, 29.2, 30, 31, 33 (the “Property” or “Project Site”). The Project Site is approximately 119 acres and is located in the Village’s R-40 zoning district. Tartikov submits this **special permit application** for your review and approval so that Tartikov may build and operate its Rabbinical Institute.

The proposed Rabbinical Institute is a religious use intended to educate Orthodox Jewish men to become certified rabbis trained as religious court judges. The institute would function as a kollel devoted to post-graduate studies by advanced scholars. Operation hours for classroom study and religious services for the rabbinical students would generally start at 6:00 a.m. and generally end at 10:30 p.m., on Sundays through Thursdays with some study and services generally from 6:00 a.m. to 1:00 p.m. and 5:00 p.m. to 10:00 p.m. on Fridays and 8:00 a.m. to 6:00 p.m. on Saturdays. The Institute will be a Torah community that will include on-campus housing for the students and their families for the duration of their studies where the students can engage in religious study and also meet their religious obligations to their families.

Pomona has represented to Tartikov that “Village Law § 7-725-b(5) enables a board of trustees to authorize a board, such as itself, reviewing special permit applications to —waive any of the requirements for —approval, approval with modifications or disapproval of a special permit.” *Tartikov v. Pomona*, 7:20-cv-06158-KMK ECF No. 45, page 9, fn 6. Tartikov therefore

requests that as part of the Board's review of this application that the Board grant waivers pursuant to Village Law § 7-725-b(5). Specifically, Tartikov requests a waiver of Village Code § 130-9(A), which prohibits uses not listed as a permitted, special permit, or accessory use, specifically here an educational institution that (a) is unaccredited; and (b) includes accessory multifamily housing for adult students and their families with separate cooking, dining and housekeeping facilities (see § 130-4 and 130-10(F)). These waivers are necessary to accommodate Tartikov's religious and educational uses.

### **Conclusion**

We have included a check for \$500. If the fee is incorrect, please advise us so that we may correct it. As a reminder, there are certain provisions of the Village Code, including the Wetlands Law as adopted in 2007, that the Village is prohibited from applying to Tartikov as a result of the Court Order in *Congregation Rabbinical Coll. of Tartikov, Inc. v. Vill. of Pomona, NY*, 280 F. Supp. 3d 426 (S.D.N.Y. 2017), *aff'd in part, rev'd in part and remanded*, 945 F.3d 83 (2d Cir. 2019).

We respectfully submit this application for Tartikov's special use permit application to the Village Board. We request that we be placed on the November Village Board agenda. Please do not hesitate to contact our office with any questions.

Sincerely,



JOSEPH A. CHURGIN

JAC/mc

Enc.

# SAVAD CHURGIN

## ATTORNEYS AT LAW

Paul Savad (1941-2020)  
Joseph A. Churgin

55 OLD TURNPIKE ROAD – SUITE 209  
(RL 59 & THRUWAY EXIT 14)  
NANUET, NEW YORK 10954

Susan Cooper  
Donna Sobel

(845) 624-3820  
Fax: (845) 624-3821  
mail@SavadChurgin.com

October 19, 2023

Mayor Ilan Fuchs and  
Members of the Village Board of Trustees  
100 Ladentown Road  
Pomona, NY 10970  
ATTN: Village Clerk

*Re: Petition – Village of Pomona Special Use Permit Application  
Education Institutions / Adult Student Housing*

### NARRATIVE

This application is made by Applicant Congregation Rabbinical Institute of Tartikov Inc., f/k/a Congregation Rabbinical College of Tartikov, Inc. (“Tartikov”), which seeks a **Special Use Permit** in order to construct, develop and operate a non-accredited rabbinical institute with adult student housing (the “Institute”).

The Institute will include associated student and faculty housing in 255 student faculty housing units with accessory support facilities.

The Institute will religiously educate Orthodox Jewish men to become certified rabbis trained as *dayanim*, or religious court judges. The Institute would function as a *kollel* devoted to post-graduate studies by advanced scholars who will be trained in all four books of the Code of Jewish Law, or the *Shulchan Aruch*. Operation hours for classroom study and religious services for the rabbinical students would generally start at 6:00 a.m. and generally end at 10:30 p.m. on

Sundays through Thursdays with some study and services generally from 6:00 a.m. – 1:00 p.m. and 5:00 p.m. to 10:00 p.m. on Fridays and 8:00 a.m. to 6:00 p.m. on Saturdays.

The Institute will be a Torah community that will include on-campus housing for the students and their families for the duration of their studies where the students can engage in religious study and also meet their religious obligations to their families. The purpose of the Torah community will be to isolate the students from the distractions of the outside world, permitting them to be devoted to the study of Jewish law. Tartikov, as well as the prospective students are motivated by their religious beliefs to both train and become rabbinical judges qualified in all four books of the *Shulchan Aruch*. Tartikov's facilities will include classrooms, study halls, courtrooms, a library, one or more *shuls*, or synagogues, on-campus housing for married students and their families and a facility to house a *mikvah*, or ritual bath. Tartikov's Institute cannot be accredited by the New York State Education Department or any other accrediting body.

The 119.5-acre Tartikov site property is located in the Village of Pomona on the east side of NYS Route 306 and the south side of US Route 202. The property was previously developed as a summer camp; the abandoned buildings and recreational facilities from the summer camp remain today and will be removed when the site is developed. The remaining lots are improved by single family homes which will be removed when the site is developed.

The Tartikov site consists of the following tax lots:

SECTION 32.08 BLOCK 1, LOTS 53, 54, 55.2

SECTION 32.12 BLOCK 1 LOTS 25, 26, 27, 28, 29.1, 29.2, 30, 31, 33

The site slopes up from Route 306 to the east up to a ridgeline where most of the former camp structures are located. From the ridge the site slopes back down continuing to the east. A stream (Brian Brook) runs thru the front of site parallel to Route 306 before crossing under Route

306 at the existing driveway. Army Corps of Engineers jurisdictional wetlands are also located in the front of the property. Army Corps of Engineers -New York State Department of Environmental Conservation joint jurisdictional wetlands are located in the rear of the property.

The site plan includes a single education building located on the west side of the property that has a 14,000 sq. ft. building footprint with 3 floors (2 stories plus full basement) totaling 42,000 square feet. The education building will be staffed by instructors and support staff. Some instructors and support staff will reside off site, however approximately 13 support staff and 242 students and will reside on site in multifamily student housing that consist of 255 4-bedroom units that include living space for each student's/staff family. Each student home will be 2,363 sq. ft.; one third of the student homes will be ground story flats and two thirds of the student homes will 2-story townhome style located above the flats.

The existing site driveway at Route 306 will be shifted 360 feet to the south and will serve as the sole access point. Two emergency access drives are proposed at Route 202 and at Sherwood Ridge Road. A turning lane on Route 306 is proposed for vehicles making left turns in traveling South on 306. Public water and sewer service are available subject to requisite jurisdictional approvals and connections will be made at Route 306. No off-site public water improvements are anticipated and off-site public sewer improvements are anticipated. The site layout for the residences has been made in a looped driveway configuration that complements the existing topography and redevelops the areas previously disturbed for the former camp. Children will attend offsite schools and a bus

A loading area has been provided for safe and efficient school bus pickup and dropoff. Stormwater mitigation has been designed to gain coverage under the New York State DEC SPDES Stormwater General Permit for Construction Activity. The site meets all the bulk requirements associated with the Educational Institution use in the R-40 zone.



### Applicable Law

New York State and Federal law requires a municipality to be flexible in the application of its zoning code to educational and religious uses. See *Cornell v. Bagnardi*, 68 N.Y.2d 583 (1986), and RLUIPA (42 U.S.C. §§ 2000cc, *et seq.*). This law applies to special permits.

The special permitting process is a proper vehicle for a municipality to provide the flexibility required to accommodate educational and religious uses (see *Cornell v. Bagnardi*, *supra*).

## Village of Pomona

# Special Permit Application

All applicants are encouraged to read and review the Village Code when preparing an application for a Special Permit. **Note:** Any fee paid along with this application for a Special Permit is in addition to any fee that may be paid as it relates to an application for Planning Board Site Plan Approval.

### INSTRUCTIONS

Only completed applications will be scheduled for review by the appropriate Board as provided in the Village Code for the Village of Pomona. An application will not be deemed complete until all requirements are met and the Village Board receives the reports of its professionals, board and other entities in accordance with Section 130-28(E)(4)(b) of the Village Code. The following shall also be submitted in order for an application to be deemed complete:

1. Filing fee (see fee schedule);
2. An application for site development plan approval with the Village of Pomona Planning Board and 4 copies of the site plan.
3. 12 copies of the application, 12 plot plans drawn to scale (showing setbacks and other dimensions) or 12 surveys that has been sworn or attested to as being true and accurate;
4. 12 copies of a narrative describing why the applicant is applying for a Special Permit;
5. List of names and addresses, along with stamped self-addressed envelopes, of all property owners within a **500 foot radius** of the property covered in the application;
6. 12 copies of a vicinity map;
7. 12 copies of a site plan; and
8. Full Environmental Assessment Form (FEAF) (regardless of type of action).
9. Applicable escrow fees as determined by the Village's professionals.

The completed application must be received at least 21 days prior to the next regularly scheduled meeting in order to be scheduled for review by the appropriate Board at their next regularly scheduled meeting following receipt of the application. The application is subject to the review by the Village's professionals. You will be notified as the date of the meeting and/or pre-application conference to review this application.

***NOTE:** Incomplete applications, which include applications submitted without the proper fees will not be considered for any preliminary or Pre-submission conference and/or meeting with any Board or any of the Board's professionals. By submitting this application, the applicant/property owner hereby grants permission to the Village of Pomona, its agents, servants, officials, contractors, and employees to enter upon the above described property solely for the purposes incidental to the within application at reasonable times upon reasonable notice to the applicant, owner or tenant in possession.*

Village of Pomona  
PART I

Date: 9-18-2023

Project Name: Tartikov

Applicant Name: Congregation Rabbinical Institute of Tartikov Inc.

Phone # 845-624-3820 Cell Phone # 914-450-0762

E-Mail Address: mail@savadchurgin.com

Address: c/o Savad Churgin, 55 Old Turnpike Rd. #209, Nanuet NY 10954  
Street Name & Number (Post Office) State Zip Code

Property Owner: Congregation Rabbinical Institute of Tartikov, Inc.

E-Mail Address: mail@savadchurgin.com

Phone # 845-624-3820 Cell Phone # 914-450-0762

Address: c/o Savad Churgin, 55 Old Turnpike Rd. #209, Nanuet NY 10954  
Street Name & Number (Post Office) State Zip Code

Engineer/Architect/Surveyor: Brooker Engineering/Weston + Sampson

Web Site: brookerengineering.com

E-Mail Address: dennisr@brookerengineering.com

Phone # 845-357-4411 Cell Phone # 845-269-9107

License # 166208 State of issue New York

Address: 74 Lafayette Avenue Suffern, NY 10901  
Street Name & Number (Post Office) State Zip Code

Village of Pomona

Date: 9-18-2023

Attorney: Joseph Churgin / Savad Churgin

Web Site: savad.churgin.com

E-Mail Address: j.churgin@savadchurgin.com

Phone # 845-624-3820 Cell Phone # 914-450-0762

Address: 55 Old Turnpike Rd # 209 Nanuet, NY 10954  
Street Name & Number (Post Office) State Zip Code

Contact Person: Joseph Churgin Esq.

E-Mail Address: same as above

Phone # 845-624-3820 Cell Phone # 914-450-0762

Address: same as above  
Street Name & Number (Post Office) State Zip Code

Secondary Contact Person: Michael Tauber

E-Mail Address: MichaelTauberMonsey@gmail.com

Phone # 845-371-9684 Cell Phone # 646-208-0066

Address: PO Box 304 Monsey NY 10952  
Street Name & Number (Post Office) State Zip Code

# Village of Pomona

Date: October 16, 2023

**TYPE OF SPECIAL USE REQUESTED: (CHECK THE ONLY ONES THAT APPLIES)**

- Recreational facilities; playgrounds, swimming clubs, tennis courts and recreational buildings not conducted as a business enterprise (Zoning Board of Appeals)
- Reservoirs on lots of three acres or more, and water towers and water tanks owned and operated by a public utility (Village Board)
- Telephone Exchange/ Public Utility Substation, communications centers for emergency and other purposes, and any and all other public utility facilities which are or support the primary function of the public utility company (Zoning Board of Appeals)
- Camp (Village Board)
- Wireless Telecommunications Service (Village Board)
- Educational Institutions (Village Board)
- House of Worship (Village Board)
  - Community
  - Neighborhood
- Other Use Permitted by Special Permit: \_\_\_\_\_

**TO THE BEST OF YOUR ABILITY, PLEASE DESCRIBE THE NATURE OF THE SPECIAL USE REQUESTED: (Attach separate page, if necessary)**

<p><i>* See Narrative attached *</i></p> <p><i>re: Development of a non-accredited institute of rabbinical learning with adult student housing</i></p>

Village of Pomona  
Tax Map Designation:

Section 32.08 Block 1 Lot(s): 53, 54, 55.2

Section 32.12 Block 1 Lot(s): 25, 26, 27, 28, 29.1, 29.2,  
30, 31 and 33

Location: On the east side of Route 306  
0 feet South of Route 207

Acreage of Parcel 119.55 Zoning District R40

School District East Pomona Postal District Pomona

Project Description: (If additional space required, please attach a narrative summary.)

*\* see Narrative attached \**

*re: Development of a non-accredited institute  
of rabbinical learning with adult student  
housing.*

If subdivision: - N/A

- 1) Is any variance from the subdivision regulations required? \_\_\_\_\_
- 2) Is any open space being offered? \_\_\_\_\_



## Village of Homona

If so, what amount?

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**Project History:** Has this project ever been reviewed before by any Board within the Village?

*no*

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If so, list case number, name, date, and the board you appeared before.

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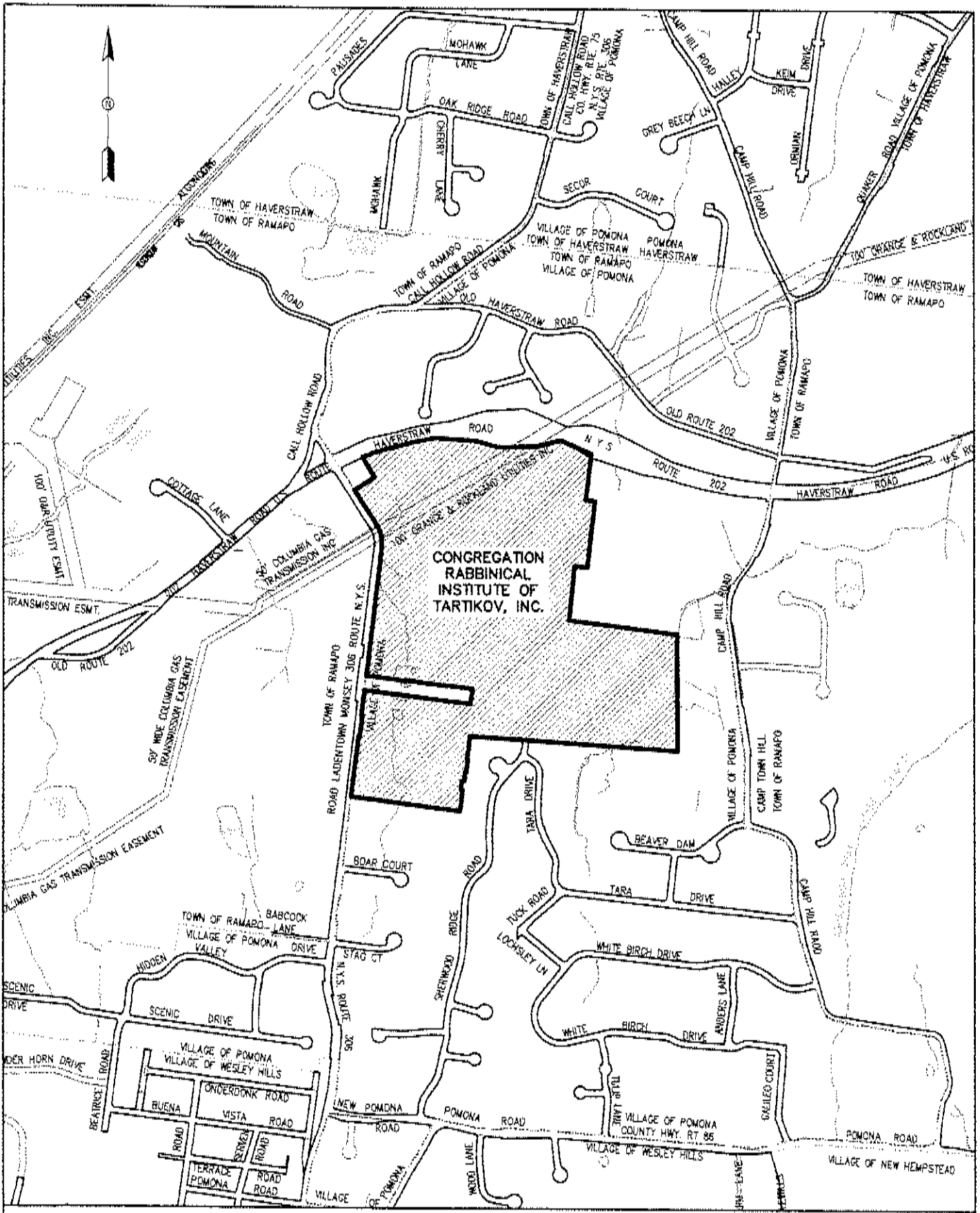
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List tax map section, block & lot numbers for all other abutting properties with the same ownership as this project including any entity for which the applicant holds more than a 5% interest.

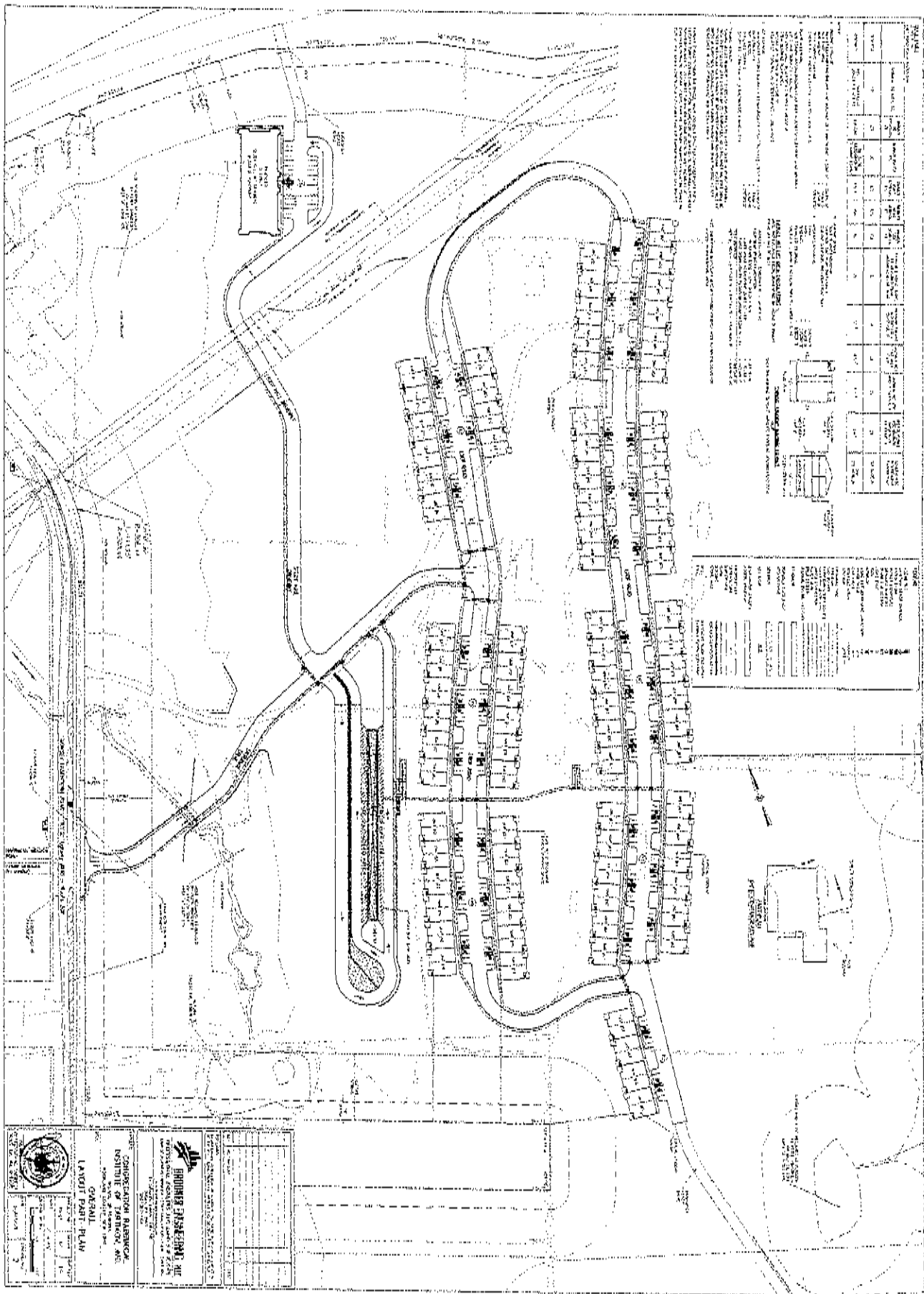
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**VICINITY MAP**

SCALE: 1" = 1000'



**GENERAL NOTES**

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUREAU OF STANDARDS SPECIFICATIONS FOR CONSTRUCTION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND PLANTING.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL DEBRIS AND WASTE MATERIALS.
7. THE CONTRACTOR SHALL MAINTAIN THE ACCURACY OF ALL SURVEY DATA.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
9. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND PLANTING.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL DEBRIS AND WASTE MATERIALS.

**LEGEND**

SYMBOL	DESCRIPTION
(Symbol)	CONCRETE
(Symbol)	BRICK
(Symbol)	WOOD
(Symbol)	ASPHALT
(Symbol)	GRAVEL
(Symbol)	PAVEMENT
(Symbol)	LANDSCAPE
(Symbol)	UTILITIES
(Symbol)	BOUNDARIES
(Symbol)	ADJACENT PROPERTIES

**CONGRESSIONAL RESEARCH INSTITUTE OF TALLAHASSEE, FLORIDA**

**GENERAL LAYOUT PLAN**

**PROJ. NO. 100-100-100-100**

**DATE: 1/20/1950**

**SCALE: 1" = 40'**

**DESIGNED BY: [Name]**

**CHECKED BY: [Name]**

**APPROVED BY: [Name]**

**ARCHITECT: [Name]**

**ENGINEER: [Name]**

**PLANNING: [Name]**

**LANDSCAPE: [Name]**

**UTILITIES: [Name]**

**BOUNDARIES: [Name]**

**ADJACENT PROPERTIES: [Name]**

# Village of Pomona

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY  
COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW,  
SECTIONS 239 l, m, AND n.

**The subject property is within 500 feet of:**  
(Check all that apply)

<input checked="" type="checkbox"/> State Road / Highway	<input checked="" type="checkbox"/> County or State Parkway, Thruway, Expressway, Road, or Highway
<input type="checkbox"/> State or County Park or Recreation Area	<input type="checkbox"/> County Stream or Channel
<input checked="" type="checkbox"/> Municipal Boundary	<input type="checkbox"/> County Owned Land with a Public Building
<input type="checkbox"/> Boundary of a Farm or Agricultural District	<input type="checkbox"/> State Owned Land with a Public Building

List name(s) of locations checked above. \_\_\_\_\_

## Applicant's Signature and Certification

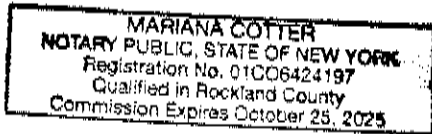
State of New York )  
County of Rockland SS:

I, Michael Taylor, trustee of owner, hereby depose and say that all the above statements contained in the papers submitted herewith are true.

Mailing Address: c/o Sarah Chugan  
55 4th Turnpike Rt # 209  
Nanuet NY 10954

Affirmed  
SWORN to before this  
18th day of October, 2023  
[Signature]  
Notary Public

[Signature]



Village of Pomona  
Affidavit of Ownership/Owner's Consent

State of New York )  
County of Rockland SS:

I, Joseph Chugina Esq., being duly sworn, hereby

deposes and states that I <sup>am</sup> reside at the Attorney for Congregation Lubliner Institute of Tzitzkor, Inc. The offices of 656 Rt. 306 and adjacent properties along Route 306 in the County of Rockland in the state of New York

I am the \* the attorney for the owner in fee simple of premises located at: 656 Route 306, Pomona NY 10970 (see list of properties) and other adjacent properties along Route 306 described in a certain deed of said premises recorded in the Rockland County Clerk's Office in Libert instrument number of conveyances, page 2004-56777

*see list attached*

Said premises <sup>656 Route 306</sup> have been in my/its possession since 2004. Said premises are also known and designated on the Village / Village of Pomona Tax Map as:

Section 32.08 block 1 lot(s) 53 (54, 55.2)

I, hereby authorize the within application on my behalf, and hereby certify that the statements of fact contained in said application are true, and hereby agree to be bound by the determination of the Board.

Owner: [Signature]

Mailing Address: c/o Sarah Chugina  
55 Old Turnpike Rd #209  
Nanuet NY 10954

*Affirmed*  
SWORN to before this

18th day of October, 2023  
[Signature]  
Notary Public

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6424197  
Qualified in Rockland County  
Commission Expires October 25, 2025

\* If owner is a corporation, fill in the office held by deponent and name of corporation, and provide a list of all directors, officers and stockholders owning more than 5% of any class of stock.

680 Route 306, Pomona, NY 10970 (32.08-1-55.2)  
Deed filed 3/2/22; Instrument No. 2022-9226

672 Route 306, Pomona, NY 10970 (32.08-1-54)  
Deed filed 3/2/22; Instrument No. 2022-9229

656 Route 306, Pomona, NY 10970 (32.08-1-53)  
Deed filed 8/31/04; Instrument No. 2004-56777

640 Route 306, Pomona, NY 10970 (32.12-1-33)  
Deed filed 3/28/22; Instrument No. 2022-13262

636 Route 306, Pomona, NY 10970 (32.12-1-31)  
Deed filed 3/15/22; Instrument No. 2022-11009

634 Route 306, Pomona, NY 10970 (32.12-1-30)  
Deed filed 3/15/22; Instrument No. 2022-11008

630 Route 306, Pomona, NY 10970 (32.12-1-29.2)  
Deed filed 3/29/22; Instrument No. 2022-13278

632 (E/k/a 630) Route 306, Pomona, NY 10970 (32.12-1-29.1)  
Deed filed 3/11/22; Instrument No. 2022-10466

628 Route 306, Pomona, NY 10970 (32.12-1-28)  
Deed filed 3/28/22; Instrument No. 2022-13263

626 Route 306, Pomona, NY 10970 (32.12-1-27)  
Deed filed 3/2/22; Instrument No. 2022-9222

622 Route 306, Pomona, NY 10970 (32.12-1-26)  
Deed filed 3/2/22; Instrument No. 2022-9233

620 Route 306, Pomona, NY 10970 (32.12-1-25)  
Deed filed 3/11/22; Instrument No. 2022-10458



**Village of Pomona**  
**Affidavit Pursuant to Section 809 of the General Municipal Law**

State of New York )  
County of Rockland ) SS:

I, Michael Sauber, trustee of owner, being <sup>affirmed</sup> duly sworn, hereby deposes and states that all the following statements and the statements contained in the papers submitted herewith are true and that the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

1. Print or type full name and post office address: Congregation Lubliner col  
Institute of Sarti K. Lubliner, P.O. Box 304, Morsey NY 10952

certifies that he/she is owner or agent of all that certain lot, piece or parcel of land and/or building described in this application **and if not the owner that he/she has been duly and properly authorized to make this application and to assume responsibility for the owner** in connection with this application for the relief below set forth:

2. To the Village Board of the Village of Pomona, Rockland County, New York:

An application is hereby submitted for a:

Special Permit per the requirements of Article XVIII of the Village Code;

To permit construction, maintenance and use of a non-accredited institute  
of Lubliner learning with adult student housing

3. Premises affected are in a R 40 zone and from the Village of Pomona tax map, the property is known as Section 32.08, Block, 1, Lot(s) 53, 54, 55, 2, and Section 32.12 Block 1 Lots 25, 26, 27, 28, 29, 1, 29.2, 30, 31, 33

4. There is no state officer, Rockland County Officer or employee or Village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such Village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.

5. That to the extent that the same is known to your applicant, and to the owner of the subject premises **there is disclosed herewith** the interest of the following officer or employee of the State of New York

# Village of Pomona

or the County of Rockland or of the Village of Pomona in the application or in the property or subject matter to which it relates: (If none, so state).

a. Name and address of the officer or employee N/A

b. Nature of the officer's or employee's interest: N/A

c. If stockholder, number of shares N/A

d. If officer or partner, provide the nature of office and name of partnership N/A

e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or Village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. N/A

f. In the event of corporate ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Village of Pomona.

I, Michael Janber, as Justice Downer, do hereby depose and state that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

Mailing Address: 55 Old Turnpike Rd. #209, Nanuet, NY 10954

Sworn to before me this 18<sup>th</sup> day of October, 2023

Mariana Cotter  
Notary Public

Michael Janber  
\* Michael Janber

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01006424197  
Qualified in Rockland County  
Commission Expires October 25, 2025

Village of Pomona

AFFIDAVIT OF OWNERSHIP

STATE OF NEW YORK)

COUNTY OF Rockland ) SS:

Michael Tucker, Trustee being duly sworn, deposes and says that he/she resides at 10 Jeffrey Place, Monsey, NY 10952

in the County of Rockland State of New York; that he/she is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Pomona, and designated on the Village of Pomona Map as Section No. 30-03 Block No. See list attached Lot No.            and that

he/she hereby authorizes the attached application to be submitted in his/her behalf and that the statements of fact contained in said application are true to the best of the applicant's knowledge. The applicant is the (owner) (contract vendee) of the said property.

Owner: [Signature]  
Address: do, Daniel Chavez  
55 Old Turnpike Rd. #209  
Nanuet, NY 10954

[Signature]  
Sworn to before me this

18<sup>th</sup> day of October 2023

[Signature]  
Notary Public

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6424197  
Qualified in Rockland County  
Commission Expires October 26, 2025

680 Route 306, Pomona, NY 10970 (32.08-1-55.2)  
Deed filed 3/2/22; Instrument No. 2022-9226

672 Route 306, Pomona, NY 10970 (32.08-1-54)  
Deed filed 3/2/22; Instrument No. 2022-9229

656 Route 306, Pomona, NY 10970 (32.08-1-53)  
Deed filed 8/31/04; Instrument No. 2004-56777

640 Route 306, Pomona, NY 10970 (32.12-1-33)  
Deed filed 3/28/22; Instrument No. 2022-13262

636 Route 306, Pomona, NY 10970 (32.12-1-31)  
Deed filed 3/15/22; Instrument No. 2022-11009

634 Route 306, Pomona, NY 10970 (32.12-1-30)  
Deed filed 3/15/22; Instrument No. 2022-11008

630 Route 306, Pomona, NY 10970 (32.12-1-29.2)  
Deed filed 3/29/22; Instrument No. 2022-13278

632 (E/k/a 630) Route 306, Pomona, NY 10970 (32.12-1-29.1)  
Deed filed 3/11/22; Instrument No. 2022-10466

628 Route 306, Pomona, NY 10970 (32.12-1-28)  
Deed filed 3/28/22; Instrument No. 2022-13263

626 Route 306, Pomona, NY 10970 (32.12-1-27)  
Deed filed 3/2/22; Instrument No. 2022-9222

622 Route 306, Pomona, NY 10970 (32.12-1-26)  
Deed filed 3/2/22; Instrument No. 2022-9233

620 Route 306, Pomona, NY 10970 (32.12-1-25)  
Deed filed 3/11/22; Instrument No. 2022-10458

Village of Pomona  
**AFFIDAVIT OF SURROUNDING PROPERTIES**

State of New York)  
County of Rockland SS.:  
Village of Pomona )

I, Michael J. Rubin, a Husband <sup>affirmes</sup> being duly sworn deposes and says that he is the applicant, agent or attorney for applicant, in the matter of the petition before the Village Board in the Village of Pomona affecting property located at 620, 622, 626, 628, 630, 632, 634, 636, 640, 652, 672 and 680 Route 306, Rockland County, New York.

That the following are all of the owners of property located within 500 feet (distance) from the premises as to which this application is being taken.

SECTION/BLOCK/LOT --- NAME & ADDRESS:

see label disk attached

affirmed  
sworn to before me this

18th day of October 2023

[Signature]  
Notary Public

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6424197  
Qualified in Rockland County  
Commission Expires October 25, 2025





09/32.16-2-19  
CIMENT YOSEF &  
ALEXANDER SHOSHANA  
18 BEAVER DAM RD  
POMONA, NY 10970

09/32.12-1-14  
KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-24  
SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-15  
PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-4  
POMONA VILLAGE OF  
100 LADENTOWN RD  
POMONA, NY 10970

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-5  
LEVI MOSHE  
30 TARA DR  
POMONA, NY 10970

09/33.09-1-7  
GURKOV MYER &  
GURKOW SHAINA  
45 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-6  
THEVENOT EDOUARD  
32 TARA DR  
POMONA, NY 10970

09/33.09-1-6  
SPECTOR HAROLD & AMY  
47 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-10  
YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/33.09-1-5  
LUFTIG IRWIN G & HARRIET  
JOINT INCOME ONLY  
IRREVOCABLE TRUST  
130 DEAN STREET  
HARRINGTON PARK, NJ 07640

09/32.12-1-8  
POMONA PURCHASING LLC  
36 TARA DRIVE  
POMONA, NY 10970

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/33.09-1-4  
POMONA VILLAGE OF  
100 LADENTOWN ROAD  
POMONA, NY 10970

09/32.12-1-21  
PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-11  
NUDEL ABRAHAM & RITA  
33 TARA DR  
POMONA, NY 10970

09/32.12-1-20  
LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-25  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-7  
MERMELSTEIN ELIYAHU &  
ELLEN G  
34 TARA DR  
POMONA, NY 10970

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-9  
REITSKY EUGENE H &  
LITMAN LISA  
32 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/33.09-1-3  
BREDEN RALPH J + BEULAH D  
59 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-33  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/33.09-1-2  
FREUND FAIGA M  
61 CAMP HILL RD  
POMONA, NY 10970

09/33.09-1-1  
BARUCH LEVI Y  
63 CAMP HILL ROAD  
POMONA, NY 10970

89/33.09-2-9  
GUMBRECHT LISA L  
58 CAMP HILL RD  
POMONA, NY 10970

89/32.11-1-5  
GREENBERG MORDECHAI &  
CHAYA  
55 OLD NYACK TURNPIKE  
NANUET, NY 10954

89/33.09-2-10  
BRUNO RALPH & KARIN  
62 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-3  
ABHIVA LUSKY EHI &  
EBOHON NOSAKHARE IRENE  
65 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-2  
FRANCIS ARLENE  
69 CAMP HILL RD  
POMONA, NY 10970

89/33.09-2-2  
EIDLISZ JOEL  
66 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-1.1  
BERKOWITZ SHLOMO &  
AHUVA RACHEL  
71 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-1.2  
ROCKLAND COUNTY OF  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/33.05-1-22  
MANISCALCO NATHANIEL &  
LINDA J  
75 CAMP HILL RD  
POMONA, NY 10970

09/32.08-1-52  
PECOVIC GJORJILJE & MARIA  
79 CAMP HILL RD  
POMONA, NY 10970

09/32.08-1-51  
ZIVARI BEHROOZ & SOHAYLA  
7 POWDERHORN DR  
SUFFERN, NY 10901

09/32.08-1-54  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-55.1  
LITMAN ELOISE  
682 RT 306  
SUFFERN, NY 10901

09/32.08-1-50.1  
THOMPSON CHRISTOPHER &  
JOSEPH  
1465 RT 202  
POMONA, NY 10970

09/32.08-1-60  
BANKS IAN B & MILLER  
ALISON K  
12 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-27  
KROYNIK CHAIM &  
LIEBLICH MALKA  
3 OPAL CT  
POMONA, NY 10970

09/32.08-1-10  
LEE CAROL Y &  
URBANER JARED J  
10 JADE CT  
POMONA, NY 10970

09/32.08-1-26  
BESSELMAN HARRIET  
REVOCABE TRUST  
C/O BESSELMAN JEFFREY  
2390 JORDAN DR  
CORTLANDT MANOR, NY 10567

09/32.08-1-55.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.08-1-56  
SRI RANGANATHA SEVA  
4 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-57  
MIRRO DANIEL & CORBETT  
LYNN  
24 WILL ROGERS LANE  
NANUET, NY 10954

09/32.08-1-14  
ISRAILY ISRAEL & DEVORAH  
18 JADE CT  
POMONA, NY 10970

09/32.08-1-46  
WERTHEIMER CHEZKEL  
& RUTH  
42 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-15  
KIVELEVITZ YOEL G  
& BRACHA  
15 JADE CT  
POMONA, NY 10970

09/32.08-1-45  
POMONA VILLAGE OF  
50 CAMP HILL RD  
POMONA, NY 10970

09/32.08-1-32  
 KOHL SENDER & JUDITH  
 10 EMERALD DRIVE  
 POMONA, NY 10970

09/32.08-1-28  
 BELL CURTIS &  
 SARGENT-BELL JOAN D  
 4 OPAL CT  
 POMONA, NY 10970

09/32.08-1-17  
 ELEVEN JADE LLC  
 11 JADE CT  
 POMONA, NY 10970

09/32.08-1-31  
 VIGLER URIEL & BASSHEVA  
 1766 2ND AVE  
 NEW YORK, NY 10128

09/32.08-1-34  
 ZFATMAN MENACHEM M  
 & TAUBER YECHIEL  
 551 CROWN ST  
 BROOKLYN, NY 11213

09/32.12-1-29.1  
 CONG RABBINICAL INSTITUTE  
 OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.08-1-13  
 BORISUTE SHERSHEIAL &  
 MALKA  
 16 JADE CT  
 POMONA, NY 10970

09/32.08-1-12  
 AFRAN MUHAMMAD & BIBI  
 SAMINA  
 14 JADE CT  
 POMONA, NY 10970

09/32.08-1-30  
 FUZAILOV EFRAIM &  
 CHANA LADA EW  
 6 OPAL CT  
 POMONA, NY 10970

09/32.08-1-11  
 WILSON NICHOLAS G &  
 PATRICIA C  
 12 JADE CT  
 POMONA, NY 10970

09/32.08-1-59  
 SRI RANGANATHA SEVA  
 SAMITHI INC  
 C/O PADMAJA PARTHASARATHY  
 8 LADENTOWN RD  
 POMONA, NY 10970

09/32.12-1-29.2  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.08-1-16  
 GRAFSTEIN ALLEN  
 13 JADE CT  
 POMONA, NY 10970

09/32.08-1-29  
 MAK WING YEUNG & AMY C L  
 5 OPAL CT  
 POMONA, NY 10970

09/32.08-1-33  
 SHURPIN TZVI YAAKOV &  
 MIRIAM  
 9 EMERALD DR  
 POMONA, NY 10970

09/32.08-1-18  
 HOFFMAN STEPHEN E & JUNE  
 C  
 9 JADE CT  
 POMONA, NY 10970

09/32.08-1-38  
 POMONA VILLAGE OF  
 100 LADENTOWN  
 POMONA, NY 10970



32.08-1-50.1

32.08-1-51

32.08-1-52

32.08-1-53

32.12-1-1.1

32.12-1-2

32.12-1-3

32.11-1-5

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32.12-1-23.1

32.12-1-23

32.11-1-9

32.11-1-8

32.15-2-17

32.15-2-16

32.15-2-9

32.07-1-31

32.07-1-35

32.07-1-30

32.11-1-2

32.11-1-3

32.07-1-36

33.05-2-16

33.05-2

33.09-2-25

33.09-2-31

33.05-1-22

33.09-1-1

33.09-1-2

33.09-1-3

33.09-1-4

32.12-1-4

32.15-1-37

09/32.16-2-2

CHARLES FRITZ & MARIE Y  
20 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-1-2

NEUBERGER NATHAN & ROCHEL  
21 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-2-1

COHEN KAREN  
22 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-1-1

FIREMAN STANLEY &  
FLEISCHER FIREMAN KAREN  
23 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

89/32.15-2-17

PRICE RICHARD L & RENA B  
611 RT 306  
SUFFERN, NY 10901

09/32.16-2-5

GROSS ARI & SHIRA D  
29 TARA DR  
POMONA, NY 10970

09/32.12-1-13

PARNELL FAMILY  
IRREVOCABLE TRUST  
24 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-22

SILBER ASHER &  
MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-11

PRI LETOIVA INSTITUTE  
1372 47TH STREET  
BROOKLYN, NY 11219

09/32.12-1-12

EISENBERG LEVI & ROCHEL  
31 TARA DR  
POMONA, NY 10970

09/32.12-1-21

PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-14

KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-11

NUDEL ABRAHAM & RITA  
33 TARA DR  
POMONA, NY 10970

09/32.12-1-24

SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-20

LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-15

PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-25

CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-19

RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-10

YARIMI LINDA  
6365 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/32.12-1-26

CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-9

WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

09/32.12-1-27

CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-8

GELLIS LYNDIA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-16

LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-17

SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-18

WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-28

CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-7

GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

09/32.12-1-30

CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6

MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-10  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

89/32.11-1-10.1  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

09/32.12-1-23.1  
POMONA THREE HUNDRED SIX  
P.O. BOX 304  
MONSEY, NY 10952

09/32.12-1-23  
POMONA 306 LLC  
PO BOX 304  
MONSEY, NY 10952



32.07-1-21

07-1-35

32.07-1-30

32.11-1-2

32.11-1-3

32.11-1-6

32.11-1-4

32.08-1-50.1

32.08-1-51

32.08-1-52

32.08-1-53

32.12-1-1.2

32.12-1-1.1

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32.12-1-3

32.11-1-5

32.12-1-33

32.12-1-32

32.12-1-31

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32.12-1-24

32.12-1-23.1

32.12-1-23

33.09-2-25

33.09-2-3

33.05-

33.05-2-16

33.05-1-22

33.05-2-0

33.05-2-1

33.05-2-2

33.05-2-3

33.05-2-4

33.05-2-5

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33.05-2-10

33.05-2-11

33.05-2-12

33.05-2-13

33.05-2-14

33.05-2-15

33.09-1-1

33.09-1-2

33.09-1-3

33.09-1-4

33.09-1-5

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NEUBERGER NATHAN & ROCHEL  
21 SHERWOOD RIDGE RD  
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09/32.16-2-1  
COHEN KAREN  
22 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-1-1  
FIREMAN STANLEY &  
FLEISCHER FIREMAN KAREN  
23 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

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PARNELL FAMILY  
IRREVOCABLE TRUST  
24 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-22  
SILBER ASHER &  
MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

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EISENBERG LEVI & ROCHEL  
31 TARA DR  
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27 SHERWOOD RIDGE RD  
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POMONA, NY 10970

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GELLIS LYNDIA  
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LANZBOM LEGACY TRUST  
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WEIS DAVID  
619 RT 306  
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WEIS DAVID  
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LITMAN LISA  
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WEIS DAVID  
621 ROUTE 306  
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WIESEL YECHIEL MICHAEL  
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INSTITUTE OF TARTIKOV INC  
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ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

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IRREVOCABLE TRUST  
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BRYNA  
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INSTITUTE OF TARTIKOV INC  
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WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

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WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

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09/32.12-1-13  
 PARNELL FAMILY  
 IRREVOCABLE TRUST  
 24 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-14  
 KLEIN YEDHUDA & LAURA  
 FAMILY TRUST  
 26 SHERWOOD RIDGE RD  
 POMONA, NY 10970

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 LEVIN TZVI  
 29 SHERWOOD RIDGE RD  
 POMONA, NY 10970

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 RASKIN SCHNEUR & MIRIAM  
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 621 ROUTE 306  
 SUFFERN, NY 10901

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 GELLIS LYNDA  
 623 RT 306  
 SUFFERN, NY 10901

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 WIESEL YECHIEL MICHAEL  
 & RIVKA  
 33 SHERWOOD RIDGE ROAD  
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 INSTITUTE OF TARTIKOV INC  
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09/32.12-1-32  
 STATE OF NEW YORK  
 ROCKLAND COUNTY TREASURER  
 50 SANATORIUM ROAD  
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 INSTITUTE OF TARTIKOV INC  
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 MONSEY, NY 10952

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 SILBER ASHER &  
 MERMELSTEIN CHANA  
 25 SHERWOOD RIDGE RD  
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09/32.12-1-11  
 NUDEL ABRAHAM & RITA  
 33 TARA DR  
 POMONA, NY 10970

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 PELSINGER RYAN &  
 BRYNA  
 28 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-10  
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 6565 LAS FLORES DRIVE  
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 LANZBOM LEGACY TRUST  
 37 SHERWOOD RIDGE RD  
 POMONA, NY 10970

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 INSTITUTE OF TARTIKOV INC  
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 P O BOX 304  
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 PARK ROSHIK & SUHYUN  
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 INSTITUTE OF TARTIKOV INC  
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 MONSEY, NY 10952

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 REITSKY EUGENE H &  
 LITMAN LISA  
 32 SHERWOOD RIDGE RD  
 POMONA, NY 10970

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 SCHWARTZ RONALD & CIVIA  
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MONSEY, NY 10952

89/32.11-1-8  
GELLIS LYNDA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

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GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

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10 JEFFREY PL  
MONSEY, NY 10952

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MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

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INSTITUTE OF TARTIKOV INC  
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MONSEY, NY 10952

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/32.12-1-33  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
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GREENBERG MORDECHAI &  
CHAYA  
55 OLD NYACK TURNPIKE  
NANUET, NY 10954

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-29.1  
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OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
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INSTITUTE OF TARTIKOV INC  
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MONSEY, NY 10952

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WEIS DAVID  
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SUFFERN, NY 10901



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MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-24  
SOUTHBEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

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MONSEY, NY 10952

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MONSEY, NY 10952

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LITMAN LISA  
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6365 LAS FLORES DRIVE  
BOCA RATON, FL 33433

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374 MAIN ST N  
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 ROCKLAND COUNTY TREASURER  
 50 SANATORIUM ROAD  
 BUILDING A - 8TH FLOOR  
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 OF TARTIKOV INC  
 P O BOX 304  
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 MOLESTON FIRE DISTRICT  
 C/O GORDON WREN SR  
 374 MAIN ST N  
 SPRING VALLEY, NY 10977

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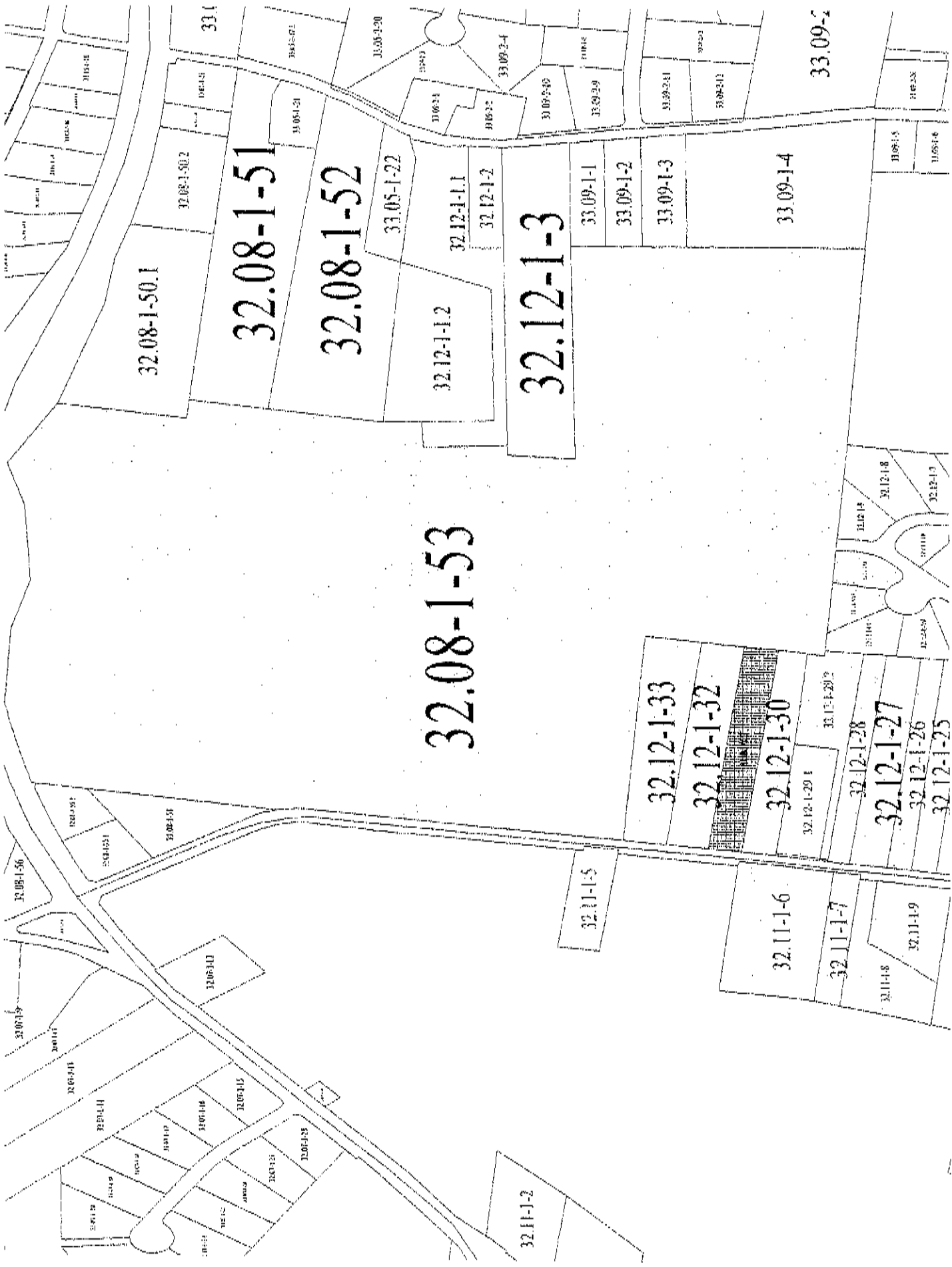
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 GREENBERG MORDECHAI &  
 CHAYA  
 55 OLD NYACK TURNPIKE  
 NANUET, NY 10954

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SUFFERN, NY 10901

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& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

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STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

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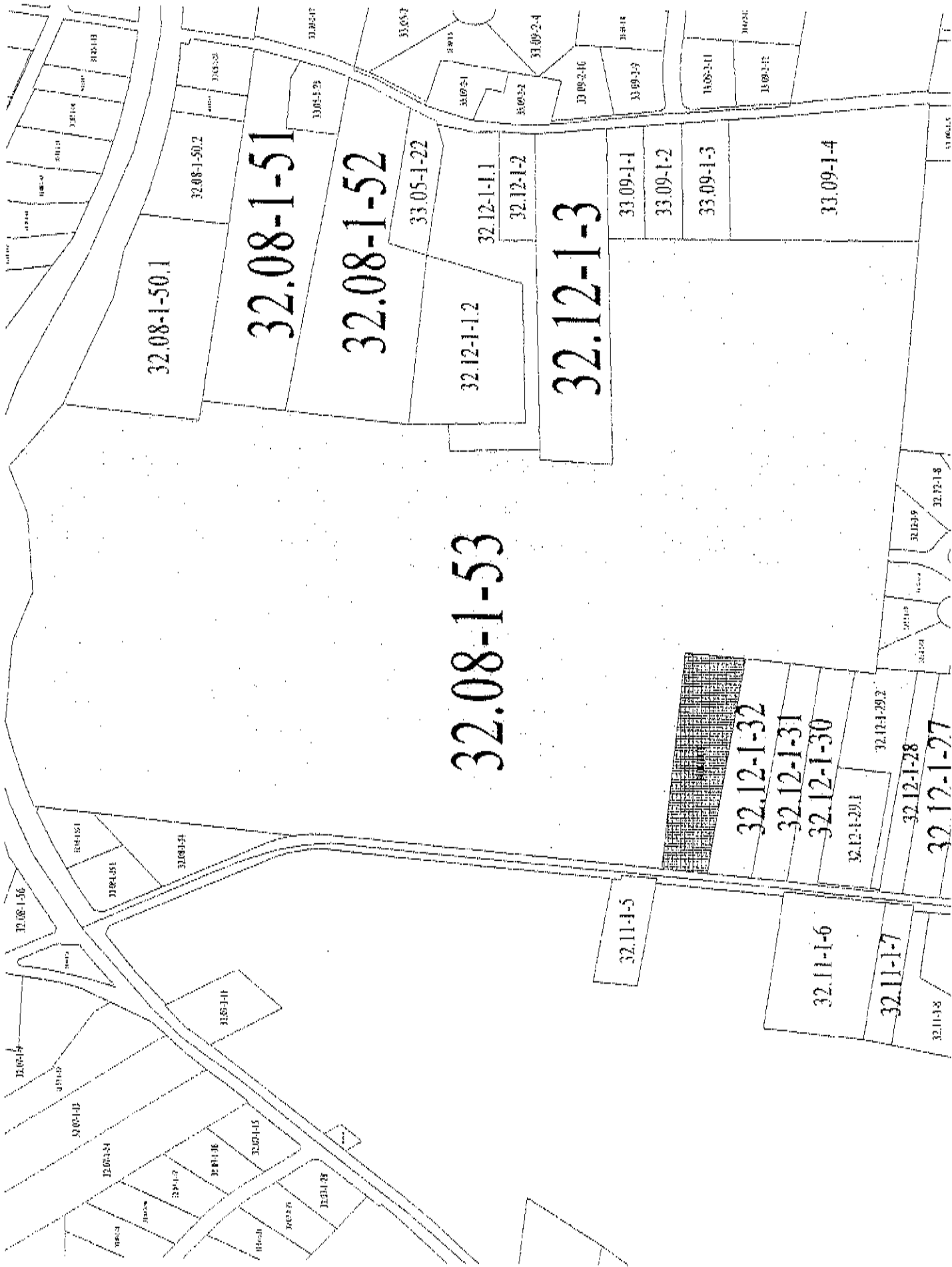
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C/O GORDON WREN SR  
374 MAIN ST N  
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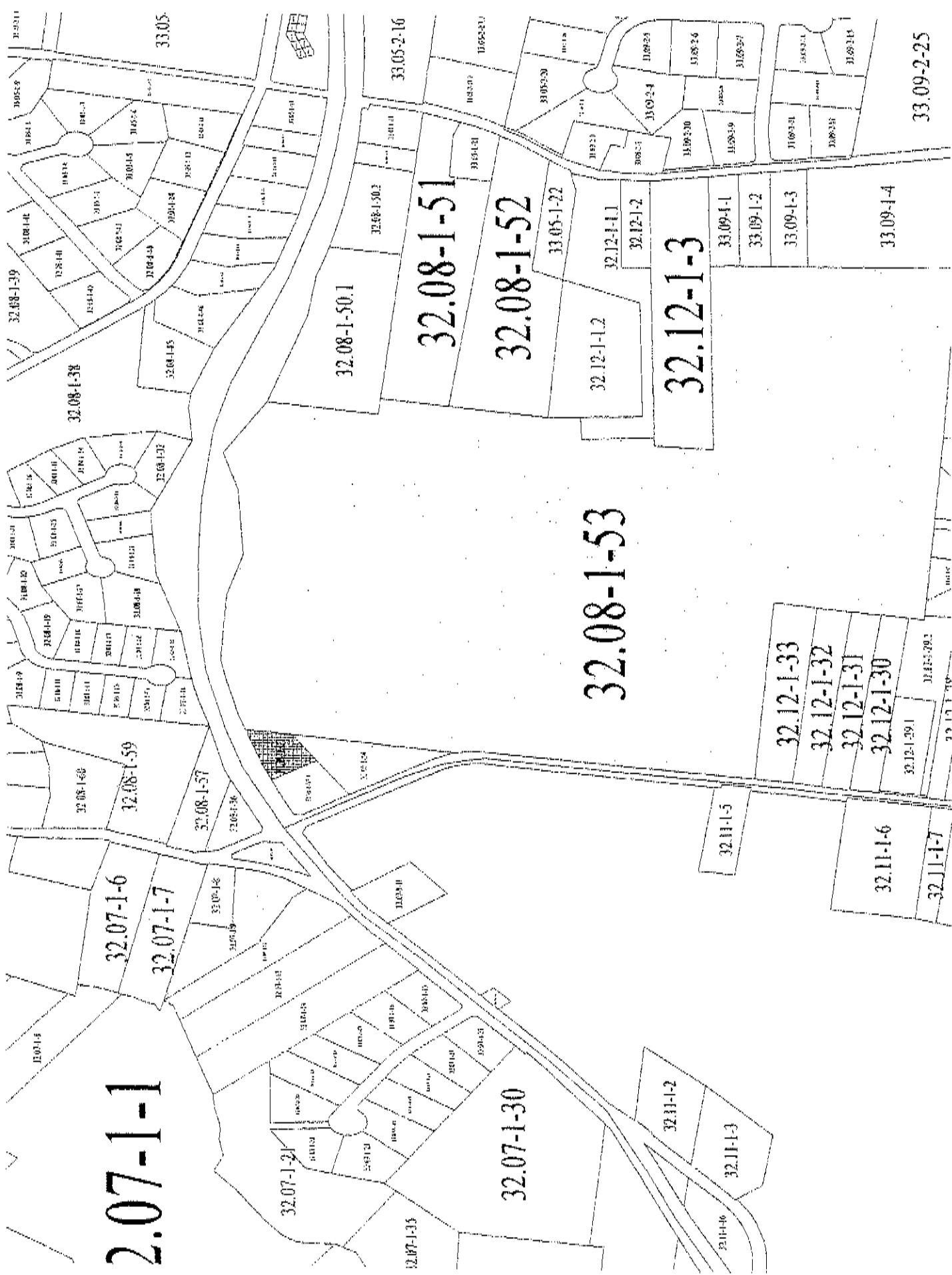
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09/32.08-1-54  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.08-1-55.2  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.08-1-56  
 SRI RANGANATHA SEVA  
 4 LADENTOWN RD  
 POMONA, NY 10970

89/32.07-1-9  
 LEVINE ZACHARYA  
 1 LADENTOWN RD  
 POMONA, NY 10970

09/32.08-1-13  
 BORISUTE SHERSHEIAL &  
 MALKA  
 16 JADE CT  
 POMONA, NY 10970

09/32.08-1-12  
 AFRAN MUHAMMAD & BIBI  
 SAMINA  
 14 JADE CT  
 POMONA, NY 10970

09/32.08-1-55.1  
 LITMAN ELOISE  
 682 RT 306  
 SUFFERN, NY 10901

89/32.07-1-10  
 SANDERSON NICHOLAS L &  
 LESLIE  
 12 SECOR CT  
 POMONA, NY 10970

89/32.07-1-8  
 KARAMVELIL VARUGHESE G &  
 MARIAMMA  
 3 LADENTOWN RD  
 POMONA, NY 10970

09/32.08-1-14  
 ISRAELY ISRAEL & DEVORAH  
 18 JADE CT  
 POMONA, NY 10970

09/32.08-1-16  
 GRAFSTEIN ALLEN  
 13 JADE CT  
 POMONA, NY 10970

09/32.08-1-59  
 SRI RANGANATHA SEVA  
 SAMITHI INC  
 C/O PADMAJA PARTHASARATHY  
 8 LADENTOWN RD  
 POMONA, NY 10970

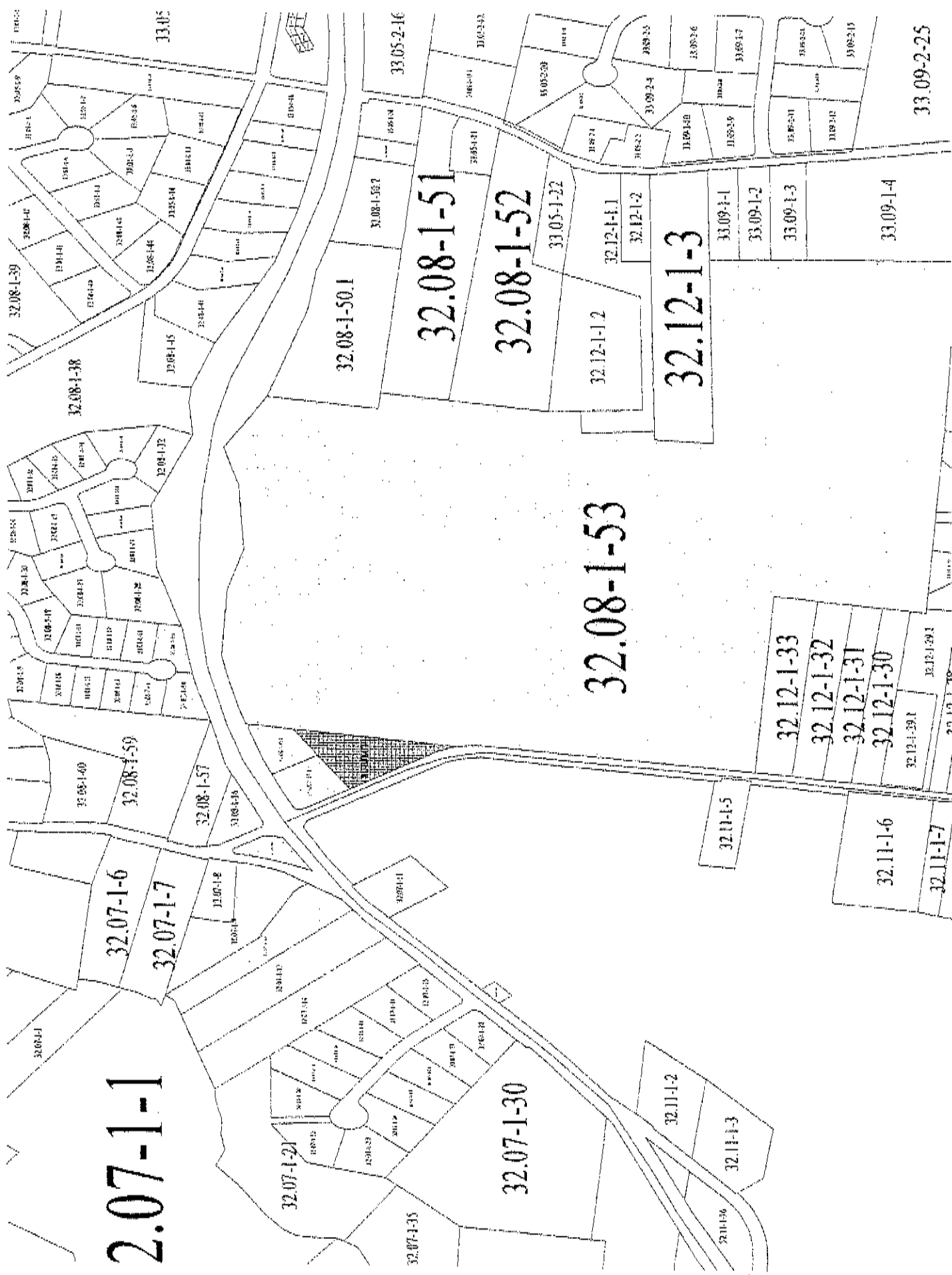
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 BANKS IAN B & MILLER  
 ALISON K  
 12 LADENTOWN RD  
 POMONA, NY 10970

09/32.08-1-53  
 CONG RABBINICAL COLLEGE  
 OF TARTIKOV INC  
 P O BOX 304  
 MONSEY, NY 10952

09/32.08-1-57  
 MIRRO DANIEL & CORBETT  
 LYNN  
 24 WILL ROGERS LANE  
 NANUET, NY 10954

09/32.08-1-15  
 KIVELEVITZ YOEL G  
 & BRACHA  
 15 JADE CT  
 POMONA, NY 10970

89/32.07-1-7  
 DONALD WILLIAM H & REYES  
 JOSE M & FELIX JOSEPHINE  
 5 LADENTOWN RD  
 POMONA, NY 10970



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32.07-1-7

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89/32.07-1-11  
LADENTOWN REALTY LLC  
C/O SCENIC DEVELOPMENT  
PO BOX 52  
MONSEY, NY 10952

09/32.08-1-54  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-55.1  
LITMAN ELOISE  
682 RT 306  
SUFFERN, NY 10901

09/32.08-1-55.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.07-1-10  
SANDERSON NICHOLAS L &  
LESLIE  
12 SECOR CT  
POMONA, NY 10970

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.08-1-56  
SRI RANGANATHA SEVA  
4 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-57  
MIRRO DANIEL & CORBETT  
LYNN  
24 WILL ROGERS LANE  
NANUET, NY 10954

89/32.07-1-12  
PANGERT BENJAMIN  
1336 HAVERSTRAW RD  
SUFFERN, NY 10901

89/32.07-1-9  
LEVINE ZACHARYA  
1 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-14  
ISRAELY ISRAEL & DEVORAH  
18 JADE CT  
POMONA, NY 10970

09/32.08-1-15  
KIVELEVITZ YOEL G  
& BRACHA  
15 JADE CT  
POMONA, NY 10970

09/32.08-1-13  
BORISUTE SHERSHELAL &  
MALKA  
16 JADE CT  
POMONA, NY 10970

09/32.08-1-59  
SRI RANGANATHA SEVA  
SAMITHI INC  
C/O PADMAJA PARTHASARATHY  
8 LADENTOWN RD  
POMONA, NY 10970



Village of Pomona

AFFIDAVIT OF POSTING

STATE OF NEW YORK }  
COUNTY OF Rockland } SS:

Michael J. ... Justice ... being duly sworn <sup>affirms</sup> deposes and says that he/she is the applicant in the matter of an application before the Village of Pomona affecting property located at see plot attached, Village of Pomona, Rockland County, New York.

That on the \_\_\_\_\_ day of \_\_\_\_\_ 20 23, he/she posted the notices provided by the Village of Pomona giving notice of the hearing on this application in a conspicuous place visible from every street along the frontage of the plot affected by this application.

[Signature]  
Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_ 20 23

\_\_\_\_\_  
Notary Public

680 Route 306, Pomona, NY 10970 (32.08-1-55.2)  
Deed filed 3/2/22; Instrument No. 2022-9226

672 Route 306, Pomona, NY 10970 (32.08-1-54)  
Deed filed 3/2/22; Instrument No. 2022-9229

656 Route 306, Pomona, NY 10970 (32.08-1-53)  
Deed filed 8/31/04; Instrument No. 2004-56777

640 Route 306, Pomona, NY 10970 (32.12-1-33)  
Deed filed 3/28/22; Instrument No. 2022-13262

636 Route 306, Pomona, NY 10970 (32.12-1-31)  
Deed filed 3/15/22; Instrument No. 2022-11009

634 Route 306, Pomona, NY 10970 (32.12-1-30)  
Deed filed 3/15/22; Instrument No. 2022-11008

630 Route 306, Pomona, NY 10970 (32.12-1-29.2)  
Deed filed 3/29/22; Instrument No. 2022-13278

632 (f/k/a 630) Route 306, Pomona, NY 10970 (32.12-1-29.1)  
Deed filed 3/11/22; Instrument No. 2022-10466

628 Route 306, Pomona, NY 10970 (32.12-1-28)  
Deed filed 3/28/22; Instrument No. 2022-13263

626 Route 306, Pomona, NY 10970 (32.12-1-27)  
Deed filed 3/2/22; Instrument No. 2022-9222

622 Route 306, Pomona, NY 10970 (32.12-1-26)  
Deed filed 3/2/22; Instrument No. 2022-9233

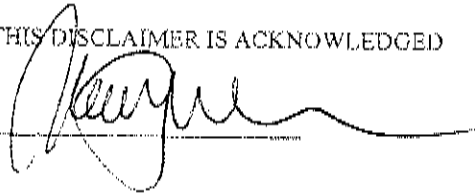
620 Route 306, Pomona, NY 10970 (32.12-1-25)  
Deed filed 3/11/22; Instrument No. 2022-10458

Village of Homona  
DISCLAIMER

APPLICANT TAKES FULL RESPONSIBILITY FOR RESEARCHING THE TAX MAP FOR THE LIST OF NAMES OF PROPERTY OWNERS ON THE ENCLOSED *AFFIDAVIT OF MAILING LIST*, AND SUPPLYING THE NECESSARY AMOUNT OF SELF-ADDRESSED STAMPED ENVELOPES. THE APPLICANT'S ENVELOPES MUST COINCIDE WITH THE LIST. THE CLERK'S RESPONSIBILITY IS LIMITED TO CHECKING NAMES ON THE ENVELOPES AGAINST THE AFOREMENTIONED AFFIDAVIT BEFORE MAILING THEM.

RECEIPT OF THIS DISCLAIMER IS ACKNOWLEDGED

APPLICANT

A handwritten signature in black ink, appearing to be 'Kearney', written over a horizontal line.

October 11, 2023  
DATED

# Village of Pomona

## SPECIAL USE PERMIT NOTE

The Village may approve, approve with conditions, or deny a Special Permit Application after review and consideration of the standards set forth in the Village Code for the Special Use sought in addition to general considerations of the public health, safety and welfare.

The Village Board or Zoning Board of Appeals, as authorized, shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed special use permit. Upon its granting of said special use permit, any such conditions must be met in connection with the issuance of permits by applicable enforcement agents or officers of the village.

The village board of trustees may further empower the authorized board to, when reasonable, waive any requirements for the approval, approval with modifications or disapproval of special use permits submitted for approval. Any such waiver is subject to appropriate conditions set forth in the Village Code and may be exercised in the event any such requirements are found not to be requisite in the interest of the public health, safety or general welfare or inappropriate to a particular special use permit.

In order to obtain a Special Use Permit, the Applicant must comply with all site plan requirements under the Village Code and applicable State Laws.

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Special Permit Approval for Educational Institution with Student and Faculty Housing		
Project Location (describe, and attach a general location map): Monsey-Ladentown Road, Village of Pomona (southeast of US Route 202 and NYS Route 306); tax lots: 32,06-1-53, 54, 55,2, and 32,12-1-25, 26, 27, 28, 29.1, 29.2, 30, 31, 33		
Brief Description of Proposed Action (include purpose or need): The proposed action is for a non-accredited Rabbinical Institute to educate/train up to 255 students in a 42,000 sf building (2 stories + basement) on a 119.55-acre site located on Route 202 and Route 306 in Pomona, NY. The proposed action includes associated student and faculty housing in 255 student/faculty housing units with accessory support facilities. The proposed action requires a special permit from the Board of Trustees and will meet other standards as set forth in Village Code.		
Name of Applicant/Sponsor: Congregation Rabbinical Institute of Tartikov, Inc.		Telephone: (845) 624-3820
		E-Mail: j.churgin@savadchurgin.com
Address: (c/o Savad Churgin) 55 Old Turnpike Road, Suite 209		
City/PO: Nanuet	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role): Joseph A. Churgin, Esq.		Telephone: (845) 624-3820
		E-Mail: j.churgin@savadchurgin.com
Address: (c/o Savad Churgin) 55 Old Turnpike Road, Suite 209		
City/PO: Nanuet	State: NY	Zip Code: 10954
Property Owner (if not same as sponsor): (same)		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. Board of Trustees: Zone Change if needed, Special Permit Application	
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. Planning Board: site plan approval	
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. ZBA: Use Variance if needed	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. Building Department: building permit	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	RCDOH: water main extension, mosquito control; RC Swr Dist #1: Off-site imprvmt plan apprvl	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT: hwy wk pmt; NYS DEC: SWPPP GP, stream protection; NYSOPRHP: advisory review	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACOE: Nationwide Permit	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> <li>• If Yes, complete sections C, F and G.</li> <li>• If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
_____	
_____	
_____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
R-40

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes, replacing Educational Institutions definition; adding Adult Student Housing as a permitted  
 i. What is the proposed new zoning for the site? accessory use if needed

**C.4. Existing community services.**

a. In what school district is the project site located? East Ramapo School District

b. What police or other public protection forces serve the project site?  
Town of Ramapo Police Department, New York State Police Department (Troop F)

c. Which fire protection and emergency medical services serve the project site?  
Moleston Fire District 1

d. What parks serve the project site?  
Cobblestones Farm park, Secor Village Park, Mount Ivy Environmental County Park, Van den Herde Village Park, Sandy Brook Town Park, P. Erikson County Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? religious educational use with accessory adult student housing

b. a. Total acreage of the site of the proposed action? 119.55 acres  
 b. Total acreage to be physically disturbed? 44.66 acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 119.55 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
 \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: 18-24 months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase I (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



f. Does the project include new residential uses?  Yes  No \*

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				255*
At completion				
of all phases				

\*255 student housing units as accessory student housing to principal Educational Institution Use

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No

If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 35' height; 70.75' width; and 189.3' length

iii. Approximate extent of building space to be heated or cooled: (2 stories+basement) 42,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No

If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  Yes  No

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No

If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): decrease in size of wetland due to driveway crossing (approximately - 0.01 acre decrease)

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
location of proposed roadways has been chosen to minimize impact to wetlands and waterbodies, but proposed driveway entering property from Route 306 crosses through wetland, 0.01 ac of wetland alteration proposed.

---

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: (see attached detail) 114,920 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: Veolia Water New York, Inc.
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

---

d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: 114,920 gallons/day (see attached detail)

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): sanitary wastewater

---

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: Rockland County Sewer District #1 Treatment Plant
- Name of district: Rockland County Sewer District #1
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or 12.82 acres (impervious surface)  
 \_\_\_\_\_ Square feet or 119.6 acres (parcel size)  
 ii. Describe types of new point sources, buildings, parking lots, driveways  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
stormwater retention areas on site  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands:  
NYSDEC wetland TH-15, ACOE wetland  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? (traffic impact analysis to confirm)  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
 N/A

iii. Parking spaces: Existing 0 Proposed 306 Net increase/decrease +306

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:  
New access to property on Hwy 306, and 2 proposed emergency-only access points (from Rte 202 and from Sherwood Ridge Road)

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: as per local ordinance
- Saturday: (same)
- Sunday: (same)
- Holidays: (same)

ii. During Operations:

- Monday - Friday: 6am-10:30pm (M-Th.); 6am-1pm & 5pm-10pm (Fri); 8am-6pm (Sat.);
- Saturday: 6 am - 10:30 pm;
- Holidays: 6 am - 12 pm

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:  
During construction, noise may exceed ambient levels due to normal construction activity during hours permitted by Village code. Sound levels will return to ambient levels post-construction.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
pole mounted light fixtures, locations to be dispersed to provide appropriate illumination; fixtures will be down-light; location of fixtures will be at least 20 feet from the nearest occupied structure

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:  
 \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s):  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

**b. Land uses and covertypes on the project site.**

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	4.87	12.82	+7.95
• Forested	59.12	29.93	-39.19
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	1.01	1.01	0
• Wetlands (freshwater or tidal)	29.90	29.89	-0.01
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>pervious - grass cover/landscaping</u>	14.62	45.90	+31.28

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
 i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
 If Yes,  
 i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
 If Yes:  
 i. Dimensions of the dam and impoundment:  
 • Dam height: \_\_\_\_\_ feet  
 • Dam length: \_\_\_\_\_ feet  
 • Surface area: \_\_\_\_\_ acres  
 • Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
 ii. Dam's existing hazard classification: \_\_\_\_\_  
 iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
 If Yes:  
 i. Has the facility been formally closed?  Yes  No  
 • If yes, cite sources/documentation: \_\_\_\_\_  
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
 iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
 If Yes:  
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
 If Yes:  
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
 ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
 If yes, provide DEC ID number(s): 344064  
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
off site, approximately 1300 ft east; site 344064; class A (active), currently under remedial action



v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? greater than 5 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Paxton Fine Gravelly Loam	_____	_____%
Adrian Muck	_____	_____%
Charlton Fine Sandy Loam	_____	_____%

d. What is the average depth to the water table on the project site? Average: 0.5 - 6.0 feet

e. Drainage status of project site soils:  Well Drained: 75 % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained: 25 % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	<u>50.4</u>	_____% of site
<input checked="" type="checkbox"/> 10-15%:	<u>24.4</u>	_____% of site
<input checked="" type="checkbox"/> 15% or greater:	<u>25.2</u>	_____% of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

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**h. Surface water features.**

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 860-15, 864-501 Classification B, C
- Lakes or Ponds: Name unnamed, unregulated pond Classification N/A
- Wetlands: Name NYSDEC TH-15; Fed.: Riverine, Freshwater Forested/shrub, freshwater pond Approximate Size approximately 29.9 ac on site
- Wetland No. (if regulated by DEC) TH-15

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

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i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:

i. Name of aquifer: Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names: Ramapo SSA

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 typical suburban species (deer, squirrel, \_\_\_\_\_)  
 birds, raccoon, etc.) \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_ not anticipated on site  
 Bog Turtle: endangered, Timber Rattlesnake: threatened: see attached letter dated 8/29/21

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: OFF SITE resources in vicinity: Ladentown United Methodist Church, Seaman-Knapp House, Camp Hill School (Pomona Village Hall)

iii. Brief description of attributes on which listing is based: Ladentown United Methodist Church: off-site 878 ft N, architecture; Seaman-Knapp House: off-site 860 ft N, architecture and social history; Camp Hill School: off-site 1520 ft E, architecture and education;

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): No precontact sites identified, no historic sites identified, no sites recommended for Phase 2.

ii. Basis for identification: Phase 1A/Phase 1B Archaeological Investigation, Historical Perspectives, Inc. 2007 and Addendum dated June 2022

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: Palisades Interstate Parkway, Town of Ramapo Scenic Road District on Camp Hill Road

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic Parkway, Scenic Roadway

iii. Distance between project and resource: less than 1 miles.

---

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

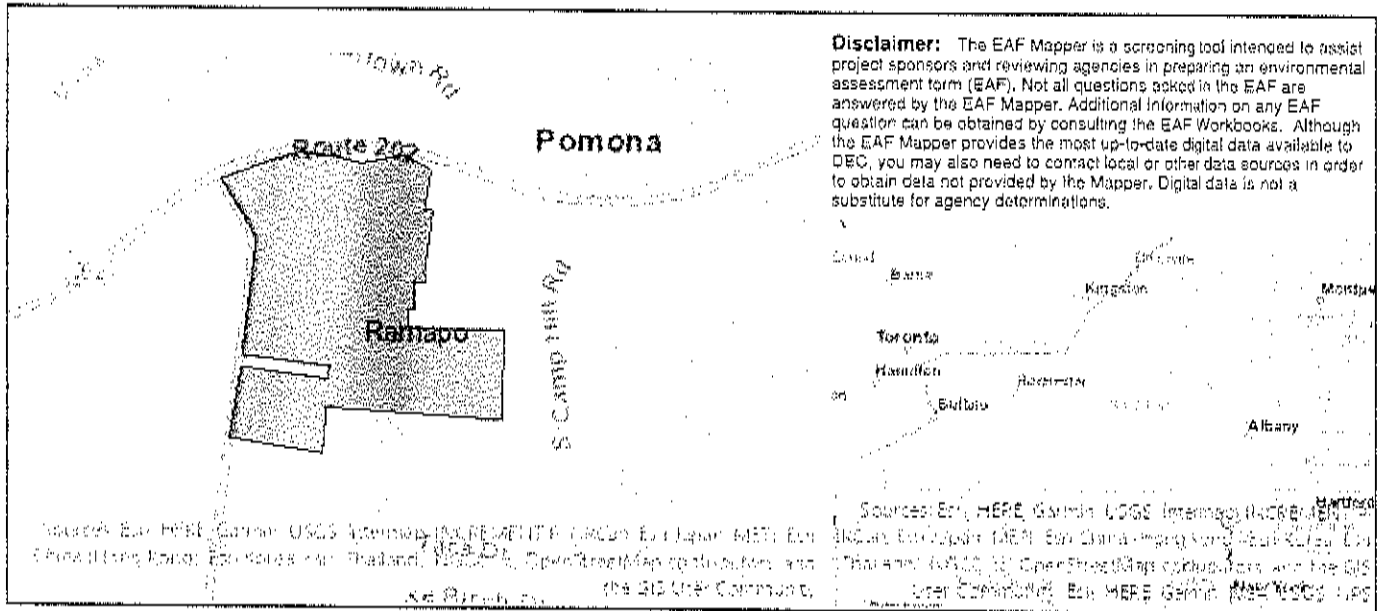
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

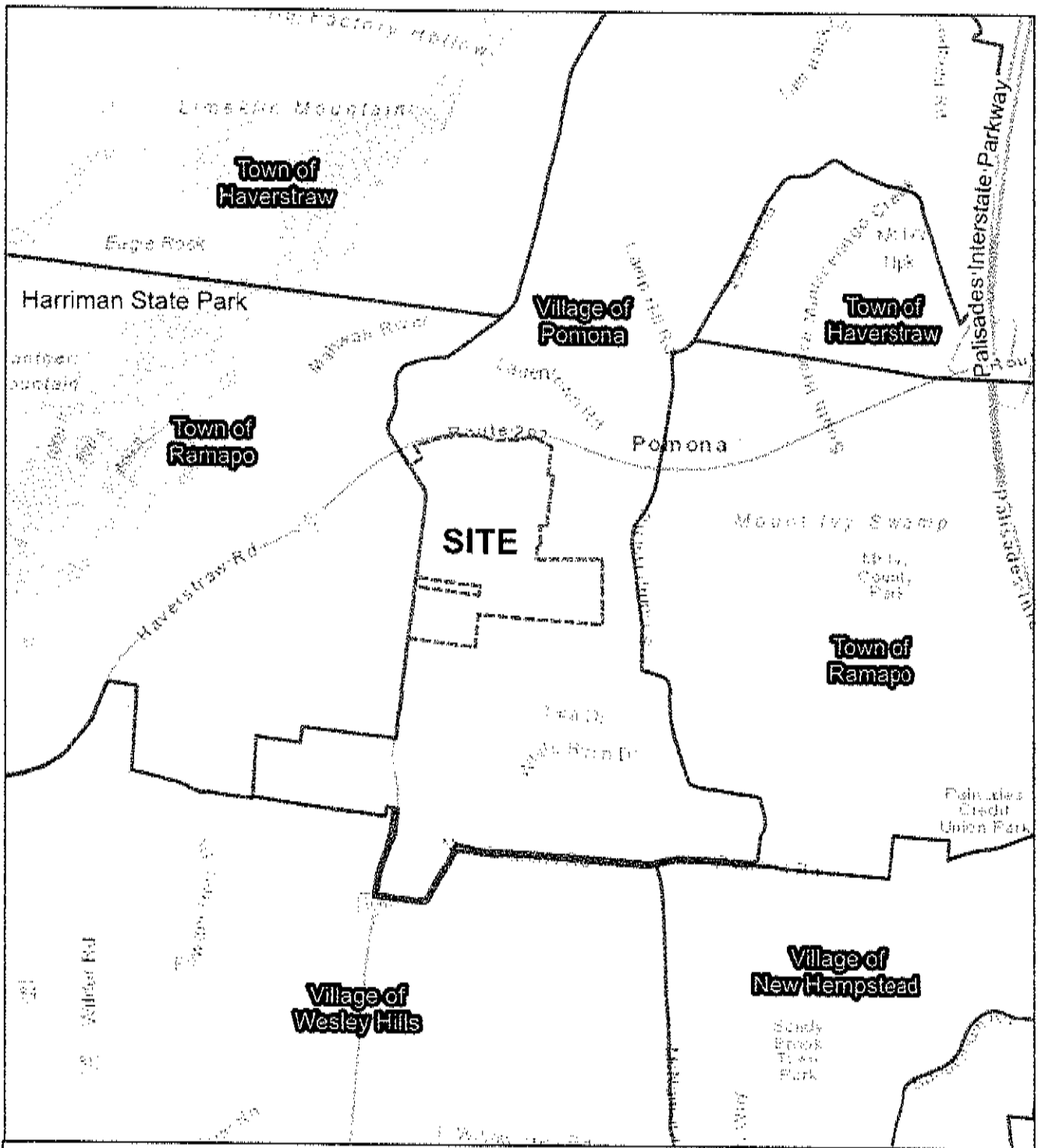
Applicant/Sponsor Name Michael Tauber Date October 2023

Signature  Title Trustee of Rabbinical Institute



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	344064
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	860-15, 864-501
E.2.h.iv [Surface Water Features - Stream Classification]	B, C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):76.7

E.2.h.iv [Surface Water Features - DEC Wetlands Number]	TH-15
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names: Ramapo SSA
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Timber Rattlesnake
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



**Legend**

Site Boundary
  Municipal Boundary

 NORTH
 0    1,250    2,500  
 Feet

**Kimley»Horn**  
of New York, P.C.

Congregation Rabbinical Institute  
of Tartikov, Inc.  
Village of Pomona  
Rockland County, NY

**LOCATION MAP**  
**OCTOBER 2023**





Water Demand and Sanitary Sewage generation calculations:

85 Buildings, 3 student housing units per building: = 255 apartments

4 bedrooms per student housing unit: = 1,020 bedrooms

total bedrooms: = 1,020

Student housing: 1,020 bedrooms \* 110 GPD = 112,200 GPD

Study Hall: (242 students \* 10 GPD) + (20 employees \* 15 GPD) = 2,720 GPD

Total Demand: 112,200 + 2,720 = 114,920 GPD

**PETER D. TORGERSEN,  
ENVIRONMENTAL SCIENCES**

110 Town Line Road, Pearl River New York 10965, 845 642 8939 peterforger271@gmail.com

October 17, 2023

Dennis Rocks  
Brooker Engineering  
74 Lafayette Avenue, Suite 501  
Suffern, New York 10901

Re: Potential Bog Turtle and Timber Rattlesnake Habitat at Congregation  
Rabbinical College of Tartikov

Dear Mr. Rocks,

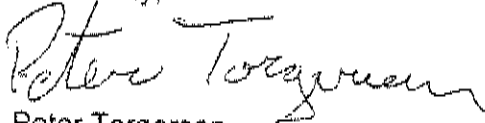
The above 119.491 acre site is made up of 12 separate existing adjacent lots located on the south east corner of Route 306 and Route 202. The project site is made up of 11 existing residential lots as well as Lot 32.08-1-53 which is now a shuttered day camp. The wetlands along the west side are both directly connected with a tributary of the Mahwah River. The large wetland along the east side is directly connected to a tributary of the Minniseongo Creek. The project site as a whole contains three separate wetlands as well as large areas of mature forest habitat. Running across the north part of the site is a large utility easement. During their environmental impact review the NYSDEC has brought up the possibility of this site having habitat that could be used by both Bog Turtles and the Northern Timber Rattlesnakes, two endangered reptiles that are occasionally found in the lower NY state. The Bog Turtle is always found in open bogs, fens, wetlands and ditches that have a specific combination of saturated soils that can receive plenty of sunlight, a ground water outlet or spring fed water supply and vegetation dominated by sedges and grasses. The onsite wetland that runs parallel to Route 306 on the residential lots do indeed have areas along the edges that do meet the written description of potential Bog Turtle habitat. The large cattail dominated areas have too much seasonally standing water to qualify because the Bog Turtle is really a terrestrial creature, not an aquatic one. Areas that seasonally flood are no good for any eggs to successfully incubate. Numerous spots along the edges of the wetland have soft muck type soils that could allow the Bog Turtles to dig their seasonal burrows and tunnels. While suitable habitat is indeed found onsite it should be remembered that Bog Turtles have not been documented in Rockland County for at least 100 years. All three wetland areas on the former day camp have forested wetland habitat that totally eliminates them from being potential Bog Turtle habitat.

The Northern Timber Rattlesnake is known to inhabit the western most areas of Rockland County. There are documented den sites for the Northern Timber Rattlesnakes just about 1 mile west of this project location in the

Palisades Interstate Park System. The rattlesnake winters in dens that are located steep rocky areas that usually face to the east and south. There is no onsite habitat that could in any way be interpreted as suitable winter den sites for the rattlesnake. There are no onsite cliffs, south facing rocky slopes or talus piles. Female rattlesnakes usually stay close to the dens during the summer months however the male snakes have been known to travel up to 3 or 4 miles from their winter dens in order to find suitable summer hunting sites. Between this known snake habitat west of Route 202 and the project site is a large flooded swamp associated with the Mahwah River, Route 202 itself and numerous residential neighborhoods. All of this represents a formidable route for the snakes to travel. The swamp and river represent an almost insurmountable obstacle because the rattlesnake will not voluntarily swim. It is a creature of the upland hillsides and forests, not the valleys and swamps.

Because of the lack of any onsite habitat suitable for winter dens and the obstacles between this site and known rattlesnake habitat this project site should not be considered suitable for Timber Rattlesnakes.

Yours truly,



Peter Torgersen

**EXHIBIT B**

**EXHIBIT B**

# VILLAGE OF POMONA

100 LADENTOWN ROAD

POMONA, N.Y. 10970

Phone (845) 354-0545 ~ Fax (845) 354-0604

Savad / Churgin  
55 Old Turnpike Rd  
Suite 209  
Nanuet, NY 10954

April 1, 2024

**RE: Special Permit and Site Plan applications**

Mr. Joseph Churgin;

I have been informed that at the Village Board meeting of March 26, 2024, the board did not make a motion to consider the petition for a zone change. This change was requested by Tartikov to establish a Special Institutional Educational Zoning district in the Village of Pomona.

Based on the actions of the board, I have reviewed the two remaining applications which were filed with the village. A Site Plan application and a Special Use Permit application, for an Educational Institution under Village Code 130-10 (F). The initial applications submitted were incomplete due to segmented SEQRA submissions. The Site Plan, Special Use Permit and Zone Change applications were fully submitted as complete on February 26, 2024. The ZBA variance was rejected as being premature.

Under the Village Code, an Educational Institution is defined as one that is accredited by the New York State Education Department or similar accrediting agency. Village Code 130-4

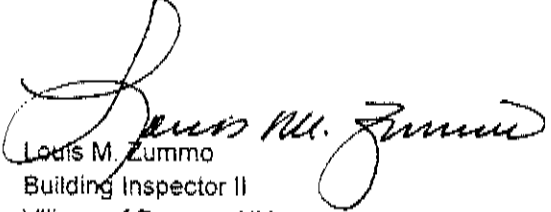
**EDUCATIONAL INSTITUTION**

*Any private or religious elementary, junior high or high school, college, graduate or post-graduate school conducting a full-time curriculum of instruction a minimum of five days per week for seven months per year and accredited by the New York State Education Department or similar recognized accrediting agency.*

As your Special Use permit submission acknowledges, accreditation is a requirement for an educational institution and that unaccredited educational uses are prohibited in the Village. Village code 130-9(A)

Based on the contents of the Special Use Permit application and the Site Plan application, the principal proposed use as "an unaccredited educational institution" is not permitted in the Village of Pomona, accordingly both applications are hereby denied. Any accessory uses cannot be considered without an approved principal use existing on the property.

For the use as an unaccredited educational institution to be considered for approval, your applicant would need to pursue a use variance from the Village of Pomona Zoning Board of Appeals. You would then need to satisfy the statutory factors required to attain such a variance.

  
Louis M. Zummo  
Building Inspector II  
Village of Pomona NY

# SAVAD CHURGIN

## ATTORNEYS AT LAW

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April 26, 2024

Members of the Zoning Board of Appeals  
Building Inspector Louis Zummo  
Village of Pomona  
100 Ladentown Road  
Pomona, New York 10970

### **VIA Hand Delivery**

Re: Appeal to ZBA: Decision of Building Inspector (dated 4/1/2024)  
Re: Site Plan Application submitted October 19, 2023  
Property Owners: Congregation Rabbinical Institute of Tartikov, Inc.  
Property Address: 65-67 Route 306, Village of Pomona,  
Town of Ramapo, County of Rockland, New York  
10970  
SBL 32.08-1-53, 54, 55.2 and 32.12-1-25, 26, 27, 28,  
29.1, 29.2, 30, 31, 33

### **PETITION ON APPEAL**

This Petition on Appeal is submitted in support of the attached ZBA Application of Congregation Rabbinical Institute of Tartikov, Inc. ("Tartikov" or "appellants"), the owner of property located along Route 306 in the Village of Pomona, New York identified as tax parcels 32.08-1-53, 54, 55.2 and 32.12-1-25, 26, 27, 28, 29.1, 29.2, 30, 31, 33.

The appellants appeal the Pomona's Building Inspector's rejection, dated April 1, 2024, of Tartikov's October 19, 2023 site plan application (the "application"). Tartikov's application is attached hereto as **Exhibit A**. Pomona's rejection of the application is attached hereto as **Exhibit B**.

This Petition on Appeal is submitted within the time required by law.

# SAVAD CHURGIN

## ATTORNEYS AT LAW

Paul Savad (1941-2020)  
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April 26, 2024

Members of the Zoning Board of Appeals  
Building Inspector Louis Zummo  
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100 Ladentown Road  
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The appellants appeal the rejection, dated April 1, 2024, by the Village of Pomona (the "Village" or "Pomona") of Tartikov's October 19, 2023 site plan application (the "application"). Tartikov's application (without exhibits) is attached hereto as **Exhibit A**. Pomona's rejection of the application is attached hereto as **Exhibit B**.

This Petition on Appeal is submitted within the time required by law.



## **BACKGROUND**

This appeal is made by Tartikov, which filed the application in order to construct, develop and operate a non-accredited rabbinical institute with adult student housing (the "Institute").

The Institute will include associated student and faculty housing in 255 student faculty housing units with accessory support facilities.

The Institute will religiously educate Orthodox Jewish men to become certified rabbis trained as *dayanim*, or religious court judges. The Institute would function as a *kollel* devoted to post-graduate studies by advanced scholars who will be trained in all four books of the Code of Jewish Law, or the *Shulchan Aruch*. Operation hours for classroom study and religious services for the rabbinical students would generally start at 6:00 a.m. and generally end at 10:30 p.m. on Sundays through Thursdays with some study and services generally from 6:00 a.m. – 1:00 p.m. and 5:00 to 10:00 p.m. on Fridays and 8:00 a.m. to 6:00 p.m. on Saturdays.

The Institute will be a Torah community that will include on-campus housing for the students and their families for the duration of their studies where the students can engage in religious study and also meet their religious obligations to their families. The purpose of the Torah community will be to isolate the students from the distractions of the outside world, permitting them to be devoted to the study of Jewish law. Tartikov, as well as the prospective students are motivated by their religious beliefs to both train and become rabbinical judges qualified in all four books of the *Shulchan Aruch*. Tartikov's facilities will include classrooms, study halls, courtrooms, a library, one or more shuls, or synagogues, on-campus housing for married students and their families and a facility to house a *mikvah*, or ritual bath. Tartikov's Institute cannot be accredited by the New York State Education Department or any other accrediting body.

### **Tartikov's Application**

On October 19, 2023 Tartikov submitted a site plan application with a request for waiver (along with a site plan application, a variance application and a proposed zone change application). On December 11, 2023 the Building Inspector rejected the variance application as premature. On March 25, 2024 the Village Board declined to consider Tartikov's zone change application. On April 1, 2024 the Building Inspector denied Tartikov's Site Plan application and Special Permit.

### **Basis for Appeal**

Tartikov's application was to build its rabbinical institute and was made pursuant to Village Code. Ex. A. The Building Inspector rejected the application on April 1, 2024. Ex. B.

Zoning Code 130-28(F) provides that:

On appeal from an order, requirement, decision or determination made by an administrative official charged with the enforcement of this chapter or on request from any official, agency or board of the Village, the Board of Appeals is authorized to decide any question involving the interpretation of any provision of this chapter. Interpretations shall be made in accordance with the intent of the particular provision being interpreted.

In this instance, the Building Inspector rejected the application. Ex. B. The Board of Appeals is therefore authorized to hear this appeal.

### **The Denial Should Be Reversed**

The Village's zoning regulations and the denial of Tartikov's Site Plan application and its Special Use Permit application violate its federal rights under the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc *et seq.* ("RLUIPA"), and the Free Exercise Clause of the Constitution. Denial of Tartikov's appeal would exacerbate these civil rights violations. Moreover, Federal and New York law make clear that the ZBA is authorized to correct these violations. We urge the ZBA to take the following into account in reviewing and deciding on Tartikov's appeal.

The Village's Building Inspector specifically cited the fact that Tartikov's proposed rabbinical institute was not accredited as grounds for issuing his denial. Prohibiting Tartikov's use throughout the Village on the grounds that the school is not accredited is a RLUIPA and Free Exercise Clause violation. RLUIPA's "Substantial burdens" section provides that "[n]o government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a . . . religious assembly or institution" unless it meets "strict scrutiny" review; that is, "unless the government demonstrates that imposition of the burden . . . is in furtherance of a compelling governmental interest; and . . . is the least restrictive means of furthering that compelling governmental interest." 42 U.S.C. § 2000cc(a)(1).

This was established by the United States District Court for the Southern District of New York, after a bench trial in the prior action by Tartikov against the Village, when it held that the accreditation requirement imposes such a substantial burden. The Court held that it was impossible for the rabbinical institute to be accredited before beginning operation, and thus "the Accreditation Law blocks Tartikov from building a rabbinical college within the Village." *Congregation Rabbinical Coll. of Tartikov, Inc. v. Village of Pomona*, 280 F. Supp. 3d 426, 456 (S.D.N.Y. 2017). This, the Court held, imposed a substantial burden on Tartikov's religious exercise, since because of the Accreditation Law Tartikov "cannot build a rabbinical college on *any* parcel of land within the Village."

*Id.* at 477 (emphasis in original); see also *id.* at 475 (“RLUIPA protects religious institutions from land use regulations that substantially affect their ability to use their property in the sincere exercise of their religion”) (citing *Fortress Bible Church v. Feiner*, 694 F.3d 208, 218 (2d Cir. 2012); *Westchester Day Sch. v. Vill. of Mamaroneck*, 504 F.3d 338, 352 (2d Cir. 2007) (restrictions on Jewish day school that prevented it from expanding to serve more students and provide educational activities that the school believed were important to Jewish education violated RLUIPA).

Also significantly, the Court held that the Village had not proven that it had any compelling justification pursued through the “least restrictive means” that could justify the burden imposed on Tartikov. 280 F. Supp. 3d at 467 (“Defendants have not explained why only accredited schools and traditional student-only dormitories are preferable to unaccredited schools and nontraditional dormitories, or how they pose greater threats to the Village” and thus they “do not survive strict scrutiny review”).

Likewise, the Court held that the Accreditation Law violated Tartikov's Free Exercise rights. *Id.* at 485. The Court held that the Accreditation Law and the Dormitory Law “were enacted to infringe upon religious practices because of their religious motivation.” 280 F. Supp. 3d at 484. See also *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520 (1993) (zoning law that had the effect of singling out a religious group violated the Free Exercise Clause). The standard for Free Exercise Clause violation was made even less demanding by the Second Circuit since the Court's decision. In November 2023, the Second Circuit held that there was no obligation for plaintiffs in Free Exercise cases to prove a “substantial burden” on religious exercise as required by RLUIPA; rather, all that is required is a showing of a “burden.” *Kravitz v. Purcell*, 87 F.4th 111, 127 (2d Cir. 2023).

As with the RLUIPA claim, the Court held that the Village had not proven a compelling government interest pursued through the least restrictive means that could justify its actions. 280 F. Supp. 3d at 485. See also *Roman Cath. Diocese of Brooklyn v. Cuomo*, 592 U.S. 14, 18 (2020) (striking down New York's COVID occupancy caps on places of worship, holding that “there are many other less restrictive rules that could be adopted to minimize the risk to those attending religious services”). There is no legitimate, much less compelling justification to prohibit Tartikov's use outright.

Courts throughout the nation regularly hold in favor of religious organizations under RLUIPA and the First Amendment where zoning laws that prohibit or severely restrict religious land uses are challenged. See *WR Prop. LLC v. Twp. of Jackson*, No. CV173226MASDEA, 2021 WL 1790642, at \*12 (D.N.J. May 5, 2021) (ordinances intended to prohibit Orthodox Jewish schools and eruvim “are not neutral and were passed with a discriminatory purpose”); *Bais Brucha Inc. v. Twp. of Toms River, New Jersey*, No. CV213239ZNQRSL, 2024 WL 863698, at \*10 (D.N.J. Feb. 29, 2024) (Court entered judgment for the Plaintiffs on RLUIPA and First Amendment claims finding “[t]he

overall effect of the Land Use Regulations was to constrict the development of places of worship in the Township.”); *St. Timothy's Episcopal Church by & through Diocese of Oregon v. City of Brookings*, No. 1:22-CV-00156-CL, 2024 WL 1303123, at \*8 (D. Or. Mar. 27, 2024) (zoning ordinance which provided for conditional use of “benevolent meal services” and how often they can occur violates RLUIPA). The same applies here.

RLUPA’s Substantial Burdens provision provides:

**(a) Substantial burdens**

**(1) General rule**

No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution—

**(A)** is in furtherance of a compelling governmental interest; and

**(B)** is the least restrictive means of furthering that compelling governmental interest.

42 U.S.C.A. § 2000cc. The Supreme Court has recently described the strict scrutiny test as follows:

[S]trict scrutiny requires the State to further “interests of the highest order” by means “narrowly tailored in pursuit of those interests.” *Church of Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520, 546 (1993) (internal quotation marks omitted). That standard “is not watered down”; it “really means what it says.”

*Tandon v. Newsom*, No. 20A151, 2021 WL 1328507, at \*2 (U.S. Apr. 9, 2021).

Generalized interests are insufficient as a matter of law. *Holt*, 135 S.Ct. at 863, *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal*, 546 U.S. 418, 432, 438 (2006). A compelling governmental interest must be a specific interest of the “highest order,” which is “some substantial threat to public safety, peace[,] or order,” and “[o]nly the gravest abuses, endangering paramount interest, give occasion for permissible limitation.” *Church of the Lukumi Babalu Aye*, 508 U.S. at 546; *Wisconsin v. Yoder*, 406 U.S. 205, 215 (1972); *Sherbert v. Verner*, 374 U.S. 403, 406 (1963). A compelling governmental interest must exist in this particular case. See *O Centro*, 546 U.S. at 430 (applying RFRA); WDS, 504 F.3d at 353. It does not here. The generalized interest in “enforcing [a] Zoning Ordinance” is always at issue in a challenge to land use regulations. See *Covenant Christian Ministries, Inc. v. City of Marietta*, No. 1:06-CV-1994-CC, 2008 WL 8866408, at \*14 n.9 (N.D. Ga. Mar. 31, 2008) (“If the general government interest in zoning satisfied the first prong of the strict scrutiny test in every case, then this prong of the analysis would be eviscerated in RLUIPA cases.”); *City Walk - Urb. Mission Inc. v. Wakulla Cnty.*, 471 F. Supp. 3d 1268, 1287 (N.D. Fla. 2020) (“Defendant’s justification boils down to its interest in enforcing its zoning regulation and furthering its zoning regulation’s purpose in a general way. That is not enough.”). The test is not satisfied

through advancing “broadly formulated interes[t][s]” but “requires the Government to demonstrate that the compelling interest test is satisfied through application of the challenged law to the person—the particular claimant whose sincere exercise of religion is being substantially burdened.” *Holt*, 574 U.S. at 363 (internal quotation omitted); see also *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal*, 546 U.S. 418, 431 (2006) (“O Centro”); *Davila v. Gladden*, 777 F.3d 1198, 1206 (11th Cir. 2015) (“[T]he Defendants’ generalized interests are insufficient as a matter. . . . The Defendants offer little more than a conclusory assertion that if they grant Mr. Davila’s request, there will be a significant impact on security interests and cost concerns.”).

Neither are “community character” interests compelling. See *Solantic, LLC v. City of Neptune Beach*, 410 F.3d 1250, 1267 (11th Cir. 2005) (holding that sign code was not “narrowly tailored to accomplish the City’s asserted interests in aesthetics and traffic safety, nor has our case law recognized those interests as ‘compelling’”); *Rocky Mtn. Christian Church v. Bd. of Cnty. Comm’rs of Boulder Cnty.*, 612 F. Supp. 2d 1163, 1175 (D. Colo. 2009), *aff’d*, 613 F.3d 1229 (10th Cir. 2010) (stating that “lack of harmony with the character of the neighborhood, incompatibility with the surrounding area, . . . . generally have been found not to be compelling”); *Westchester Day Sch.*, 417 F. Supp. 2d at 554 (“[T]he visual impact of the Project does not implicate a compelling government interest.” (citations omitted)); *Cottonwood Christian Ctr.*, 218 F. Supp. 2d at 1228 (aesthetic concerns are not “a compelling interest that can justify burdening [] [Plaintiff’s] religious exercise rights”); *Congregation Rabbinical Coll. of Tartikov v. Vill. of Pomona*, 138 F. Supp. 3d 352, 418-20 (S.D.N.Y. 2015), *aff’d*, 945 F.3d 83 (2d Cir. 2019) (“aesthetic and community character rationales are generally not compelling state interests”). Additionally, “traffic safety,” although a “substantial” interest, is not a compelling governmental interest that can justify the burdening of First Amendment rights. *Solantic*, 410 F.3d at 1267-68; *Dimmitt v. City of Clearwater*, 985 F.2d 1565, 1569-70 (11th Cir. 1993); *Beaulieu v. City of Alabaster*, 454 F.3d 1219, 1234 (11th Cir. 2006).

Strict scrutiny requires more than just an assertion that there may be an impact from a religious use. See *Tandon*, 141 S. Ct. at 1296 (government “must do more than assert that certain risk factors are always present in worship” (internal quotation omitted)); *Tartikov*, 138 F. Supp. 3d at 422 (“Defendants’ only evidence connecting the Challenged Laws to alleviating traffic concerns is that ‘all dwelling units, by their nature, generate traffic.’ . . . This explanation is insufficient”); *Congregation Etz Chaim v. City of L.A.*, No. CV10-1587 CAS EX, 2011 WL 12472550, at \*5, \*7 (C.D. Cal. July 11, 2011) (rejecting the City’s argument that it had a compelling interest in “maintaining the residential nature of the neighborhood” because “this approach would render RLUIPA a nullity” and finding that, “while the City refers to its broad interest in protecting the health, safety and welfare of its citizens, and parking and traffic concerns in relation to those interests, they present no evidence ‘that any traffic or parking concerns actually existed’”).

A government must also demonstrate that it considered less restrictive means of achieving any governmental interest rather than outright denial. *Redeemed Christian Church of God*, 17 F.4th at 512 (“the [] [government] never sought to show at trial that it considered alternatives—such as roadway improvements or additional road signs—before denying the Application.”); *Cottonwood Christian Ctr. v. Cypress Redevelopment Agency*, 218 F. Supp. 2d 1203, 1229 (C.D. Cal. 2002) (outright denial is not least restrictive means and “City has done the equivalent of using a sledgehammer to kill an ant.”); *Chabad Lubavitch of Litchfield Cnty., Inc. v. Borough of Litchfield, Connecticut*, No. 3:09-CV-1419 (JCH), 2017 WL 5015624, at \*14 (D. Conn. Nov. 2, 2017) (imposition of smaller footprint on Chabad violated RLUIPA and was not least restrictive means). In *Westchester Day Sch. v. Vill. of Mamaroneck*, 417 F. Supp. 2d 477, 553-54 (S.D.N.Y. 2006), *aff’d*, 504 F.3d 338 (2d Cir. 2007), the Court found that the Village had not demonstrated that outright denial of the religious school was the least restrictive means of furthering a compelling governmental interest with respect to three categories of asserted such interests: traffic (“incremental impact of the Project on traffic could have been mitigated in a number of ways. Defendants’ have failed to carry their burden of demonstrating that no alternatives other than an outright denial could protect their interests relating to traffic.”); “visual impacts and adverse effects on property values” (aesthetic concerns could be mitigated and neither those nor property values are a compelling interest); and parking (lack of parking did not constitute “a threat to public safety”).

While some of the District Court’s holdings in the prior Tartikov litigation were overturned by the Second Circuit Court of Appeals, it did so on the ground that Tartikov had not yet filed a formal application to build its rabbinical college and thus lacked “standing” to bring suit. *Congregation Rabbinical College of Tartikov, Inc. v. Village of Pomona*, 945 F.3d 83, 110 (2d Cir. 2019) (“Tartikov . . . never submitted a formal proposal for the building project, applied for a permit, or engaged in any other conduct that would implicate or invoke the operation of the challenged zoning laws.”). This justification no longer applies as Tartikov has now done so through two applications and a rezoning petition, all of which have been rejected. Therefore, the RLUIPA and Free Exercise Clause issues will be ripe for consideration and the relevant facts and legal considerations are unchanged, leading inescapably to the conclusion that the Village will lose a new lawsuit brought against it, now that the “standing” issue is resolved.

The ZBA must consider Tartikov’s federal rights. First, it is subject to requirements of RLUIPA and the Free Exercise Clause. See 42 U.S.C. § 2000cc-5(4) (“The term “government”— (A) means—(i) a State, county, municipality, or other governmental entity created under the authority of a State; (ii) any branch, department, agency, instrumentality, or official of an entity listed in clause (i); . . .”). See *Layman Lessons, Inc. v. City of Millersville, Tenn.*, 636 F. Supp. 2d 620, 643 (M.D. Tenn. 2008) (City is a government under RLUIPA and vicariously liable under respondeat superior for acts of its employees); *Bais Brucha*, 2024 WL 863698, at \*1 (Zoning Board of Adjustment is a

"government" under RLUIPA); *Adam Cmty. Ctr. v. City of Troy*, 381 F. Supp. 3d 887, 890 (E.D. Mich. 2019) (City, City Planning Commission and Zoning Board of Appeals are proper party Defendants under RLUIPA); *DiLaura v. Twp. of Ann Arbor*, 112 F. App'x 445, 446 (6th Cir. 2004) (Town and Town's Zoning Board of Appeals violated RLUIPA); *Bensalem Masjid, Inc. v. Bensalem Twp.*, No. CV 14-6955, 2015 WL 5611546, (E.D. Pa. Sept. 22, 2015) (RLUIPA claims could proceed against Township and Township Zoning Hearing Board); *Islamic Soc'y of Basking Ridge v. Twp. of Bernards*, 226 F. Supp. 3d 320, 351 (D.N.J. 2016) (planning board liable under RLUIPA); *Guru Nanak Sikh Soc'y of Yuba City v. Cnty. of Sutter*, 326 F. Supp. 2d 1128, 1136 (E.D. Cal. 2003) (even "individual government officials may be subject to suit under RLUIPA."). Any argument that RLUIPA or the Free Exercise Clause do not apply to it must be rejected.

Second, RLUIPA itself provides a specific mechanism to allow local governments to avoid further violation of RLUIPA by voluntarily accommodating burdened religious exercise through any number of different ways. This provision, known as the "Safe Harbor" provision, states:

**Governmental discretion in alleviating burdens on religious exercise.** A government may avoid the preemptive force of any provision of this chapter by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions from the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden.

42 U.S.C. § 2000cc-3(e). The purpose of this "Safe Harbor" provision is to assure governmental bodies "that they retain discretion to decide how best to remedy an allegedly offending law, policy, or regulation . . . ." *Pratt v. Ott*, No. 1:20-CV-171, 2021 WL 1212587, at \*6 (M.D. Pa. Mar. 31, 2021). The legislative history of this provision supports this purpose.

"Congress intended to give each state the freedom "to choose its own means of eliminating substantial burdens on religious exercise." See 146 Cong. Rec. E1563, E1564 (daily ed. Sept. 21, 2000) (statement of sponsoring Rep. Canady). . . . Another statement confirms that RLUIPA . . . . "leaves all other policy choices to the states." See 146 Cong. Rec. S7774, S7776 (daily ed. July 27, 2000) (joint statement of Sens. Hatch and Kennedy). Congress plainly intended to allow each state to "eliminate the discrimination or burden in any way it chooses, so long as the discrimination or substantial burden is actually eliminated."<sup>9</sup> See id.

*Pratt v. Ott*, No. 1:20-CV-171, 2021 WL 1212587, at \*6 (M.D. Pa. Mar. 31, 2021).

This provision authorizes any number of ways to eliminate the burden imposed by the accreditation requirement: the Village could repeal the offending provisions; the

Village could exempt religious entities from it; or the Village—through its ZBA—could exempt Tartikov specifically from it, or any other means that eliminates its application to Tartikov. The provision provides discretion to the Village in how to accomplish this, so long as it in fact eliminates the burden on Tartikov. See, e.g., *Boles v. Neet*, 402 F. Supp. 2d 1237, 1241 (D. Colo. 2005), *aff'd*, 486 F.3d 1177 (10th Cir. 2007) (“This provision has been interpreted to provide discretion in the government agency to take corrective action to eliminate any violation of the statutory provisions . . . and thereby preempt liability under RLUIPA.”).

In exercising their governmental discretion under the Safe Harbor provision to alleviate substantial burdens and discrimination toward religious land use applicants, the following are examples of governmental action taken to avoid RLUIPA liability:

- Village “amended its zoning code in 2003 so that *all* membership organizations were excluded from I–1 zones, including the business-related organizations that under the 1988 version of the code were allowed. The village also opened up additional zones to religious organizations where they previously were not allowed. Religious organizations had been allowed only in the IB zone, but now were permitted as of right in two residential districts (R–1 and R–2), and in an additional 16 districts after obtaining a special permit.” *Petra Presbyterian Church v. Vill. of Northbrook*, 409 F. Supp. 2d 1001, 1004 (N.D. Ill. 2006), *aff'd*, 489 F.3d 846 (7th Cir. 2007). “The parties agree that the 2003 amendments to Northbrook’s zoning ordinance put nonreligious assemblies on equal footing with religious assemblies. Accordingly, Northbrook has avoided liability by eliminating its discriminatory zoning provision.” *Id.* at 1008.
- “The April 8, 2015 amendment and the April 21, 2015 issuance of the conditional use permit to the Church, taken together, permitted the Church to purchase the Theater Property for use as a place of worship and placed the Church on equal footing with secular assemblies, including movie theaters. Accordingly, the amendment and the conditional use permit eliminated any alleged substantial burden and any alleged discriminatory treatment imposed by the former Zoning Ordinance or by the City’s denial of the Church’s Planning Application.” *Church v. City of St. Michael*, 205 F. Supp. 3d 1014, 1032 (D. Minn. 2016).
- Adoption by a County of a Resolution and entering into a Settlement Agreement and Release with the Church which “eliminated those obstructions to the plaintiffs’ religious exercise by permitting construction of the Church facilities and their use under conditions that were acceptable to the plaintiffs. *Grace Church of Roaring Fork Valley v. Bd. of Cnty. Comm’rs of Pitkin Cnty., Colorado*, 742 F. Supp. 2d 1156, 1160 (D. Colo. 2010).
- County approved initial land use application and entered into a Settlement Agreement. *United States v. Cnty. of Culpeper, Virginia*, No. 3:16-CV-00083, 2017 WL 3835601, at \*8 (W.D. Va. Sept. 1, 2017).



- Granting a conditional use permit to permit operation of a homeless ministry. *Family Life Church v. City of Elgin*, No. 07 CV 0217, 2007 WL 2790763, at \*2 (N.D. Ill. Sept. 24, 2007).
- Granting a building permit to a church after Special Counsel for the Town noted “[I]t is difficult to see what th[e] compelling interest [of the town] might be in light of the uses allowed at the Church site under the Bylaw. If the Town's compelling interest was to protect the health, safety and general welfare of the Town's inhabitants by reducing traffic and minimizing activity in that general area, it is unclear why then the Bylaw would permit the use of the Church site for a municipal use, private nonprofit library or museum, post office or medical professional offices.... As such, it is difficult to support the position that § 9.18 of the Bylaw furthers a compelling governmental interest.” *Mintz v. Roman Cath. Bishop of Springfield*, 424 F. Supp. 2d 309, 313 (D. Mass. 2006).

Significantly, the Village's counsel admitted the same at oral argument before the Second Circuit. See *Congregation Rabbinical College of Tartikov, Inc. v. Village of Pomona*, No. 21-2822 (Transcript of Oral Argument May 16, 2022) at 19 (“I think the question there becomes—is the accreditation requirements itself unconstitutional as applied to Tartikov. But that question should initially be presented to the Village when it comes in for the land use application like many plaintiffs that file land use applications or developers.” (emphasis added)); *id.* at 14 (“if they present an argument to the Village and say that the law, as applied, would be unconstitutional as to them, the Village is the first body that should evaluate that and make a determination.” (emphasis added)). The ZBA should use that opportunity, as the Village's own counsel insisted it should, to avoid further lengthy and expensive litigation.

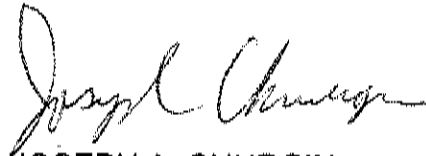
Finally, in New York, Boards of Zoning Appeals are authorized to take actions to provide accommodation to religious organizations to allow them to operate, both under RLUIPA and under the New York legal principle that “special treatment should be afforded schools and religious entities seeking to expand in residential areas.” *Septimus v. Board of Zoning Appeals for the Inc. Vill. of Lawrence*, 50 Misc. 3d 968, 975 (Sup. Ct., Nassau Cty. 2015). See also *Albany Preparatory Charter Sch. v. City of Albany*, 31 A.D.3d 870, 871, 818 N.Y.S.2d 651, 652 (2006) (“because of their inherently beneficial nature, educational institutions enjoy special treatment and are allowed to expand into neighborhoods where nonconforming uses would otherwise not be allowed”); *Assembly v. Vill. of Hempstead Bd. of Zoning Appeals*, 34 Misc. 3d 1208(A), 943 N.Y.S.2d 790 (Sup. Ct. 2011) (“greater flexibility is required in evaluating an application for a religious use than an application for another use and every effort to accommodate the religious use must be made”); *Islamic Soc. of Westchester & Rockland, Inc. v. Foley*, 96 A.D.2d 536, 537, 464 N.Y.S.2d 844, 845 (1983) (“There is an affirmative duty on the part of a local zoning board to suggest measures to accommodate the planned religious use, without causing the religious institution to incur excessive additional costs, while mitigating the detrimental effects on the health, safety and welfare of the surrounding community.”); *Cornell Univ. v. Bagnardi*, 68 N.Y.2d 583, 595, 503 N.E.2d 509, 515 (1986) (because of

their traditionally favored status, the "controlling consideration in reviewing the request of a school or church for permission to expand into a residential area must always be the over-all impact on the public's welfare.").

We request that the ZBA not further compound the violation of Tartikov's rights, and that it grant the appeal and reverse the April 1, 2024 denial of the application.

We have enclosed a \$375 application fee. Please advise if you need any more information or forms. We look forward to being placed on the May 22, 2024 ZBA agenda. Please do not hesitate to contact our office with any questions.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Joseph A. Churgin". The signature is written in a cursive style with a large initial "J".

JOSEPH A. CHURGIN

JAC/mc

Enc.

**EXHIBIT A**

**EXHIBIT A**

FOR SECURITY PURPOSES, THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING IN THE BORDER.

Cong. Rabbinical Institute Of Tartikov Inc.  
PO Box 304  
Monsey, NY 10952

Northeast Community Bank  
Monsey, NY 10952  
1-725/23260

432

Pay to the Order of VILLAGE OF FARMONA

10/18/23

\$13,550.00

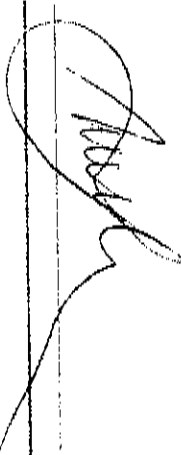
THIRTEEN THOUSAND FIVE HUNDRED & FIFTY &

SITE PLAN APPLICATION  
INCLUDES \$5,000 - Escrow

Memo:

SECURITY FEATURES INCLUDED. DETAILS ON BACK

⑆0000000432⑆ ⑆22607251⑆⑆50481029



# SAVAD CHURGIN

## ATTORNEYS AT LAW

Paul Savad (1941-2020)  
Joseph A. Churgin

55 OLD TURNPIKE ROAD – SUITE 209  
(Rt. 59 & THRUWAY EXIT 14)  
NANUET, NEW YORK 10954

Susan Cooper  
Donna Sobel

(845) 624-3820  
Fax: (845) 624-3821  
Website: SavadChurgin.com

October 19, 2023

By Hand Delivery

Village of Pomona Planning Board  
100 Ladentown Road  
Pomona, NY 10970

***Re: Site Plan Application- Congregation Rabbinical Institute of Tartikov Inc.***

Dear Members of the Village Planning Board:


This Firm represents Congregation Rabbinical Institute of Tartikov Inc. f/k/a Congregation Rabbinical College of Tartikov, Inc. ("Tartikov") in connection with land use approvals for its proposed rabbinical institute. The Rabbinical Institute is proposed on property located along Route 306 in the Village of Pomona, New York identified as tax parcels 32.08-1-53, 54, 55.2, and 32.12-1-25, 26, 27, 28, 29.1, 29.2, 30, 31, 33 (the "Property" or "Project Site"). The Project Site is approximately 119 acres and is located in the Village's R-40 zoning district. Tartikov submits this **site plan application** for your review and approval so that Tartikov may build and operate its Rabbinical Institute.

The proposed Rabbinical Institute is a religious use intended to educate Orthodox Jewish men to become certified rabbis trained as religious court judges. The institute would function as a kollel devoted to post-graduate studies by advanced scholars. Operation hours for classroom study and religious services for the rabbinical students would generally start at 6:00 a.m. and generally end at 10:30 p.m., on Sundays through Thursdays with some study and services generally from 6:00 a.m. – 1:00 p.m. and 5:00 p.m. to 10:00 p.m. on Fridays and 8:00 a.m. to 6:00 p.m. on Saturdays. The Institute will be a Torah community that will include on-campus housing for the students and their families for the duration of their studies where the students can engage in religious study and also meet their religious obligations to their families.

We have included a check for \$13,500 which includes a \$5000 escrow payment. If the fee is incorrect, please advise us so that we may correct it. As a reminder, there are certain provisions of the Village Code, including the Wetlands Law as adopted in 2007, that the Village is prohibited from applying to Tartikov as a result of the Court Order in *Congregation Rabbinical Coll. of Tartikov, Inc. v. Vill. of Pomona, NY*, 280 F. Supp. 3d 426 (S.D.N.Y. 2017), *aff'd in part, rev'd in part and remanded*, 945 F.3d 83 (2d Cir. 2019).

We respectfully submit this site plan application for the Planning Board to consider Tartikov's application. We request that we be placed on the Planning Board agenda for November 16, 2023. Please do not hesitate to contact our office with any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph A. Churgin".

JOSEPH A. CHURGIN

JAC/mc

Enc.

# SAVAD CHURGIN

## ATTORNEYS AT LAW

Paul Savad (1941-2020)  
Joseph A. Churgin

55 OLD TURNPIKE ROAD – SUITE 209  
(Rt. 59 & THRUWAY EXIT 14)  
NANUET, NEW YORK 10954

Susan Cooper  
Donna Sobel

(845) 624-3820  
Fax: (845) 624-3821  
mail@SavadChurgin.com

October 19, 2023

Mayor Ilan Fuchs and  
Members of the Village Board of Trustees  
100 Lidentown Road  
Pomona, NY 10970  
ATTN: Village Clerk

*Re: Petition – Village of Pomona Site Plan  
Education Institutions / Adult Student Housing*

### NARRATIVE

This application is made by Applicant Congregation Rabbinical Institute of Tartikov Inc., f/k/a Congregation Rabbinical College of Tartikov, Inc. (“Tartikov”), which seeks **Site Plan Approval** in order to construct, develop and operate a non-accredited rabbinical institute with adult student housing (the “Institute”).

The Institute will include associated student and faculty housing in 255 student faculty housing units with accessory support facilities.

The Institute will religiously educate Orthodox Jewish men to become certified rabbis trained as *dayanim*, or religious court judges. The Institute would function as a *kollel* devoted to post-graduate studies by advanced scholars who will be trained in all four books of the Code of Jewish Law, or the *Shulchan Aruch*. Operation hours for classroom study and religious services for the rabbinical students would generally start at 6:00 a.m. and generally end at 10:30 p.m. on

Sundays through Thursdays with some study and services generally from 6:00 a.m. – 1:00 p.m. and 5:00 p.m. to 10:00 p.m. on Fridays and 8:00 a.m. to 6:00 p.m. on Saturdays.

The Institute will be a Torah community that will include on-campus housing for the students and their families for the duration of their studies where the students can engage in religious study and also meet their religious obligations to their families. The purpose of the Torah community will be to isolate the students from the distractions of the outside world, permitting them to be devoted to the study of Jewish law. Tartikov, as well as the prospective students are motivated by their religious beliefs to both train and become rabbinical judges qualified in all four books of the *Shulchan Aruch*. Tartikov's facilities will include classrooms, study halls, courtrooms, a library, one or more *shuls*, or synagogues, on-campus housing for married students and their families and a facility to house a *mikvah*, or ritual bath. Tartikov's Institute cannot be accredited by the New York State Education Department or any other accrediting body.

The 119.5-acre Tartikov site property is located in the Village of Pomona on the east side of NYS Route 306 and the south side of US Route 202. The property was previously developed as a summer camp; the abandoned buildings and recreational facilities from the summer camp remain today and will be removed when the site is developed. The remaining lots are improved by single family homes which will be removed when the site is developed.

The Tartikov site consists of the following tax lots:

SECTION 32.08 BLOCK 1, LOTS 53, 54, 55.2

SECTION 32.12 BLOCK 1 LOTS 25, 26, 27, 28, 29.1, 29.2, 30, 31, 33

The site slopes up from Route 306 to the east up to a ridgeline where most of the former camp structures are located. From the ridge the site slopes back down continuing to the east. A stream (Brian Brook) runs thru the front of site parallel to Route 306 before crossing under Route



306 at the existing driveway. Army Corps of Engineers jurisdictional wetlands are also located in the front of the property. Army Corps of Engineers -New York State Department of Environmental Conservation joint jurisdictional wetlands are located in the rear of the property.

The site plan includes a single education building located on the west side of the property that has a 14,000 sq. ft. building footprint with 3 floors (2 stories plus full basement) totaling 42,000 square feet. The education building will be staffed by instructors and support staff. Some instructors and support staff will reside off site, however approximately 13 support staff and 242 students and will reside on site in multifamily student housing that consist of 255 4-bedroom units that include living space for each student's/staff family. Each student home will be 2,363 sq. ft.; one third of the student homes will be ground story flats and two thirds of the student homes will 2-story townhome style located above the flats.

The existing site driveway at Route 306 will be shifted 360 feet to the south and will serve as the sole access point. Two emergency access drives are proposed at Route 202 and at Sherwood Ridge Road. A turning lane on Route 306 is proposed for vehicles making left turns in traveling South on 306. Public water and sewer service are available subject to requisite jurisdictional approvals and connections will be made at Route 306. No off-site public water improvements are anticipated and off-site public sewer improvements are anticipated. The site layout for the residences has been made in a looped driveway configuration that complements the existing topography and redevelops the areas previously disturbed for the former camp. Children will attend offsite schools and a bus

A loading area has been provided for safe and efficient school bus pickup and dropoff. Stormwater mitigation has been designed to gain coverage under the New York State DEC SPDES Stormwater General Permit for Construction Activity. The site meets all the bulk requirements associated with the Educational Institution use in the R-40 zone.

### Applicable Law

New York State and Federal law requires a municipality to be flexible in the application of its zoning code to educational and religious uses. See *Cornell v. Bagnardi*, 68 N.Y.2d 583 (1986), and RLUIPA (42 U.S.C. §§ 2000cc, *et seq.*).

# APPLICATION REVIEW FORM

## PART I

Name of Municipality Village of Romona

Date 10-16-2023

Please check all that apply:

<input checked="" type="checkbox"/> Planning Board <input type="checkbox"/> Zoning Board of Appeals* (*Fill out Parts I & II of this form) <input checked="" type="checkbox"/> Subdivision <u>(reverse)</u> # of Lots <u>41</u> <input checked="" type="checkbox"/> Site Plan <input type="checkbox"/> Special Permit <input type="checkbox"/> Conditional Use <input type="checkbox"/> Zoning Code Amendment <input type="checkbox"/> Zone Change <input type="checkbox"/> Variance	<input type="checkbox"/> Municipal Board <input type="checkbox"/> Historical Board <input type="checkbox"/> Architectural Board <input type="checkbox"/> Pre-preliminary/Sketch <input type="checkbox"/> Preliminary <input type="checkbox"/> Final
---	--

Project Name: Tartikov

Tax Map Designation:

Section 32.08 Block 1 Lot(s) 53, 54, 55, 2  
 Section 32.12 Block 1 Lot(s) 25, 26, 27, 28, 29.1, 29.2  
30, 31, 33

Location: On the east side of Route 306  
0 feet south of Route 202 in the

town/village of Romona

Street Address: 6576 Route 306 \*(See list of properties attached)\*

Acreage of Parcel 119.55 Zoning District R-40

School District East Romona Postal District Romona

Fire District \_\_\_\_\_ Ambulance District \_\_\_\_\_

Water District \_\_\_\_\_ Sewer District #1

Project Description: (If additional space required, please attach a narrative summary.)

Develop a non-accredited institute for  
habbical learning and adult student  
housing \*(see narrative attached)\*

680 Route 306, Pomona, NY 10970 (32.08-1-55.2)  
Deed filed 3/2/22; Instrument No. 2022-9226

672 Route 306, Pomona, NY 10970 (32.08-1-54)  
Deed filed 3/2/22; Instrument No. 2022-9229

656 Route 306, Pomona, NY 10970 (32.08-1-53)  
Deed filed 8/31/04; Instrument No. 2004-56777

640 Route 306, Pomona, NY 10970 (32.12-1-33)  
Deed filed 3/28/22; Instrument No. 2022-13262

636 Route 306, Pomona, NY 10970 (32.12-1-31)  
Deed filed 3/15/22; Instrument No. 2022-11009

634 Route 306, Pomona, NY 10970 (32.12-1-30)  
Deed filed 3/15/22; Instrument No. 2022-11008

630 Route 306, Pomona, NY 10970 (32.12-1-29.2)  
Deed filed 3/29/22; Instrument No. 2022-13278

632 (f/k/a 630) Route 306, Pomona, NY 10970 (32.12-1-29.1)  
Deed filed 3/11/22; Instrument No. 2022-10466

628 Route 306, Pomona, NY 10970 (32.12-1-28)  
Deed filed 3/28/22; Instrument No. 2022-13263

626 Route 306, Pomona, NY 10970 (32.12-1-27)  
Deed filed 3/2/22; Instrument No. 2022-9222

622 Route 306, Pomona, NY 10970 (32.12-1-26)  
Deed filed 3/2/22; Instrument No. 2022-9233

620 Route 306, Pomona, NY 10970 (32.12-1-25)  
Deed filed 3/11/22; Instrument No. 2022-10458

## APPLICATION REVIEW FORM

If subdivision:

- 1) Is any variance from the subdivision regulations required? \_\_\_\_\_
- 2) Is any open space being offered? \_\_\_\_ If so, what amount? \_\_\_\_\_
- 3) Is this a standard or average density subdivision? \_\_\_\_\_

If site plan: (Average density subdivision)

- 1) Existing square footage \_\_\_\_\_
- 2) Total square footage 42,000
- 3) Number of dwelling units 255

If special permit, list special permit use and what the property will be used for.

\_\_\_\_\_  
\_\_\_\_\_

**Environmental Constraints:**

Are there slopes greater than 25%? If yes, please indicate the amount and show the gross and net area. \_\_\_\_\_

Are there streams on the site? If yes, please provide the names. \_\_\_\_\_

Are there wetlands on the site? If yes, please provide the names and type. \_\_\_\_\_

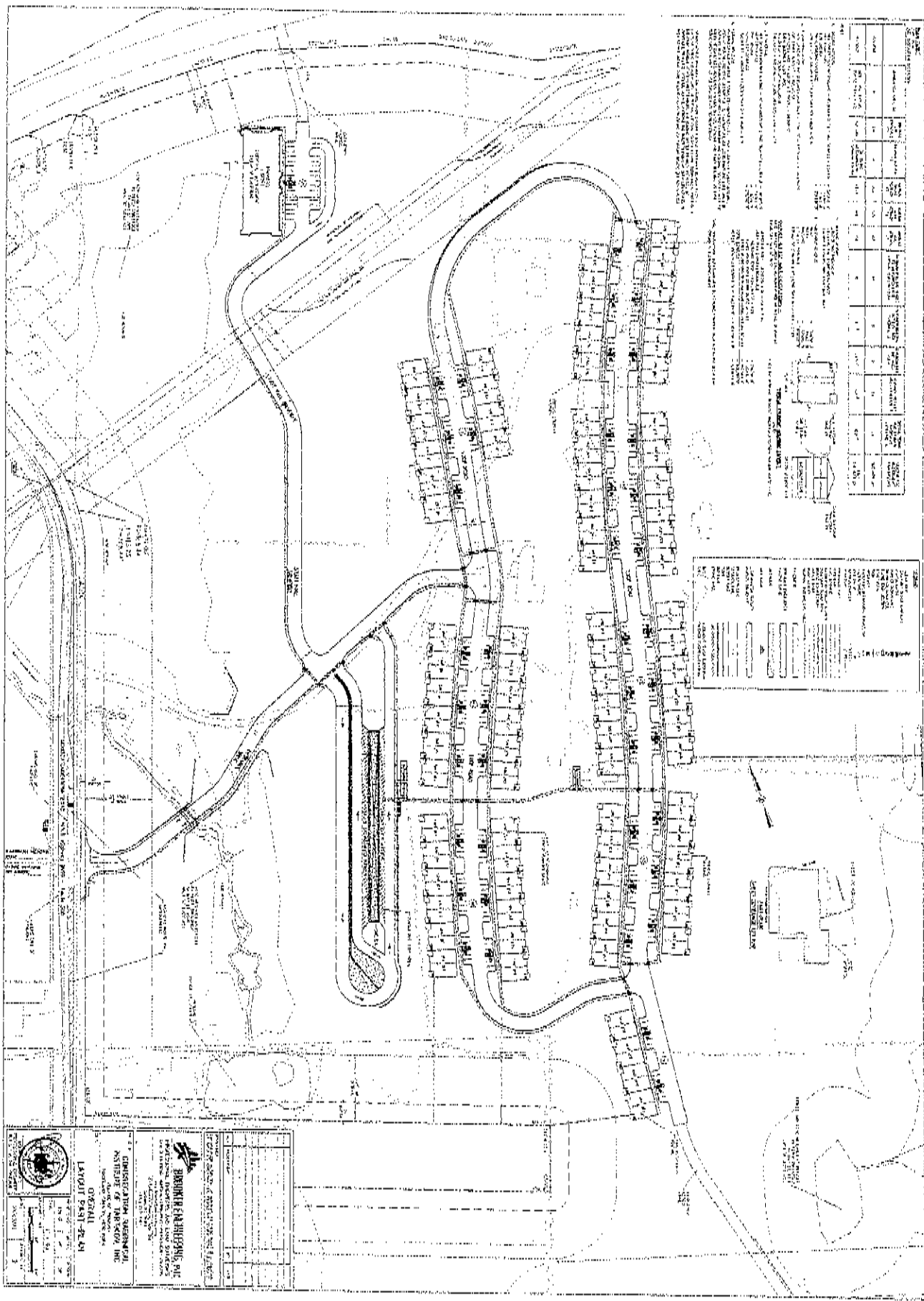
**Project History:** Has this project ever been reviewed before? \_\_\_\_\_

If so, provide a narrative, including the list case number, name, date, and the board(s) you appeared before, and the status of any previous approvals.

\_\_\_\_\_  
\_\_\_\_\_

List tax map section, block & lot numbers for all other abutting properties in the same ownership as this project.

\_\_\_\_\_  
\_\_\_\_\_



1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

2. ALL DISTANCES ARE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

3. ALL DISTANCES ARE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

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9. ALL DISTANCES ARE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

10. ALL DISTANCES ARE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE
1	RESIDENTIAL BUILDINGS	10,000	10.00
2	PARKING	20,000	20.00
3	LANDSCAPING	10,000	10.00
4	ROADS	10,000	10.00
5	UTILITIES	10,000	10.00
6	OPEN SPACE	10,000	10.00
7	WATERWAYS	10,000	10.00
8	OTHER	10,000	10.00
TOTAL		100,000	100.00

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

2. ALL DISTANCES ARE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

3. ALL DISTANCES ARE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

4. ALL DISTANCES ARE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

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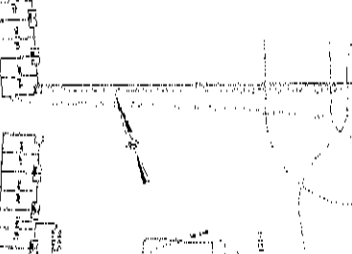
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9. ALL DISTANCES ARE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

10. ALL DISTANCES ARE MEASURED FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.





**OVERALL LAYOUT PART - IN**

DATE: 10/10/1981

SCALE: 1" = 100'

PROJECT: COMMERCIAL RESIDENTIAL INSIDE OF JERSEY, INC.

LOCATION: NEW YORK, N.Y.

**BERNARD ENGINEERING, INC.**

REGISTERED PROFESSIONAL ENGINEERS

100 WEST 42ND STREET, NEW YORK, N.Y. 10018

TELEPHONE: (212) 512-1234

FAX: (212) 512-1234

WWW: WWW.BERNARDENGINEERING.COM

## APPLICATION REVIEW FORM

**Contact Information:**

Applicant: Congregation Rabbinical Institute of Taitikar Ave. Phone # 845-624-3820

Address: PO Box 304, Monsey, NY 10952  
Street Name & Number (Post Office) State Zip code

Property Owner: Congregation Rabbinical Institute of Taitikar Ave. Phone # \_\_\_\_\_

Address: - same as above  
Street Name & Number (Post Office) State Zip code

Engineer/Architect/Surveyor: Brower Engineering Phone # 845-357-4411

Address: 74 Lafayette Ave Suffern NY 10901  
Street Name & Number (Post Office) State Zip code

Attorney: Savard Churgin Phone # 845-624-3820

Address: 55 Old Turnpike Rd #209 Nanuet NY 10954  
Street Name & Number (Post Office) State Zip code

Contact Person: Joseph Churgin Esq. Phone # 845-624-3820

Address: 55 Old Turnpike Rd #209 Nanuet NY 10954  
Street Name & Number (Post Office) State Zip code

**General Municipal Law Review:**

This property is within 500 feet of:  
*(Check all that apply)*

IF ANY ITEM IS CHECKED, A REVIEW MUST BE DONE BY THE ROCKLAND COUNTY COMMISSIONER OF PLANNING UNDER THE STATE GENERAL MUNICIPAL LAW, SECTIONS 239 L, M, N, AND NN.

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> State or County Road | <input type="checkbox"/> State or County Park |
| <input type="checkbox"/> Long Path                       | <input type="checkbox"/> County Stream        |
| <input checked="" type="checkbox"/> Municipal Boundary   | <input type="checkbox"/> County Facility      |

List name(s) of facility checked above. \_\_\_\_\_

**Referral Agencies:** *(Please make sure that the appropriate agencies as needed received copies of your application and plans for their review.)*

- |  |  |
|--|--|
| <input type="checkbox"/> RC Highway Department       | <input type="checkbox"/> RC Division of Environmental Resources  |
| <input type="checkbox"/> RC Drainage Agency          | <input type="checkbox"/> RC Dept. of Health                      |
| <input type="checkbox"/> NYS Dept. of Transportation | <input type="checkbox"/> NYS Dept. of Environmental Conservation |
| <input type="checkbox"/> NYS Thruway Authority       | <input type="checkbox"/> Palisades Interstate Park Comm.         |
| <input type="checkbox"/> Adjacent Municipality _____ |  |
| <input type="checkbox"/> Other _____                 |  |

**\*\*All applicants must send copies of their applications and plans to:**  
 Orange and Rockland, Regional manager, 75 West Route 59, Spring Valley, NY 10997.

APPLICATION REVIEW FORM

Applicant's Combined Affidavit and Certification

State of New York )

County of Rockland ) ss.:

Town/Village of Romona

Michael Tauber as a Trustee of Congregation Rabbinical Institute of Teterboro, Inc. being duly sworn, deposes and says:  
Applicant's Name affirms

I am the applicant in this matter. I make these statements to induce the Town/Village of Romona its boards, commissions, officers, employees, and consultants, to entertain my application, knowing that the Town/Village will rely upon the statements made herein.

**1. Verification of Facts.** All statements contained in this application and in all documents, drawings, writings, and other communications submitted in connection with this application are true.

**2. Consent to Enter.** I hereby give permission to members of said boards and/or supporting staff to visit the property in question at a reasonable time during the day.

**3. Affidavit Pursuant to General Municipal Law Section 809.** All the following statements and the statements contained in the papers submitted herewith are true and the nature and extent of any interests set forth are disclosed to the extent that they are known to the applicant.

A. I certify that I am the owner, officer, member or agent of owner, of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

B. There is no state officer, Rockland County officer or employee or town/village officer or employee nor his or her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stock is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such town/village officer or employee nor any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for service rendered, which is dependent or contingent upon the favorable approval of this application, petition or request.



## APPLICATION REVIEW FORM

C. To the extent that the same is known to your applicant, and to the owner of the subject premises there is disclosed herewith the interest of the following officer or employee of the State of New York or the County of Rockland or of the Town/Village of Pomona in the petition, request or application or in the property or subject matter to which it relates:

(if none, so state)

- a. Name and address of officer or employee \_\_\_\_\_
- b. Nature of interest N/A
- c. If stockholder, number of shares \_\_\_\_\_
- d. If officer or partner, nature of office and name of partnership \_\_\_\_\_
- e. If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such state, county or town/village officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation or association having an interest in such ownership or in any business entity sharing in such ownership. N/A

f. In the event of corporate or limited liability company ownership: A list of all directors, officers and stockholders of each corporation or members of each limited liability company owning more than five (5%) percent of any class of stock or more than five (5%) percent beneficial interest, must be attached, if any of these are officers or employees of the State of New York, or of the County of Rockland, or of the Town/Village of Pomona.

D. I do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section is guilty of a misdemeanor.

**4. Reimbursement for Professional Consulting Services.** I understand that the Town/Village Board, Planning Board, Zoning Board of Appeals, and other municipal boards, in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village and each such consultant for the cost of such consultant services upon receipt of the bill.

# APPLICATION REVIEW FORM

## 5. Application Fee(s)

I, Michael Tauber, have paid to the Town/Village Clerk and/or Treasurer, the required fee for this application. (The fee is subject to the Schedule of Fees of the municipality). I shall review a copy of the zoning Local Law and Land Development Regulations, and be ready and prepared to review this application when scheduled. The Municipal Board, Planning Board, or Zoning Board of Appeals in the review of any application described above, may refer the subject application to an engineering, planning, environmental, or other technical consultant as such Board shall deem reasonably necessary to enable it to review the application as required by law.

*\*\*The following paragraph is optional to add if your municipality establishes escrow accounts:*

(I agree to establish an escrow account with the Town/Village of Pomona from which these consultants' fees will be paid. The escrow account will not draw interest, and will be replenished upon notification by the Town/Village. Any additional sums needed to pay the Town's/Village's consultants shall be paid prior to final action on the application. The Town/Village may suspend processing of the application if there is a deficiency in the escrow account. Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full. Any sums remaining in the escrow account after the consultants have been paid in full will be returned to the applicant. The applicant has the right to examine escrow and payment records upon prior written notice to the Town/Village.)

Applicant's Signature

Print Applicant's Name

[Signature]  
Michael Tauber, Trustee

Michael Tauber  
SWORN to before me this  
18 day of October, 2023

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6424197  
Qualified in Rockland County  
Commission Expires October 25, 2025

I have received from \_\_\_\_\_ the sum of \_\_\_\_\_ on this date

Reviewed by the \_\_\_\_\_ on \_\_\_\_\_  
Municipal Clerk/Treasurer

Action Taken: \_\_\_\_\_

APPLICATION REVIEW FORM

Affidavit of Ownership/Owner's Consent

State of New York  
County of Rockland, SS:  
Town/Village of Pomona

I, Michael Tauson, Trustee of owner <sup>affirms</sup> being duly sworn, hereby  
depose and say that I reside at: 10 Jeffrey Place, Nanuet, NY 10952

in the county of Rockland in the state of New York

I am the (\* Trustee ) owner in fee simple of premises located at:  
620, 622, 626, 628, 630, 632, 634, 636, 640, 656  
672, and 680 Route 306, Pomona NY 10970  
described in a certain deed of said premises recorded in the Rockland County Clerk's  
Office in Liber \_\_\_\_\_ of conveyances, page \_\_\_\_\_ or as Instrument ID # \_\_\_\_\_

*\* see list attached hereto \**

Said premises have been in my/its possession since 2004. Said premises are also  
known and designated on the Town of Ramapo Tax Map as:  
section 32.08 block 1 lot(s) 53, 54, 55.2  
33.12 1 25, 26, 27, 28, 29.1, 29.2, 30, 31, 33

I hereby authorize the within application on my behalf, and that the statements of fact  
contained in said application are true, and agree to be bound by the determination of the  
board.

Owner  
Mailing Address

[Signature]  
CTO, Sarah Chursina  
35 Old Turnpike Rd #20  
Nanuet, NY 10954

[Signature]  
SWORN to before this  
18th day of October 2023  
[Signature]  
Notary Public

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6424197  
Qualified in Rockland County  
Commission Expires October 25, 2025

\* If owner is a corporation or LLC, fill in the office held by deponent and name of  
corporation or LLC, and provide a list of all directors, officers, and stockholders  
owning more than 5% of any class of stock and all members having greater than 5%  
beneficial interest.

680 Route 306, Pomona, NY 10970 (32.08-1-55.2)  
Deed filed 3/2/22; Instrument No. 2022-9226

672 Route 306, Pomona, NY 10970 (32.08-1-54)  
Deed filed 3/2/22; Instrument No. 2022-9229

656 Route 306, Pomona, NY 10970 (32.08-1-53)  
Deed filed 8/31/04; Instrument No. 2004-56777

640 Route 306, Pomona, NY 10970 (32.12-1-33)  
Deed filed 3/28/22; Instrument No. 2022-13262

636 Route 306, Pomona, NY 10970 (32.12-1-31)  
Deed filed 3/15/22; Instrument No. 2022-11009

634 Route 306, Pomona, NY 10970 (32.12-1-30)  
Deed filed 3/15/22; Instrument No. 2022-11008

630 Route 306, Pomona, NY 10970 (32.12-1-29.2)  
Deed filed 3/29/22; Instrument No. 2022-13278

632 (f/k/a 630) Route 306, Pomona, NY 10970 (32.12-1-29.1)  
Deed filed 3/11/22; Instrument No. 2022-10466

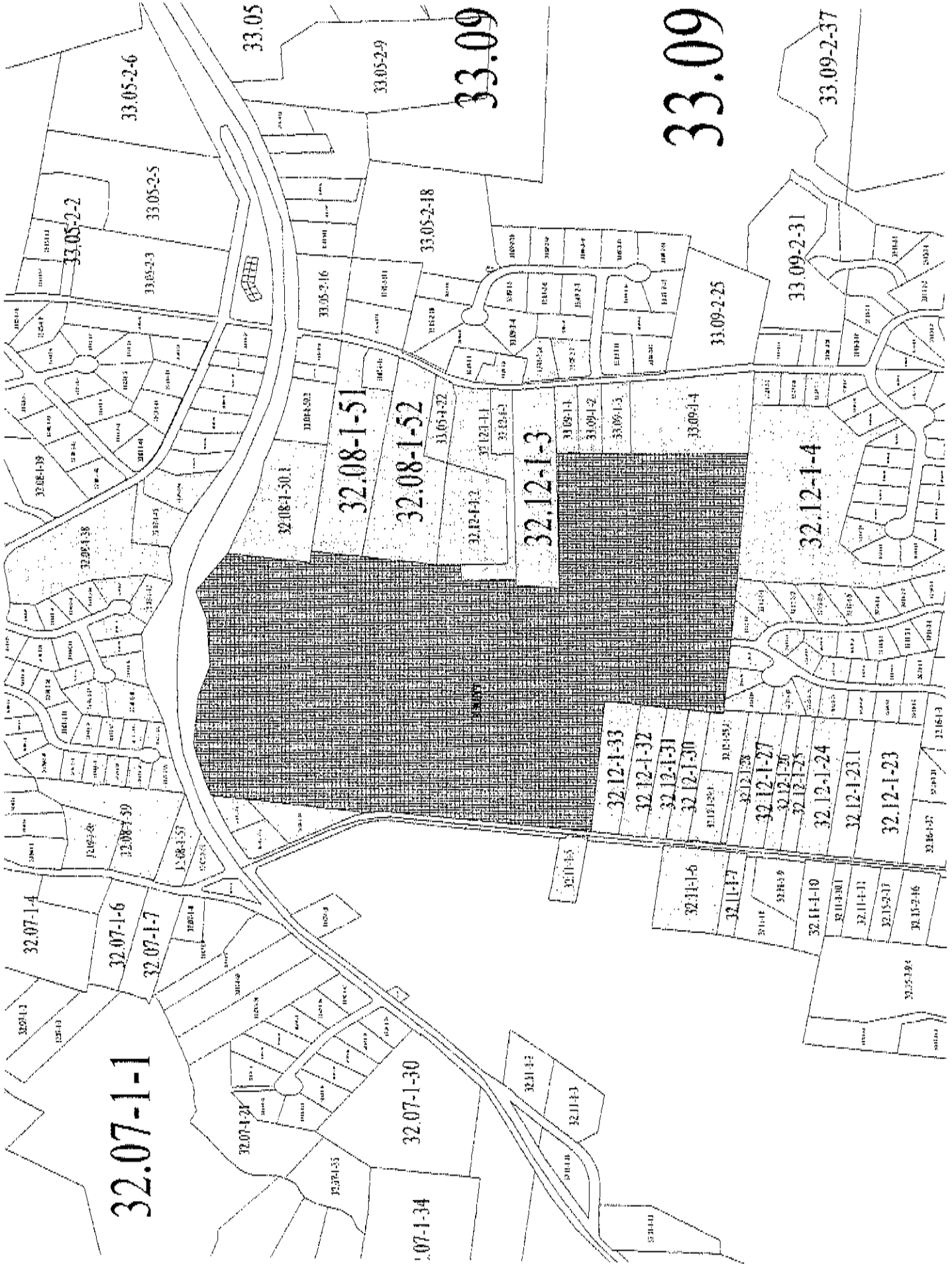
628 Route 306, Pomona, NY 10970 (32.12-1-28)  
Deed filed 3/28/22; Instrument No. 2022-13263

626 Route 306, Pomona, NY 10970 (32.12-1-27)  
Deed filed 3/2/22; Instrument No. 2022-9222

622 Route 306, Pomona, NY 10970 (32.12-1-26)  
Deed filed 3/2/22; Instrument No. 2022-9233

620 Route 306, Pomona, NY 10970 (32.12-1-25)  
Deed filed 3/11/22; Instrument No. 2022-10458





32.07-1-1

32.07-1-30

32.08-1-51

32.08-1-52

32.12-1-3

32.12-1-4

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33.09-2-37

33.05-2-6

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33.05-2-9

33.05-2-2

33.05-2-5

33.05-2-18

33.05-2-16

33.09-2-25

33.09-2-31

32.08-1-50.1

32.12-1-2

32.12-1-1

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32.12-1-23.1

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32.07-1-4

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32.08-1-59

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09/32.12-2-19  
 CIMENT YOSEF &  
 ALEXANDER SHOSHANA  
 18 BEAVER DAM RD  
 POMONA, NY 10970

09/32.12-1-5  
 LEVI MOSHE  
 30 TARA DR  
 POMONA, NY 10970

09/32.12-1-21  
 PARK ROSHIK & SUHYUN  
 27 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-14  
 KLEIN YEDHUDA & LAURA  
 FAMILY TRUST  
 26 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/33.09-1-7  
 GURKOV MYER &  
 GURKOW SHAINA  
 45 CAMP HILL RD  
 POMONA, NY 10970

09/32.12-1-11  
 NUDEL ABRAHAM & RITA  
 33 TARA DR  
 POMONA, NY 10970

09/32.12-1-24  
 SOUTHEND LLC  
 PO BOX 350-169  
 BROOKLYN, NY 11235-0169

09/32.12-1-6  
 THEVENOT EDOUARD  
 32 TARA DR  
 POMONA, NY 10970

09/32.12-1-20  
 LEVIN TZVI  
 29 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-15  
 PELSINGER RYAN &  
 BRYNA  
 28 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/33.09-1-6  
 SPECTOR HAROLD & AMY  
 47 CAMP HILL RD  
 POMONA, NY 10970

09/32.12-1-25  
 CONG RABBINICAL INSTITUTE  
 OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.12-1-19  
 RASKIN SCHNEUR & MIRIAM  
 31 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-10  
 YARIMI LINDA  
 6565 LAS FLORES DRIVE  
 BOCA RATON, FL 33433

09/32.12-1-7  
 MERMELSTEIN ELIYAHU &  
 ELLEN G  
 34 TARA DR  
 POMONA, NY 10970

09/32.12-1-26  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/33.09-1-5  
 LUFTIG IRWIN G & HARRIET  
 JOINT INCOME ONLY  
 IRREVOCABLE TRUST  
 130 DEAN STREET  
 HARRINGTON PARK, NJ 07640

09/32.12-1-27  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.12-1-4  
 POMONA VILLAGE OF  
 100 LADENTOWN RD  
 POMONA, NY 10970

09/32.12-1-8  
 POMONA PURCHASING LLC  
 36 TARA DRIVE  
 POMONA, NY 10970

09/32.12-1-9  
 REITSKY EUGENE H &  
 LITMAN LISA  
 32 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-16  
 LANZBOM LEGACY TRUST  
 37 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-17  
 SCHWARTZ RONALD & CIVIA  
 35 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-18  
 WIESEL YECHIEL MICHAEL  
 & RIVKA  
 33 SHERWOOD RIDGE ROAD  
 POMONA, NY 10970

09/32.12-1-28  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.12-1-30  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

89/32.11-1-6  
 MOLESTON FIRE DISTRICT  
 C/O GORDON WREN SR  
 374 MAIN ST N  
 SPRING VALLEY, NY 10977

09/32.12-1-31  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/33.09-1-4  
 POMONA VILLAGE OF  
 100 LADENTOWN ROAD  
 POMONA, NY 10970

09/32.12-1-32  
 STATE OF NEW YORK  
 ROCKLAND COUNTY TREASURER  
 50 SANATORIUM ROAD  
 BUILDING A - 8TH FLOOR  
 POMONA, NY 10970

09/33.09-1-3  
**BREDEN RALPH J + BEULAH D**  
 59 CAMP HILL RD  
 POMONA, NY 10970

09/33.09-1-1  
**BARUCH LEVI Y**  
 63 CAMP HILL ROAD  
 POMONA, NY 10970

89/33.09-2-10  
**BRUNO RALPH & KARIN**  
 62 CAMP HILL RD  
 POMONA, NY 10970

89/33.09-2-2  
**EIDLISZ JOEL**  
 66 CAMP HILL RD  
 POMONA, NY 10970

09/33.05-1-22  
**MANISCALCO NATHANIEL &  
 LINDA J**  
 75 CAMP HILL RD  
 POMONA, NY 10970

09/32.08-1-54  
**CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC**  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.08-1-60  
**BANKS IAN B & MILLER  
 ALISON K**  
 12 LADENTOWN RD  
 POMONA, NY 10970

09/32.08-1-26  
**BESSELMAN HARRIET  
 REVOCABE TRUST  
 C/O BESSELMAN JEFFREY**  
 2390 JORDAN DR  
 CORTLANDT MANOR, NY 10567

09/32.08-1-56  
**SRI RANGANATHA SEVA**  
 4 LADENTOWN RD  
 POMONA, NY 10970

09/32.08-1-46  
**WERTHEIMER CHEZKEL  
 & RUTH**  
 42 LADENTOWN RD  
 POMONA, NY 10970

09/32.12-1-33  
**CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC**  
 10 JEFFREY PL  
 MONSEY, NY 10952

89/33.09-2-9  
**GUMBRECHT LISA L**  
 58 CAMP HILL RD  
 POMONA, NY 10970

09/32.12-1-3  
**ABHIVA LUSKY EHI &  
 EBOHON NOSAKHARE IRENE**  
 65 CAMP HILL RD  
 POMONA, NY 10970

09/32.12-1-1.1  
**BERKOWITZ SHLOMO &  
 ARIEVA RACHEL**  
 71 CAMP HILL RD  
 POMONA, NY 10970

09/32.08-1-52  
**PECOVIC GJORJIJE & MARIA**  
 79 CAMP HILL RD  
 POMONA, NY 10970

09/32.08-1-55.1  
**LITMAN ELOISE**  
 682 RT 306  
 SUFFERN, NY 10901

09/32.08-1-27  
**KROYNIK CHAIM &  
 LIEBLICH MALKA**  
 3 OPAL CT  
 POMONA, NY 10970

09/32.08-1-55.2  
**CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC**  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.08-1-57  
**MIRRO DANIEL & CORBETT  
 LYNN**  
 24 WILL ROGERS LANE  
 NANUET, NY 10954

09/32.08-1-15  
**KIVELEVITZ YOEL G  
 & BRACHA**  
 15 JADE CT  
 POMONA, NY 10970

09/33.09-1-2  
**FREUND FAIGA M**  
 61 CAMP HILL RD  
 POMONA, NY 10970

89/32.11-1-5  
**GREENBERG MORDECHAI &  
 CHAYA**  
 55 OLD NYACK TURNPIKE  
 NANUET, NY 10954

09/32.12-1-2  
**FRANCIS ARLENE**  
 69 CAMP HILL RD  
 POMONA, NY 10970

09/32.12-1-1.2  
**ROCKLAND COUNTY OF**  
 50 SANATORIUM ROAD  
 BUILDING A - 8TH FLOOR  
 POMONA, NY 10970

09/32.08-1-51  
**ZIVARI BEHROOZ & SOHAYLA**  
 7 POWDERHORN DR  
 SUFFERN, NY 10901

09/32.08-1-50.1  
**THOMPSON CHRISTOPHER &  
 JOSEPH**  
 1465 RT 202  
 POMONA, NY 10970

09/32.08-1-10  
**LEE CAROL Y &  
 URBANEK JARED J**  
 10 JADE CT  
 POMONA, NY 10970

09/32.08-1-53  
**CONG RABBINICAL COLLEGE  
 OF TARTIKOV INC**  
 P O BOX 304  
 MONSEY, NY 10952

09/32.08-1-14  
**ISRAILY ISRAEL & DEVORAH**  
 18 JADE CT  
 POMONA, NY 10970

09/32.08-1-45  
**POMONA VILLAGE OF**  
 50 CAMP HILL RD  
 POMONA, NY 10970



09/32.08-1-32  
 KOHL SENDER & JUDITH  
 10 EMERALD DRIVE  
 POMONA, NY 10970

09/32.08-1-28  
 BELL CURTIS &  
 SARGENT-BELL JOAN D  
 4 OPAL CT  
 POMONA, NY 10970

09/32.08-1-17  
 ELEVEN JADE LLC  
 11 JADE CT  
 POMONA, NY 10970

09/32.08-1-31  
 VIGLER URIEL & BASSHEVA  
 1766 2ND AVE  
 NEW YORK, NY 10128

09/32.08-1-34  
 ZFATMAN MENACHEM M  
 & TAUBER YECHIEL  
 551 CROWN ST  
 BROOKLYN, NY 11213

09/32.12-1-29.1  
 CONG RABBINICAL INSTITUTE  
 OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.08-1-13  
 BORISUTE SHERSHEIAL &  
 MALKA  
 16 JADE CT  
 POMONA, NY 10970

09/32.08-1-12  
 AFRAN MUHAMMAD & BIBI  
 SAMINA  
 14 JADE CT  
 POMONA, NY 10970

09/32.08-1-30  
 FUZAILOV EFRAIM &  
 CHANA LADA EW  
 6 OPAL CT  
 POMONA, NY 10970

09/32.08-1-11  
 WILSON NICHOLAS G &  
 PATRICIA C  
 12 JADE CT  
 POMONA, NY 10970

09/32.08-1-59  
 SRI RANGANATHA SEVA  
 SAMITHI INC  
 C/O PADMAJA PARTHASARATHY  
 8 LADENTOWN RD  
 POMONA, NY 10970

09/32.12-1-29.2  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.08-1-16  
 GRAFSTEIN ALLEN  
 13 JADE CT  
 POMONA, NY 10970

09/32.08-1-29  
 MAK WING YEUNG & AMY C L  
 5 OPAL CT  
 POMONA, NY 10970

09/32.08-1-33  
 SHURPIN TZVI YAAKOV &  
 MIRIAM  
 9 EMERALD DR  
 POMONA, NY 10970

09/32.08-1-18  
 HOFFMAN STEPHEN E & JUNE  
 C  
 9 JADE CT  
 POMONA, NY 10970

09/32.08-1-38  
 POMONA VILLAGE OF  
 100 LADENTOWN  
 POMONA, NY 10970



32.07-1-21

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09/32.16-2-2  
CHARLES FRITZ & MARIE Y  
20 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-1-2  
NEUBERGER NATHAN & ROCHEL  
21 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-2-1  
COHEN KAREN  
22 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-1-1  
FIREMAN STANLEY &  
FLEISCHER FIREMAN KAREN  
23 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

89/32.15-2-17  
PRICE RICHARD L & RENA B  
611 RT 306  
SUFFERN, NY 10901

09/32.16-2-5  
GROSS ARI & SHIRA D  
29 TARA DR  
POMONA, NY 10970

09/32.12-1-13  
PARNELL FAMILY  
IRREVOCABLE TRUST  
24 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-22  
SILBER ASHER &  
MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-11  
PRI LETOIVA INSTITUTE  
1372 47TH STREET  
BROOKLYN, NY 11219

09/32.12-1-12  
EISENBERG LEVI & ROCHEL  
31 TARA DR  
POMONA, NY 10970

09/32.12-1-21  
PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-14  
KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-11  
NUDEL ABRAHAM & RITA  
33 TARA DR  
POMONA, NY 10970

09/32.12-1-24  
SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-20  
LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-15  
PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-25  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-10  
YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-9  
WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-8  
GELLIS LYNDIA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-7  
GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-10  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

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WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

09/32.12-1-23.1  
POMONA THREE HUNDRED SIX  
P.O. BOX 304  
MONSEY, NY 10952

09/32.12-1-23  
POMONA 306 LLC  
PO BOX 304  
MONSEY, NY 10952



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09/32.16-1-2  
NEUBERGER NATHAN & ROCHEL  
21 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-2-1  
COHEN KAREN  
22 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-1-1  
FIREMAN STANLEY &  
FLEISCHER FIREMAN KAREN  
23 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-13  
PARNELL FAMILY  
IRREVOCABLE TRUST  
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09/32.12-1-22  
SILBER ASHER &  
MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-11  
PRI LETOVA INSTITUTE  
1372 47TH STREET  
BROOKLYN, NY 11219

09/32.12-1-12  
EISENBERG LEVI & ROCHEL  
31 TARA DR  
POMONA, NY 10970

09/32.12-1-21  
PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-14  
KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
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POMONA, NY 10970

09/32.12-1-11  
NUDEL ABRAHAM & RITA  
33 TARA DR  
POMONA, NY 10970

09/32.12-1-24  
SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-20  
LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-15  
PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-25  
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OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

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RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-10  
YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-9  
WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-8  
GELLIS LYNDA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-7  
GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-10  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

89/32.11-1-10.1  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

09/32.12-1-23.1  
POMONA THREE HUNDRED SIX  
P.O. BOX 304  
MONSEY, NY 10952

09/32.12-1-23  
POMONA 306 LLC  
PO BOX 304  
MONSEY, NY 10952





09/32.16-2-1  
COHEN KAREN  
22 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-22  
SILBER ASHER &  
MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-21  
PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-24  
SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-25  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-9  
REITSKY EUGENE H &  
LITMAN LISA  
32 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-7  
GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.16-1-1  
FIREMAN STANLEY &  
FLEISCHER FIREMAN KAREN  
23 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

89/32.11-1-11  
PRI LETOIVA INSTITUTE  
1372 47TH STREET  
BROOKLYN, NY 11219

09/32.12-1-14  
KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-20  
LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-9  
WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

89/32.11-1-8  
GELLIS LYNDIA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/32.12-1-13  
PARNELL FAMILY  
IRREVOCABLE TRUST  
24 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-12  
EISENBERG LEVI & ROCHEL  
31 TARA DR  
POMONA, NY 10970

09/32.12-1-11  
NUDEL ABRAHAM & RITA  
33 TARA DR  
POMONA, NY 10970

09/32.12-1-15  
PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-10  
YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-10  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

89/32.11-1-10.1  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

09/32.12-1-23.1  
POMONA THREE HUNDRED SIX  
P.O. BOX 304  
MONSEY, NY 10952

09/32.12-1-23  
POMONA 306 LLC  
PO BOX 304  
MONSEY, NY 10952



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09/32.12-1-13  
 PARNELL FAMILY  
 IRREVOCABLE TRUST  
 24 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-14  
 KLEIN YEDHUDA & LAURA  
 FAMILY TRUST  
 26 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-20  
 LEVIN TZVI  
 29 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-19  
 RASKIN SCHNEUR & MIRIAM  
 31 SHERWOOD RIDGE RD  
 POMONA, NY 10970

89/32.11-1-9  
 WEIS DAVID  
 621 ROUTE 306  
 SUFFERN, NY 10901

89/32.11-1-8  
 GELLIS LYNDA  
 623 RT 306  
 SUFFERN, NY 10901

09/32.12-1-18  
 WIESEL YECHIEL MICHAEL  
 & RIVKA  
 33 SHERWOOD RIDGE ROAD  
 POMONA, NY 10970

09/32.12-1-30  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.12-1-32  
 STATE OF NEW YORK  
 ROCKLAND COUNTY TREASURER  
 50 SANATORIUM ROAD  
 BUILDING A - 8TH FLOOR  
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09/32.12-1-29.2  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.12-1-22  
 SILBER ASHER &  
 MERMELSTEIN CHANA  
 25 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-11  
 NUDEL ABRAHAM & RITA  
 33 TARA DR  
 POMONA, NY 10970

09/32.12-1-15  
 PELSINGER RYAN &  
 BRYNA  
 28 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-10  
 YARIMI LINDA  
 6565 LAS FLORES DRIVE  
 BOCA RATON, FL 33433

09/32.12-1-27  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.12-1-16  
 LANZBOM LEGACY TRUST  
 37 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-28  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

89/32.11-1-6  
 MOLESTON FIRE DISTRICT  
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 374 MAIN ST N  
 SPRING VALLEY, NY 10977

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89/32.11-1-10  
 WEIS DAVID  
 619 RT 306  
 SUFFERN, NY 10901

09/32.12-1-21  
 PARK ROSHIK & SUHYUN  
 27 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-24  
 SOUTHEND LLC  
 PO BOX 350-169  
 BROOKLYN, NY 11235-0169

09/32.12-1-25  
 CONG RABBINICAL INSTITUTE  
 OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.12-1-26  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
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 MONSEY, NY 10952

09/32.12-1-9  
 REITSKY EUGENE H &  
 LITMAN LISA  
 32 SHERWOOD RIDGE RD  
 POMONA, NY 10970

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 SCHWARTZ RONALD & CIVIA  
 35 SHERWOOD RIDGE RD  
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 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
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 CONG RABBINICAL INSTITUTE  
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INSTITUTE OF TARTIKOV INC  
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CHAYA  
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INSTITUTE OF TARTIKOV INC  
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RASKIN SCHNEUR & MIRIAM  
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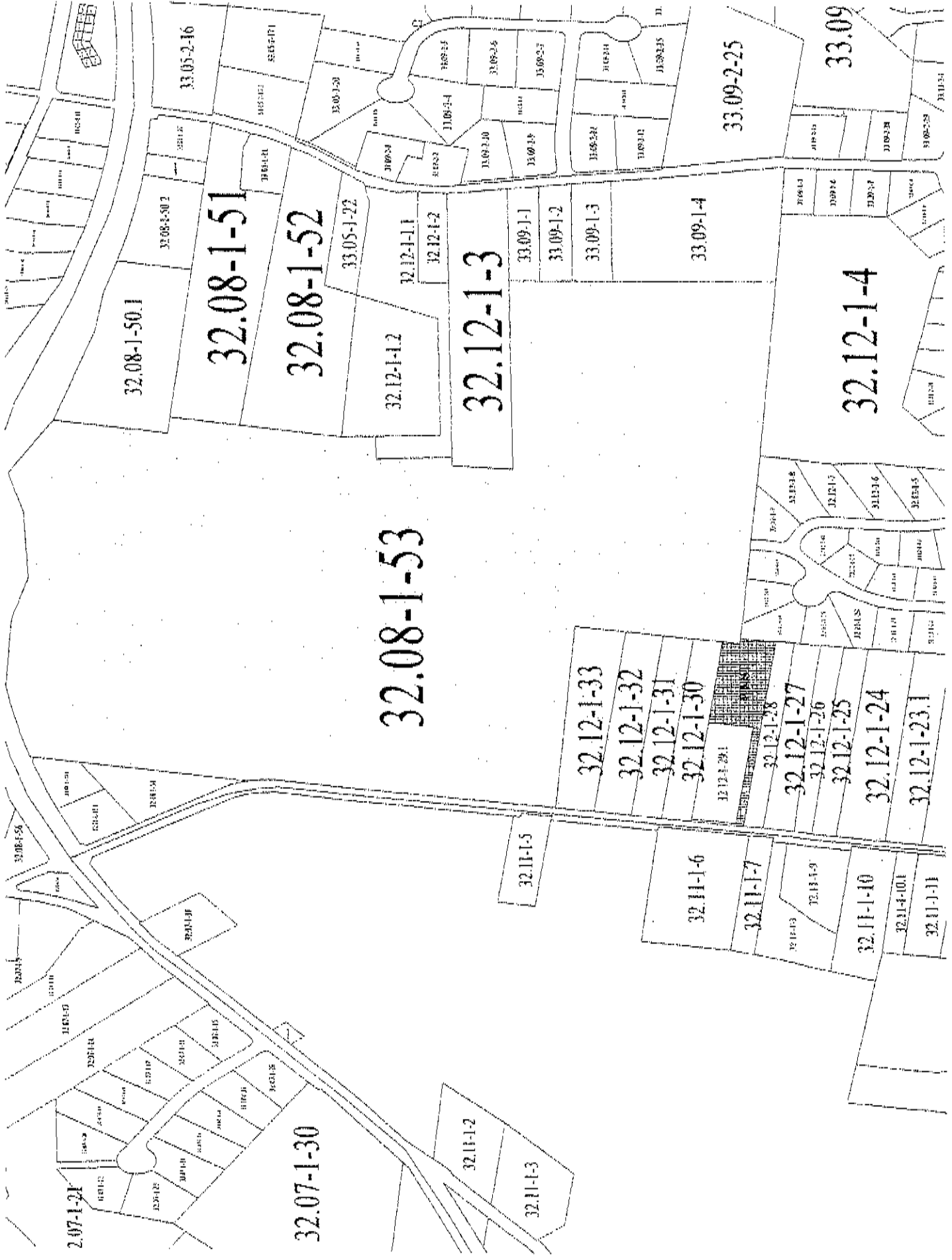
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STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

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MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
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LITMAN LISA  
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WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

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PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

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LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

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RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
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WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

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GELLIS LYNDIA  
623 RT 306  
SUFFERN, NY 10901

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WIESEL YECHIEL MICHAEL  
& RIVKA  
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STATE OF NEW YORK  
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POMONA THREE HUNDRED SIX  
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KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

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PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

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YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

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LANZBOM LEGACY TRUST  
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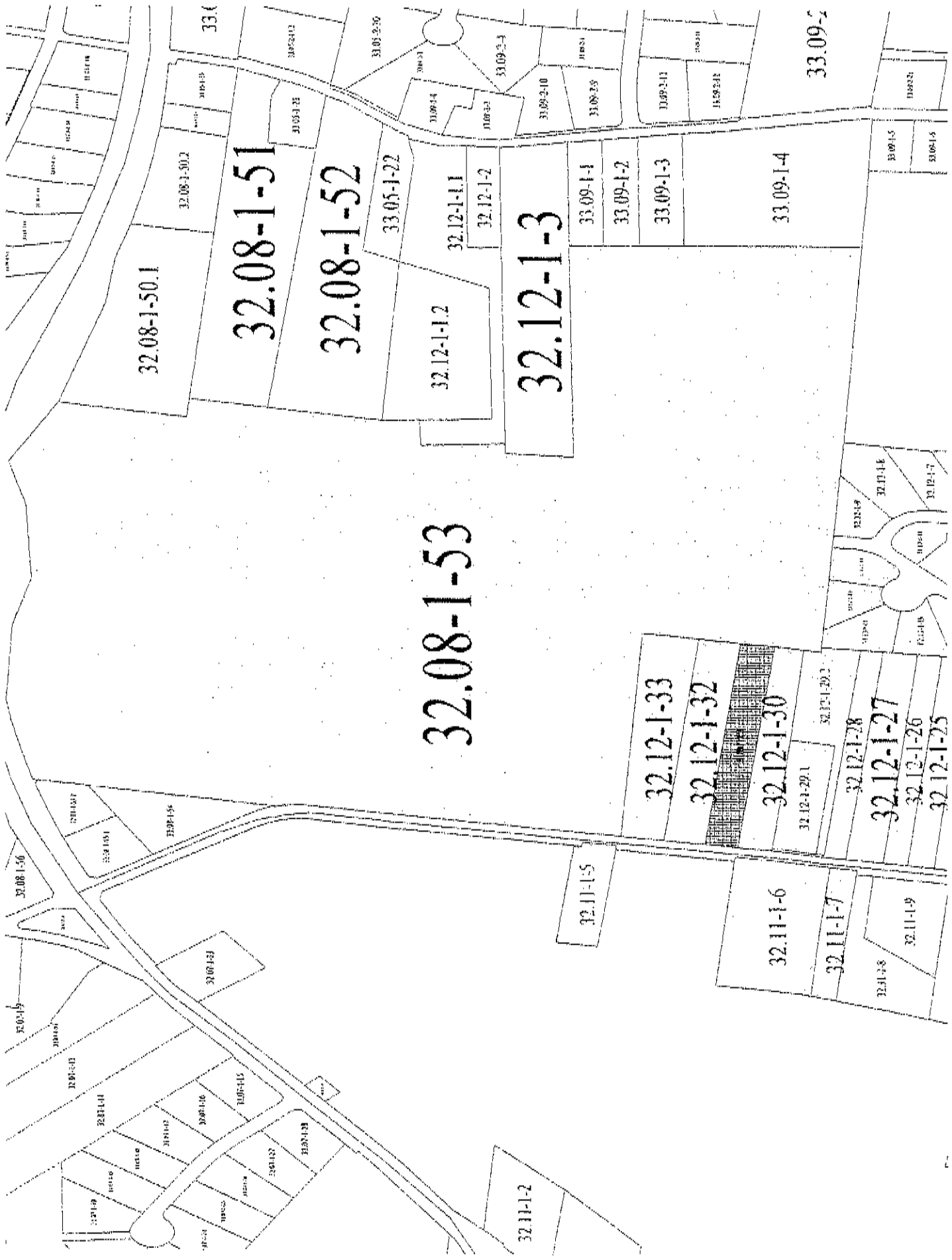
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35 SHERWOOD RIDGE RD  
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CONGREGATION RABBINICAL  
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89/32.11-1-9  
 WEIS DAVID  
 621 ROUTE 306  
 SUFFERN, NY 10901

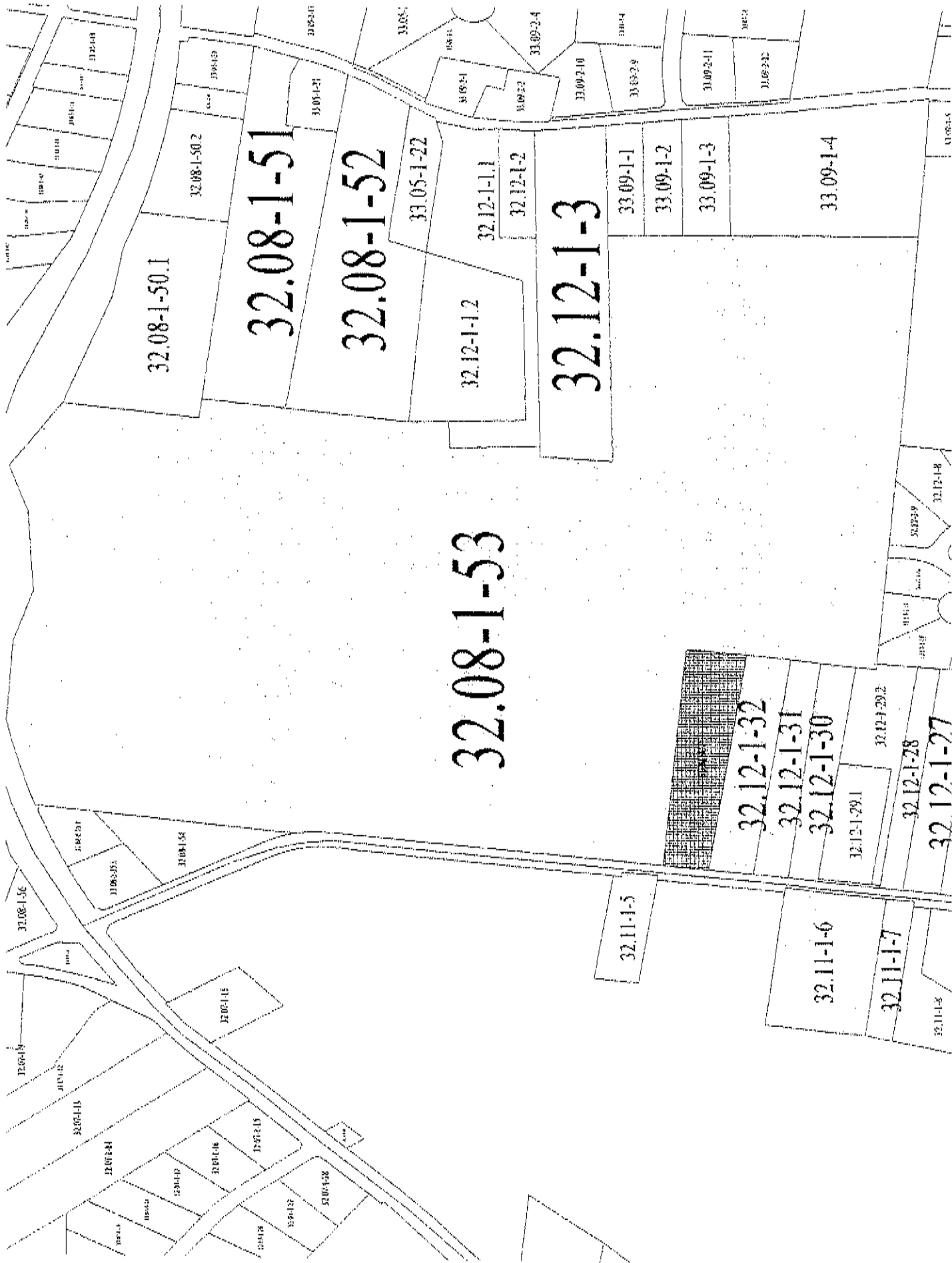
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 LANZBOM LEGACY TRUST  
 37 SHERWOOD RIDGE RD  
 POMONA, NY 10970

09/32.12-1-28  
 CONGREGATION RABBINICAL,  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

89/32.11-1-6  
 MOLESTON FIRE DISTRICT  
 C/O GORDON WREN SR  
 374 MAIN ST N  
 SPRING VALLEY, NY 10977

09/32.12-1-33  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.12-1-29.1  
 CONG RABBINICAL INSTITUTE  
 OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952



32.08-1-50.1

32.08-1-50.2

32.08-1-51

32.08-1-52

33.05-1-22

32.12-1-1.2

32.12-1-1.1

32.12-1-2

32.12-1-3

33.09-1-1

33.09-1-2

33.09-1-3

33.09-1-4

32.08-1-53

32.12-1-32

32.12-1-31

32.12-1-30

32.12-1-29.1

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32.12-1-28

32.12-1-27

32.11-1-5

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32.11-1-7

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09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/32.12-1-33  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-5  
GREENBERG MORDECHAI &  
CHAYA  
55 OLD NYACK TURNPIKE  
NANUET, NY 10954

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952



2.07-1-1

32.07-1-6

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32.07-1-21

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32.07-1-30

32.11-1-2

32.11-1-3

32.08-1-38

32.08-1-59

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32.08-1-50.1

32.08-1-51

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33.08-1-50.2

33.05-2-16

33.05-1-22

32.12-1-1.2

32.12-1-1.1

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32.12-1-3

32.11-1-5

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32.12-1-30

32.11-1-6

32.11-1-7

33.12-1-29.1

32.12-1-30.2

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33.05

33.09-2-25

33.09-1-4

33.09-1-1

33.09-1-2

33.09-1-3

33.09-1-3

33.09-1-4



09/32.08-1-54  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.08-1-55.2  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.08-1-56  
 SRI RANGANATHA SEVA  
 4 LADENTOWN RD  
 POMONA, NY 10970

89/32.07-1-9  
 LEVINE ZACHARYA  
 1 LADENTOWN RD  
 POMONA, NY 10970

09/32.08-1-13  
 BORISUTE SHERSHEIAL &  
 MALKA  
 16 JADE CT  
 POMONA, NY 10970

09/32.08-1-12  
 AFRAN MUHAMMAD & BIBI  
 SAMINA  
 14 JADE CT  
 POMONA, NY 10970

09/32.08-1-55.1  
 LITMAN ELOISE  
 682 RT 306  
 SUFFERN, NY 10901

89/32.07-1-10  
 SANDERSON NICHOLAS L &  
 LESLIE  
 12 SECOR CT  
 POMONA, NY 10970

89/32.07-1-8  
 KARAMVELIL VARUGHESE G &  
 MARIAMMA  
 3 LADENTOWN RD  
 POMONA, NY 10970

09/32.08-1-14  
 ISRAILY ISRAEL & DEVORAH  
 18 JADE CT  
 POMONA, NY 10970

09/32.08-1-16  
 GRAFSTEIN ALLEN  
 13 JADE CT  
 POMONA, NY 10970

09/32.08-1-59  
 SRI RANGANATHA SEVA  
 SAMITHI INC  
 C/O PADMAJA PARTHASARATHY  
 8 LADENTOWN RD  
 POMONA, NY 10970

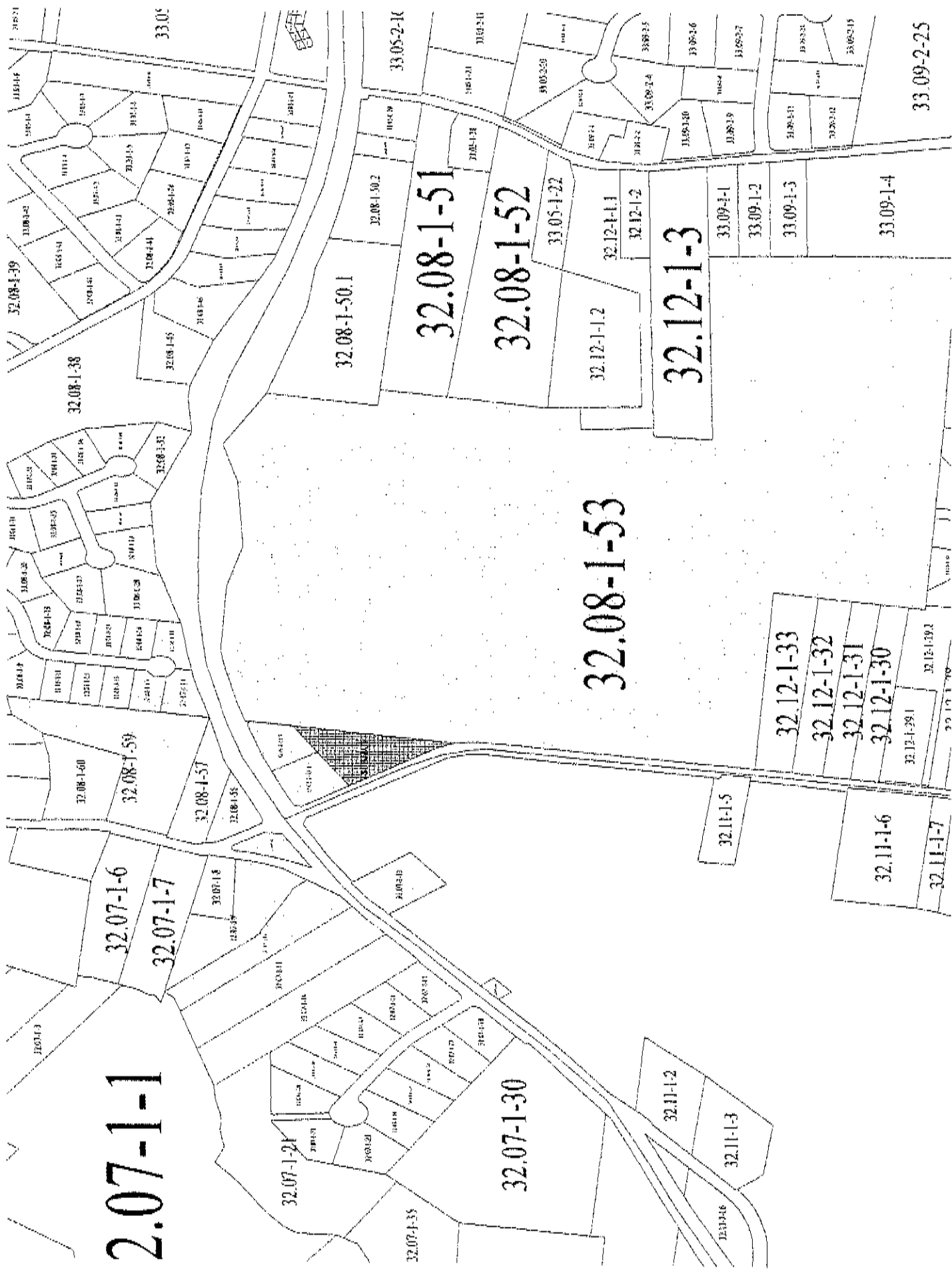
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 BANKS IAN B & MILLER  
 ALISON K  
 12 LADENTOWN RD  
 POMONA, NY 10970

09/32.08-1-53  
 CONG RABBINICAL COLLEGE  
 OF TARTIKOV INC  
 P O BOX 304  
 MONSEY, NY 10952

09/32.08-1-57  
 MIRRO DANIEL & CORBETT  
 LYNN  
 24 WILL ROGERS LANE  
 NANUET, NY 10954

09/32.08-1-15  
 KIVELEVITZ YOEL G  
 & BRACHA  
 15 JADE CT  
 POMONA, NY 10970

89/32.07-1-7  
 DONALD WILLIAM H & REYES  
 JOSE M & FELIX JOSEPHINE  
 5 LADENTOWN RD  
 POMONA, NY 10970



2.07-1-1

32.07-1-6

32.07-1-7

32.08-1-38

32.08-1-39

32.08-1-59

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32.08-1-55

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32.08-1-51

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32.08-1-53

32.08-1-50.2

33.05-1-22

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32.12-1-32

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32.07-1-21

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33.05-2-1K

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33.09-2-25

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33.09-1-3

33.09-1-4

89/32.07-1-11  
LADENTOWN REALTY LLC  
C/O SCENIC DEVELOPMENT  
PO BOX 52  
MONSEY, NY 10952

09/32.08-1-55.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-56  
SRI RANGANATHA SEVA  
4 LADENTOWN RD  
POMONA, NY 10970

89/32.07-1-9  
LEVINE ZACHARYA  
1 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-13  
BORISUTE SHERSHELAL &  
MALKA  
16 JADE CT  
POMONA, NY 10970

09/32.08-1-54  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.07-1-10  
SANDERSON NICHOLAS L &  
LESLIE  
12 SECOR CT  
POMONA, NY 10970

09/32.08-1-57  
MIRRO DANIEL & CORBETT  
LYNN  
24 WILL ROGERS LANE  
NANUET, NY 10954

09/32.08-1-14  
ISRAILY ISRAEL & DEVORAH  
18 JADE CT  
POMONA, NY 10970

09/32.08-1-59  
SRI RANGANATHA SEVA  
SAMITHI INC  
C/O PADMAJA PARTHASARATHY  
8 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-55.1  
LITMAN ELOISE  
682 RT 306  
SUFFERN, NY 10901

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
PO BOX 304  
MONSEY, NY 10952

89/32.07-1-12  
PANGERT BENJAMIN  
1336 HAVERSTRAW RD  
SUFFERN, NY 10901

09/32.08-1-15  
KIVELEVITZ YOEL G  
& BRACHA  
15 JADE CT  
POMONA, NY 10970



# BROOKER ENGINEERING PLLC

NY OFFICE  
 74 Lafayette Avenue, Suite 501 845.357.4411 Tel  
 Suffern, NY 10901 845.357.1836 Fax

NJ OFFICE  
 22 Paris Avenue, Suite 105 201.750.3527 Tel  
 Rockleigh, NJ 07647

**Tartikov Site Plan**  
List of Applicable County, State, and Federal Permits  
 May 9, 2023

	<u>Agency</u>	<u>Permit</u>
1)	New York State Department of Transportation	Highway Work Permit
2)	New York State Department of Environmental Conservation	Coverage under Stormwater General Permit for Construction Activity Possible Stream Protection Permit
3)	Rockland County Department of Health	Possible Public Water Main Extension Possible Public Sewer Main Extension Mosquito Control
4)	Rockland County Sewer District #1	Sewer Improvement Plan Permit
5)	New York District, Army Corps of Engineers	Possible Coverage under Nationwide Wetland Disturbance Permit

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**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Site Plan Approval for Educational Institution with Student and Faculty Housing		
Project Location (describe, and attach a general location map): Monsey-Ladentown Road, Village of Pomona (southeast of US Route 202 and NYS Route 306); tax lots: 32.08-1-53, 54, 55.2, and 32.12-1-25, 26, 27, 28, 29.1, 29.2, 30, 31, 33		
Brief Description of Proposed Action (include purpose or need): The proposed action is for a non-accredited Rabbinical Institute to educate/train up to 255 students in a 42,000 sf building (2 stories + basement) on a 119.55-acre site located on Route 202 and Route 306 in Pomona, NY. The proposed action includes associated student and faculty housing in 255 student/faculty housing units with accessory support facilities. The proposed action requires Site Plan approval from the Planning Board and will meet other standards as set forth in Village Code.		
Name of Applicant/Sponsor: Congregation Rabbinical Institute of Tartikov, Inc.		Telephone: (845) 624-3820
		E-Mail: j.churgin@savadchurgin.com
Address: (c/o Savad Churgin) 55 Old Turnpike Road, Suite 209		
City/PO: Nanuet	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role): Joseph A. Churgin, Esq.		Telephone: (845) 624-3820
		E-Mail: j.churgin@savadchurgin.com
Address: (c/o Savad Churgin) 55 Old Turnpike Road, Suite 209		
City/PO: Nanuet	State: NY	Zip Code: 10954
Property Owner (if not same as sponsor): (same)		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	V. Board of Trustees: Zone Change if needed, Special Permit Application	
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. Planning Board: site plan approval	
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. ZBA: Use Variance if needed	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. Building Department: building permit	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	RCDOH: water main extension, mosquito control; RC Swr Dist #1: Off-site imprvmt plan apprvl	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT: hwy wk pmt; NYS DEC: SWPPP GP, stream protection; NYSOPRHP: advisory review	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACOE: Nationwide Permit	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>• If Yes, complete sections C, F and G.</li> <li>• If No, proceed to question C.2 and complete all remaining sections and questions in Part I</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
_____	
_____	
_____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
R-40

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes, replacing Educational Institutions definition; adding Adult Student Housing as a permitted  
 i. What is the proposed new zoning for the site? accessory use if needed

**C.4. Existing community services.**

a. In what school district is the project site located? East Ramapo School District

b. What police or other public protection forces serve the project site?  
Town of Ramapo Police Department, New York State Police Department (Troop F)

c. Which fire protection and emergency medical services serve the project site?  
Moleston Fire District 1

d. What parks serve the project site?  
Cobblestones Farm park, Secor Village Park, Mount Ivy Environmental County Park, Van den Hende Village Park, Sandy Brook Town Park, P. Erikson County Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? religious educational use with accessory adult student housing

b. a. Total acreage of the site of the proposed action? 119.55 acres  
 b. Total acreage to be physically disturbed? 44.66 acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 119.55 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
 \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: 18-24 months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No \*

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase				255*
At completion				
of all phases				

\*255 student housing units as accessory student housing to principal Educational Institution Use

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No

If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 35' height; 70.75' width; and 199.3' length

iii. Approximate extent of building space to be heated or cooled: (2 stories-basement) 42,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No

If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): decrease in size of wetland due to driveway crossing (approximately - 0.01 acre decrease)



ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
location of proposed roadways has been chosen to minimize impact to wetlands and waterbodies, but proposed driveway entering property from Route 306 crosses through wetland, 0.01 ac of wetland alteration proposed.

---

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: (see attached detail) 114,920 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: Veolia Water New York, Inc.
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

---

d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: 114,920 gallons/day (see attached detail)

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): sanitary wastewater

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iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: Rockland County Sewer District #1 Treatment Plant
- Name of district: Rockland County Sewer District #1
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or 12.82 acres (impervious surface)  
 \_\_\_\_\_ Square feet or 119.6 acres (parcel size)  
 ii. Describe types of new point sources. buildings, parking lots, driveways

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
stormwater retention areas on site  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
NYSDEC wetland TH-15, ACOE wetland  
 • Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? (traffic impact analysis to confirm)  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_  
 N/A

iii. Parking spaces: Existing 0 Proposed 306 Net increase/decrease +306

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:  
New access to property on Hwy 306, and 2 proposed emergency-only access points (from Rte 202 and from Sherwood Ridge Road)

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: as per local ordinance
- Saturday: (same)
- Sunday: (same)
- Holidays: (same)

ii. During Operations:

- Monday - Friday: 6am-10:30pm (M-Th); 6am-1pm &
- Saturday: 5pm-10pm (Fri); 8am-6pm (Sat);
- Sunday: 6 am - 10:30 pm;
- Holidays: 6 am - 12 pm

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:  
*During construction, noise may exceed ambient levels due to normal construction activity during hours permitted by Village code. Sound levels will return to ambient levels post-construction.*

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

n. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
*pole mounted light fixtures, locations to be dispersed to provide appropriate illumination; fixtures will be down-light; location of fixtures will be at least 20 feet from the nearest occupied structure*

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s): \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility.

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	4.87	12.82	+7.95
• Forested	69.12	29.93	-39.19
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	1.01	1.01	0
• Wetlands (freshwater or tidal)	29.90	29.89	-0.01
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: pervious - grass cover/landscaping	14.62	45.90	+31.28

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
 i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
 If Yes,  
 i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
 If Yes:  
 i. Dimensions of the dam and impoundment:  
 • Dam height: \_\_\_\_\_ feet  
 • Dam length: \_\_\_\_\_ feet  
 • Surface area: \_\_\_\_\_ acres  
 • Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
 ii. Dam's existing hazard classification: \_\_\_\_\_  
 iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
 If Yes:  
 i. Has the facility been formally closed?  Yes  No  
 • If yes, cite sources/documentation: \_\_\_\_\_  
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
 iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
 If Yes:  
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
 If Yes:  
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
 ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
 If yes, provide DEC ID number(s): 344064  
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
 off site, approximately 1300 ft east site 344064; class A (active), currently under remedial action

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? greater than 5 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Paxton Fine Gravelly Loam	_____	%
Adrian Muck	_____	%
Charlton Fine Sandy Loam	_____	%

d. What is the average depth to the water table on the project site? Average: 0.5 - 6.0 feet

e. Drainage status of project site soils:

<input checked="" type="checkbox"/> Well Drained:	_____	% of site
<input type="checkbox"/> Moderately Well Drained:	_____	% of site
<input checked="" type="checkbox"/> Poorly Drained	_____	25 % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	50.4	% of site
<input checked="" type="checkbox"/> 10-15%:	24.4	% of site
<input checked="" type="checkbox"/> 15% or greater:	25.2	% of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

---

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name <u>860-15, 864-501</u>	Classification <u>B, C</u>
• Lakes or Ponds:	Name <u>unnamed, unregulated pond</u>	Classification <u>N/A</u>
• Wetlands:	Name <u>NYSDEC: TH-15; Fed.: Riverine, Freshwater Forested/shrub, freshwater pond</u>	Approximate Size <u>approximately 29.9 ac on site</u>
• Wetland No. (if regulated by DEC)	<u>TH-15</u>	

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

---

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:

i. Name of aquifer: Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names: Ramapo SSA

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 typical suburban species (deer, squirrel, \_\_\_\_\_)  
 birds, raccoon, etc.) \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes: \_\_\_\_\_ not anticipated on site  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 Bog Turtle: endangered, Timber Rattlesnake: threatened; see attached letter dated 8/29/21

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_



c. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: OFF SITE resources in vicinity: Ladentown United Methodist Church, Seaman-Knapp House, Camp Hill School (Pomona Village Hall)

iii. Brief description of attributes on which listing is based: Ladentown United Methodist Church: off-site 976 ft N, architecture; Seaman-Knapp House: off-site 860 ft N, architecture and social history; Camp Hill School: off-site 1520 ft E, architecture and education;

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): No precontact sites identified, no historic sites identified, no sites recommended for Phase 2.

ii. Basis for identification: Phase 1A/Phase 1B Archaeological Investigation Historical Perspectives, Inc. 2007 and Addendum dated June 2022

---

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: Palisades Interstate Parkway, Town of Ramapo Scenic Road District on Camp Hill Road

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic Parkway, Scenic Roadway

iii. Distance between project and resource: less than 1 miles.

---

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

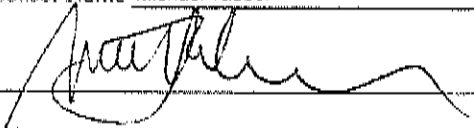
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

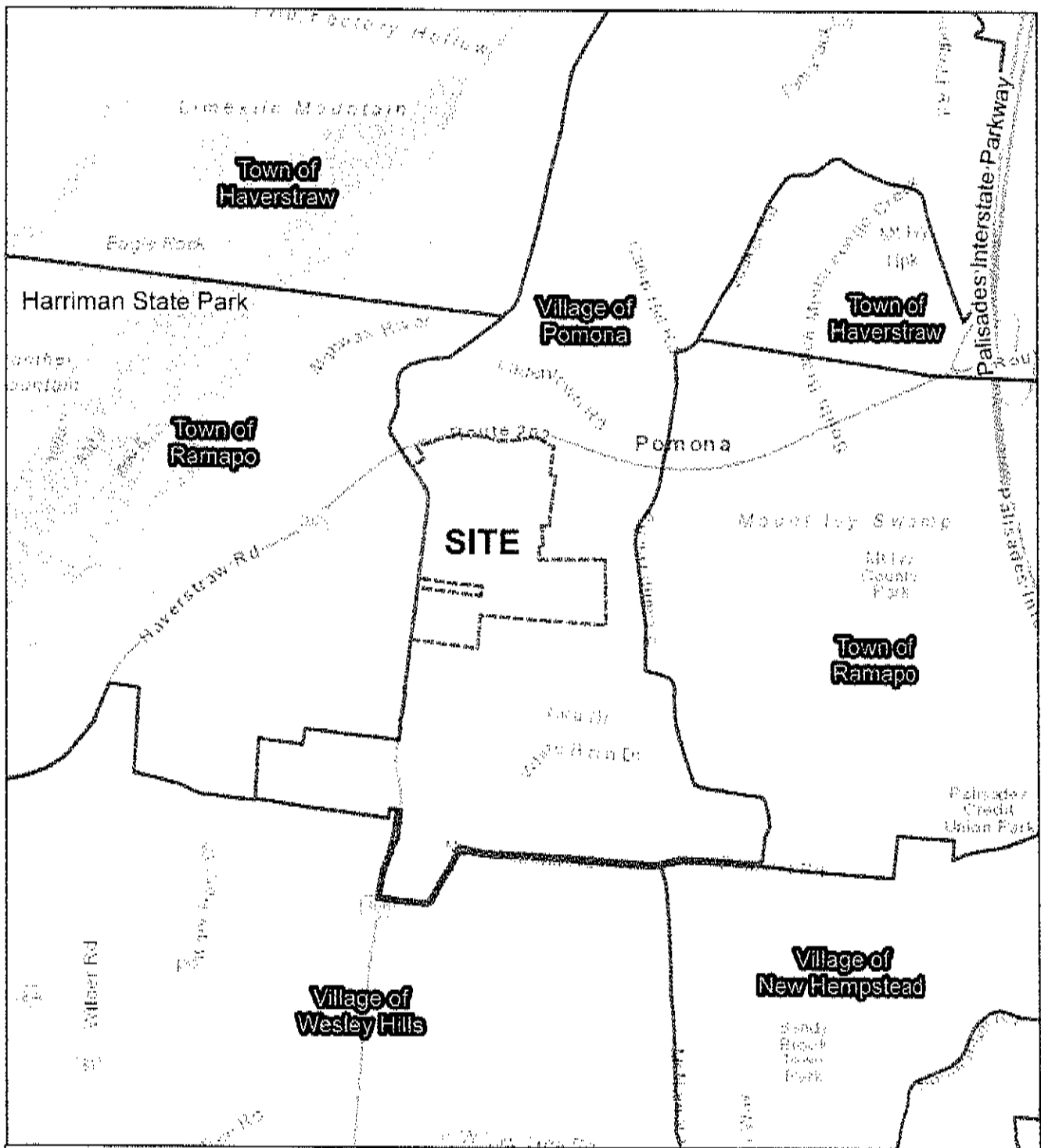
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Michael Tauber Date October 2023

Signature  Title Trustee of Rabbinical Institute



E.2.h.iv [Surface Water Features - DEC Wetlands Number]	TH-15
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.i. [Aquifer Names]	Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Ramapo SSA
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Timber Rattlesnake
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



**Legend**

 Site Boundary  Municipal Boundary



0 1,250 2,500 Feet

**Kimley»Horn**  
of New York, P.C.

Congregation Rabbinical Institute  
of Tartikov, Inc.  
Village of Pomona  
Rockland County, NY

**LOCATION MAP**  
**OCTOBER 2023**



Water Demand and Sanitary Sewage generation calculations:

85 Buildings, 3 student housing units per building: = 255 apartments

4 bedrooms per student housing unit: = 1,020 bedrooms

total bedrooms: = 1,020

Student housing: 1,020 bedrooms \* 110 GPD = 112,200 GPD

Study Hall: (242 students \* 10 GPD) + (20 employees \* 15 GPD) = 2,720 GPD

Total Demand: 112,200 + 2,720 = 114,920 GPD

**PETER D. TORGERSEN,  
ENVIRONMENTAL SCIENCES**

110 Town Line Road, Pearl River New York 10965, 845 642 8939 petertorger271@gmail.com

October 17, 2023

Dennis Rocks  
Brooker Engineering  
74 Lafayette Avenue, Suite 501  
Suffern, New York 10901

Re: Potential Bog Turtle and Timber Rattlesnake Habitat at Congregation  
Rabbinical College of Tartikov

Dear Mr. Rocks,

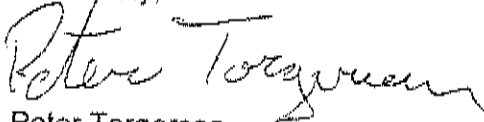
The above 119.491 acre site is made up of 12 separate existing adjacent lots located on the south east corner of Route 306 and Route 202. The project site is made up of 11 existing residential lots as well as Lot 32.08-1-53 which is now a shuttered day camp. The wetlands along the west side are both directly connected with a tributary of the Mahwah River. The large wetland along the east side is directly connected to a tributary of the Minniseongo Creek. The project site as a whole contains three separate wetlands as well as large areas of mature forest habitat. Running across the north part of the site is a large utility easement. During their environmental impact review the NYSDEC has brought up the possibility of this site having habitat that could be used by both Bog Turtles and the Northern Timber Rattlesnakes, two endangered reptiles that are occasionally found in the lower NY state. The Bog Turtle is always found in open bogs, fens, wetlands and ditches that have a specific combination of saturated soils that can receive plenty of sunlight, a ground water outlet or spring fed water supply and vegetation dominated by sedges and grasses. The onsite wetland that runs parallel to Route 306 on the residential lots do indeed have areas along the edges that do meet the written description of potential Bog Turtle habitat. The large cattail dominated areas have too much seasonally standing water to qualify because the Bog Turtle is really a terrestrial creature, not an aquatic one. Areas that seasonally flood are no good for any eggs to successfully incubate. Numerous spots along the edges of the wetland have soft muck type soils that could allow the Bog Turtles to dig their seasonal burrows and tunnels. While suitable habitat is indeed found onsite it should be remembered that Bog Turtles have not been documented in Rockland County for at least 100 years. All three wetland areas on the former day camp have forested wetland habitat that totally eliminates them from being potential Bog Turtle habitat.

The Northern Timber Rattlesnake is known to inhabit the western most areas of Rockland County. There are documented den sites for the Northern Timber Rattlesnakes just about 1 mile west of this project location in the

Palisades Interstate Park System. The rattlesnake winters in dens that are located steep rocky areas that usually face to the east and south. There is no onsite habitat that could in any way be interpreted as suitable winter den sites for the rattlesnake. There are no onsite cliffs, south facing rocky slopes or talus piles. Female rattlesnakes usually stay close to the dens during the summer months however the male snakes have been known to travel up to 3 or 4 miles from their winter dens in order to find suitable summer hunting sites. Between this known snake habitat west of Route 202 and the project site is a large flooded swamp associated with the Mahwah River, Route 202 itself and numerous residential neighborhoods. All of this represents a formidable route for the snakes to travel. The swamp and river represent an almost insurmountable obstacle because the rattlesnake will not voluntarily swim. It is a creature of the upland hillsides and forests, not the valleys and swamps.

Because of the lack of any onsite habitat suitable for winter dens and the obstacles between this site and known rattlesnake habitat this project site should not be considered suitable for Timber Rattlesnakes.

Yours truly,



Peter Torgersen



**EXHIBIT B**

**EXHIBIT B**

# VILLAGE OF POMONA

100 LADENTOWN ROAD

POMONA, N.Y. 10970

Phone (845) 354-0545 ~ Fax (845) 354-0604

Savad / Churgin  
55 Old Turnpike Rd  
Suite 209  
Nanuet, NY 10954

April 1, 2024

**RE: Special Permit and Site Plan applications**

Mr. Joseph Churgin;

I have been informed that at the Village Board meeting of March 26, 2024, the board did not make a motion to consider the petition for a zone change. This change was requested by Tartikov to establish a Special Institutional Educational Zoning district in the Village of Pomona.

Based on the actions of the board, I have reviewed the two remaining applications which were filed with the village. A Site Plan application and a Special Use Permit application, for an Educational Institution under Village Code 130-10 (F). The initial applications submitted were incomplete due to segmented SEQRA submissions. The Site Plan, Special Use Permit and Zone Change applications were fully submitted as complete on February 26, 2024. The ZBA variance was rejected as being premature.

Under the Village Code, an Educational Institution is defined as one that is accredited by the New York State Education Department or similar accrediting agency. Village Code 130-4

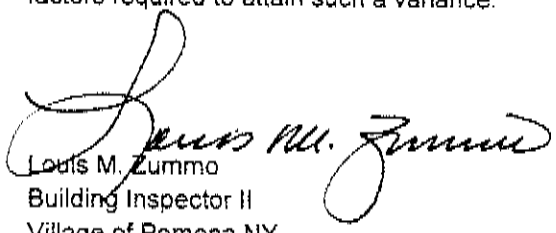
#### **EDUCATIONAL INSTITUTION**

*Any private or religious elementary, junior high or high school, college, graduate or post-graduate school conducting a full-time curriculum of instruction a minimum of five days per week for seven months per year and accredited by the New York State Education Department or similar recognized accrediting agency.*

As your Special Use permit submission acknowledges, accreditation is a requirement for an educational institution and that unaccredited educational uses are prohibited in the Village. Village code 130-9(A)

Based on the contents of the Special Use Permit application and the Site Plan application, the principal proposed use as "an unaccredited educational institution" is not permitted in the Village of Pomona, accordingly both applications are hereby denied. Any accessory uses cannot be considered without an approved principal use existing on the property.

For the use as an unaccredited educational institution to be considered for approval, your applicant would need to pursue a use variance from the Village of Pomona Zoning Board of Appeals. You would then need to satisfy the statutory factors required to attain such a variance.

  
Louis M. Zummo  
Building Inspector II  
Village of Pomona NY

# SAVAD CHURGIN

ATTORNEYS AT LAW

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April 26, 2024

By Hand Delivery

Village of Pomona Zoning Board of Appeals  
100 Ladentown Road  
Pomona, NY 10970  
ATTN: Village Clerk

**Re: *Petition – Village of Pomona Use Variances  
Education Institutions / Adult Student Housing***

Dear Village Zoning Board of Appeals:

This Firm represents Congregation Rabbinical Institute of Tartikov Inc. f/k/a Congregation Rabbinical College of Tartikov, Inc. (“Tartikov”) in connection with land use approvals for its proposed rabbinical institute. The Rabbinical Institute is proposed on property located along Route 306 in the Village of Pomona, New York identified as identified as tax parcels 32.08-1-53, 54, 55.2, and 32.12-1-25, 26, 27, 28, 29.1, 29.2, 30, 31, 33 (the “Property” or “Project Site”). The Project Site is approximately 119 acres and is located in the Village’s R-40 zoning district. This **variance application** is submitted for use variances to accommodate Tartikov’s religious and educational use.

The Village’s zoning prohibits any educational use that cannot receive accreditation from the New York State Education Department or similar entity. The proposed Rabbinical Institute is a religious use intended to educate Orthodox Jewish men to become certified rabbis trained as religious court judges. The institute would function as a kollel devoted to post-graduate studies by advanced scholars. Operation hours for classroom study and religious services for the rabbinical students would generally start at 6:00 a.m. and generally end at 10:30 p.m. on Sundays through Thursdays with some study and services generally from 6:00 a.m. – 1:00 p.m. and 5:00 p.m. to 10:00 p.m. on Fridays and 8:00 a.m. to 6:00 p.m. on Saturdays. Due to the lack of current facilities and the specific religious education/training that is involved, the Rabbinical Institute cannot receive accreditation from the New York State Education Department or other similar agency.

The Institute will be a Torah community that will include on-campus housing for the students and their families for the duration of their studies where the students can engage in religious study and also meet their religious obligations to their families. The current applicable code provisions do not permit educational institutions like the Rabbinical Institute to provide the

necessary housing for its students. Additionally, the current definition of "dormitory" does not allow for housing for adult students with families, which may be more akin to multifamily buildings with individual dwelling units, which is necessary to accommodate Tartikov's students, most of which will have families with children.

Tartikov petitioned the Village Board for a text amendment to change the definition of educational institution and to add a definition of adult student housing. Tartikov's proposed text amendments would have rendered Tartikov's use as permitted in the Village. On November 28, 2022 the Village Board declined to consider Tartikov's text amendment petition and voted to refund Tartikov's text amendment fee to Tartikov. On October 19, 2023 Tartikov submitted a variance application along with a special permit application, a site plan application and a proposed zone change application. On December 11, 2023 the Building Inspector rejected the variance application as premature. On March 25, 2024 the Village Board declined to consider Tartikov's zone change application. On April 1, 2024 the Building Inspector denied Tartikov's Site Plan application and Special Permit (with waiver).

Accordingly, Tartikov is again submitting this application for use variances that would permit Tartikov's use as an unaccredited Rabbinical Institute and would permit adult student housing for Tartikov's married students and their children.

### **Conclusion**

We have included 12 copies of the application, a copy of the site plan, and 12 copies of Part 1 of the Full Environmental Assessment Form ("FEAF") for SEQRA purposes.

We respectfully submit this variance application to the ZBA. We look forward to being placed on the May 22, 2024 ZBA agenda. Please do not hesitate to contact our office with any questions.

Sincerely,



JOSEPH A. CHURGIN

JAC/mc

Enc.

# SAVAD CHURGIN

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April 26, 2024

*Petition – Village of Pomona Use Variance Application  
Education Institutions / Adult Student Housing*

### NARRATIVE

This application is made by Applicant Congregation Rabbinical Institute of Tartikov Inc., f/k/a Congregation Rabbinical College of Tartikov, Inc. (“Tartikov”), which seeks Use Variances in order to construct, develop and operate a non-accredited rabbinical institute with adult student housing (the “Institute”).

The Institute will include associated student and faculty housing in 255 student faculty housing units with accessory support facilities.

The Institute will religiously educate Orthodox Jewish men to become certified rabbis trained as *dayanim*, or religious court judges. The Institute would function as a *kollel* devoted to post-graduate studies by advanced scholars who will be trained in all four books of the Code of Jewish Law, or the *Shulchan Aruch*. Operation hours for classroom study and religious services for the rabbinical students would generally start at 6:00 a.m. and generally end at 10:30 p.m. on Sundays through Thursdays with some study and services generally from 6:00 a.m. – 1:00 p.m. and 5:00 to 10:00 p.m. on Fridays and 8:00 a.m. to 6:00 p.m. on Saturdays.

The Institute will be a Torah community that will include on-campus housing for the students and their families for the duration of their studies where the students can engage in religious study and also meet their religious obligations to their families. The purpose of the Torah community will be to isolate the students from the distractions of the outside world, permitting them to be devoted to the study of Jewish law. Tartikov, as well as the prospective students are motivated by their religious beliefs to both train and become rabbinical judges qualified in all four books of the *Shulchan Aruch*. Tartikov's facilities will include classrooms, study halls, courtrooms, a library, one or more *shuls*, or synagogues, on-campus housing for married students and their families and a facility to house a *mikvah*, or ritual bath. Tartikov's Institute cannot be accredited by the New York State Education Department or any other accrediting body.

#### Applicable Law

New York State and Federal law requires a municipality to be flexible in the application of its zoning code to educational and religious uses. See *Cornell v. Bagnardi*, 68 N.Y.2d 583 (1986), and RLUIPA (42 U.S.C. §§ 2000cc, *et seq.*).

Because the proposed use is both a religious and educational use, and therefore presumptively harmonious with the public interest, conditioning such a use upon a showing of need or hardship, *i.e.*, the traditional use variance criteria, would be unconstitutional. See *Cornell Univ. v. Bagnardi*, 107 A.D.2d 398, 401, 486 N.Y.S.2d 964, 966 (1985), *modified*, 68 N.Y.2d 583, 503 N.E.2d 509 (1986); *Trustees of Union Coll. in Town of Schenectady in State of N.Y. v. Members of Schenectady City Council*, 91 N.Y.2d 161, 167, 690 N.E.2d 862, 866 (1997); *Pine Knolls All. Church v. Zoning Bd. of Appeals of Town of Moreau*, 5 N.Y.3d 407, 412-13, 838 N.E.2d 624, 627 (2005). Zoning boards are instead required to weigh the proposed use in relation to neighboring land uses and “to cushion any adverse effects by the imposition of conditions designed

to mitigate them” (*Cornell Univ.*, 68 N.Y.2d at 596, 510 N.Y.S.2d 861, 503 N.E.2d 509). The Zoning Board's consideration is limited to the overall impact of the proposed expansion on the public's welfare. Institutional need for such use is irrelevant because need has no bearing on the public's health, safety or welfare. *Albany Preparatory Charter Sch. v. City of Albany*, 10 Misc. 3d 870, 874-75, 805 N.Y.S.2d 818, 821-22 (Sup. Ct. 2005), *aff'd as modified*, 31 A.D.3d 870, 818 N.Y.S.2d 651 (2006). Mitigating conditions may be imposed to ameliorate the harm provided they do not, by their cost, magnitude or volume, operate indirectly to exclude such uses altogether. *Pine Knolls All. Church v. Zoning Bd. of Appeals of Town of Moreau*, 5 N.Y.3d 407, 412-13, 838 N.E.2d 624, 627 (2005) (citation omitted).

The Village's zoning regulations and the denial of Tartikov's Site Plan application and its Special Use Permit application violate its federal rights under the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc *et seq.* (“RLUIPA”), and the Free Exercise Clause of the Constitution. Denial of Tartikov's variance application would exacerbate these civil rights violations. Moreover, Federal and New York law make clear that the ZBA is authorized to correct these violations. We urge the ZBA to take the following into account in reviewing and deciding on Tartikov's variance application.

The Village's Building Inspector specifically cited the fact that Tartikov's proposed rabbinical institute was not accredited as grounds for issuing his denial. Prohibiting Tartikov's use throughout the Village on the grounds that the school is not accredited is a RLUIPA and Free Exercise Clause violation. RLUIPA's “Substantial burdens” section provides that “[n]o government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a . . . religious assembly or institution” unless it meets “strict scrutiny” review; that is, “unless the government demonstrates that imposition of the burden . . .

is in furtherance of a compelling governmental interest; and . . . is the least restrictive means of furthering that compelling governmental interest.” 42 U.S.C. § 2000cc(a)(1).

This was established by the United States District Court for the Southern District of New York, after a bench trial in the prior action by Tartikov against the Village, when it held that the accreditation requirement imposes such a substantial burden. The Court held that it was impossible for the rabbinical institute to be accredited before beginning operation, and thus “the Accreditation Law blocks Tartikov from building a rabbinical college within the Village.” *Congregation Rabbinical Coll. of Tartikov, Inc. v. Village of Pomona*, 280 F. Supp. 3d 426, 456 (S.D.N.Y. 2017). This, the Court held, imposed a substantial burden on Tartikov’s religious exercise, since because of the Accreditation Law Tartikov “cannot build a rabbinical college on *any* parcel of land within the Village.” *Id.* at 477 (emphasis in original); *see also id.* at 475 (“RLUIPA protects religious institutions from land use regulations that substantially affect their ability to use their property in the sincere exercise of their religion”) (citing *Fortress Bible Church v. Feiner*, 694 F.3d 208, 218 (2d Cir. 2012); *Westchester Day Sch. v. Vill. of Mamaroneck*, 504 F.3d 338, 352 (2d Cir. 2007) (restrictions on Jewish day school that prevented it from expanding to serve more students and provide educational activities that the school believed were important to Jewish education violated RLUIPA).

Also significantly, the Court held that the Village had not proven that it had any compelling justification pursued through the “least restrictive means” that could justify the burden imposed on Tartikov. 280 F. Supp. 3d at 467 (“Defendants have not explained why only accredited schools and traditional student-only dormitories are preferable to unaccredited schools and nontraditional dormitories, or how they pose greater threats to the Village” and thus they “do not survive strict scrutiny review”).



Likewise, the Court held that the Accreditation Law violated Tartikov's Free Exercise rights. *Id.* at 485. The Court held that the Accreditation Law and the Dormitory Law "were enacted to infringe upon religious practices because of their religious motivation." 280 F. Supp. 3d at 484. *See also Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520 (1993) (zoning law that had the effect of singling out a religious group violated the Free Exercise Clause). The standard for Free Exercise Clause violation was made even less demanding by the Second Circuit since the Court's decision. In November 2023, the Second Circuit held that there was no obligation for plaintiffs in Free Exercise cases to prove a "substantial burden" on religious exercise as required by RLUIPA; rather, all that is required is a showing of a "burden." *Kravitz v. Purcell*, 87 F.4th 111, 127 (2d Cir. 2023).

As with the RLUIPA claim, the Court held that the Village had not proven a compelling government interest pursued through the least restrictive means that could justify its actions. 280 F. Supp. 3d at 485. *See also Roman Cath. Diocese of Brooklyn v. Cuomo*, 592 U.S. 14, 18 (2020) (striking down New York's COVID occupancy caps on places of worship, holding that "there are many other less restrictive rules that could be adopted to minimize the risk to those attending religious services"). There is no legitimate, much less compelling justification to prohibit Tartikov's use outright.

Courts throughout the nation regularly hold in favor of religious organizations under RLUIPA and the First Amendment where zoning laws that prohibit or severely restrict religious land uses are challenged. *See WR Prop. LLC v. Twp. of Jackson*, No. CV173226MASDEA, 2021 WL 1790642, at \*12 (D.N.J. May 5, 2021) (ordinances intended to prohibit Orthodox Jewish schools and eruvim "are not neutral and were passed with a discriminatory purpose"); *Bais Brucha Inc. v. Twp. of Toms River, New Jersey*, No. CV213239ZNQRLS, 2024 WL 863698, at \*10 (D.N.J. Feb. 29, 2024) (Court entered judgment for the Plaintiffs on RLUIPA and First Amendment claims

finding “[t]he overall effect of the Land Use Regulations was to constrict the development of places of worship in the Township.”); *St. Timothy's Episcopal Church by & through Diocese of Oregon v. City of Brookings*, No. 1:22-CV-00156-CL, 2024 WL 1303123, at \*8 (D. Or. Mar. 27, 2024) (zoning ordinance which provided for conditional use of “benevolent meal services” and how often they can occur violates RLUIPA). The same applies here.

RLUPA’s Substantial Burdens provision provides:

**(a) Substantial burdens**

**(1) General rule**

No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution--

**(A)** is in furtherance of a compelling governmental interest; and

**(B)** is the least restrictive means of furthering that compelling governmental interest.

42 U.S.C.A. § 2000cc. The Supreme Court has recently described the strict scrutiny test as follows:

[S]trict scrutiny requires the State to further “interests of the highest order” by means “narrowly tailored in pursuit of those interests.” *Church of Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520, 546 (1993) (internal quotation marks omitted). That standard “is not watered down”; it “really means what it says.”

*Tandon v. Newsom*, No. 20A151, 2021 WL 1328507, at \*2 (U.S. Apr. 9, 2021).

Generalized interests are insufficient as a matter of law. *Holt*, 135 S.Ct. at 863, *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal*, 546 U.S. 418, 432, 438 (2006). A compelling governmental interest must be a specific interest of the “highest order,” which is “some substantial

threat to public safety, peace[,] or order,” and “[o]nly the gravest abuses, endangering paramount interest, give occasion for permissible limitation.” *Church of the Lukumi Babalu Aye*, 508 U.S. at 546; *Wisconsin v. Yoder*, 406 U.S. 205, 215 (1972); *Sherbert v. Verner*, 374 U.S. 403, 406 (1963). A compelling governmental interest must exist in this particular case. See *O Centro*, 546 U.S. at 430 (applying RFRA); WDS, 504 F.3d at 353. It does not here. The generalized interest in “enforcing [a] Zoning Ordinance” is always at issue in a challenge to land use regulations. See *Covenant Christian Ministries, Inc. v. City of Marietta*, No. 1:06-CV-1994-CC, 2008 WL 8866408, at \*14 n.9 (N.D. Ga. Mar. 31, 2008) (“If the general government interest in zoning satisfied the first prong of the strict scrutiny test in every case, then this prong of the analysis would be eviscerated in RLUIPA cases.”); *City Walk - Urb. Mission Inc. v. Wakulla Cnty.*, 471 F. Supp. 3d 1268, 1287 (N.D. Fla. 2020) (“Defendant’s justification boils down to its interest in enforcing its zoning regulation and furthering its zoning regulation’s purpose in a general way. That is not enough.”). The test is not satisfied through advancing “broadly formulated interes[t]s” but “requires the Government to demonstrate that the compelling interest test is satisfied through application of the challenged law to the person—the particular claimant whose sincere exercise of religion is being substantially burdened.” *Holt*, 574 U.S. at 363 (internal quotation omitted); see also *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal*, 546 U.S. 418, 431 (2006) (“O Centro”); *Davila v. Gladden*, 777 F.3d 1198, 1206 (11th Cir. 2015) (“[T]he Defendants’ generalized interests are insufficient as a matter. . . .The Defendants offer little more than a conclusory assertion that if they grant Mr. Davila’s request, there will be a significant impact on security interests and cost concerns.”).

Neither are “community character” interests compelling. See *Solantic, LLC v. City of Neptune Beach*, 410 F.3d 1250, 1267 (11th Cir. 2005) (holding that sign code was not “narrowly tailored to accomplish the City’s asserted interests in aesthetics and traffic safety, nor has our case

law recognized those interests as ‘compelling’”); *Rocky Mtn. Christian Church v. Bd. of Cnty. Comm’rs of Boulder Cnty.*, 612 F. Supp. 2d 1163, 1175 (D. Colo. 2009), *aff’d*, 613 F.3d 1229 (10th Cir. 2010) (stating that “lack of harmony with the character of the neighborhood, incompatibility with the surrounding area, . . . generally have been found not to be compelling”); *Westchester Day Sch.*, 417 F. Supp. 2d at 554 (“[T]he visual impact of the Project does not implicate a compelling government interest.” (citations omitted)); *Cottonwood Christian Ctr.*, 218 F. Supp. 2d at 1228 (aesthetic concerns are not “a compelling interest that can justify burdening [Plaintiff’s] religious exercise rights”); *Congregation Rabbinical Coll. of Tartikov v. Vill. of Pomona*, 138 F. Supp. 3d 352, 418-20 (S.D.N.Y. 2015), *aff’d*, 945 F.3d 83 (2d Cir. 2019) (“aesthetic and community character rationales are generally not compelling state interests”). Additionally, “traffic safety,” although a “substantial” interest, is not a compelling governmental interest that can justify the burdening of First Amendment rights. *Solantic*, 410 F.3d at 1267-68; *Dimmitt v. City of Clearwater*, 985 F.2d 1565, 1569-70 (11th Cir. 1993); *Beaulieu v. City of Alabaster*, 454 F.3d 1219, 1234 (11th Cir. 2006).

Strict scrutiny requires more than just an assertion that there may be an impact from a religious use. See *Tandon*, 141 S. Ct. at 1296 (government “must do more than assert that certain risk factors are always present in worship” (internal quotation omitted)); *Tartikov*, 138 F. Supp. 3d at 422 (“Defendants’ only evidence connecting the Challenged Laws to alleviating traffic concerns is that ‘all dwelling units, by their nature, generate traffic.’ . . . This explanation is insufficient”); *Congregation Etz Chaim v. City of L.A.*, No. CV10-1587 CAS EX, 2011 WL 12472550, at \*5, \*7 (C.D. Cal. July 11, 2011) (rejecting the City’s argument that it had a compelling interest in “maintaining the residential nature of the neighborhood” because “this approach would render RLUIPA a nullity” and finding that, “while the City refers to its broad interest in protecting the health, safety and welfare of its citizens, and parking and traffic concerns

in relation to those interests, they present no evidence ‘that any traffic or parking concerns actually existed’”).

A government must also demonstrate that it considered less restrictive means of achieving any governmental interest rather than outright denial. *Redeemed Christian Church of God*, 17 F.4th at 512 (“the [] [government] never sought to show at trial that it considered alternatives—such as roadway improvements or additional road signs— before denying the Application.”); *Cottonwood Christian Ctr. v. Cypress Redevelopment Agency*, 218 F. Supp. 2d 1203, 1229 (C.D. Cal. 2002) (outright denial is not least restrictive means and “City has done the equivalent of using a sledgehammer to kill an ant.”); *Chabad Lubavitch of Litchfield Cnty., Inc. v. Borough of Litchfield, Connecticut*, No. 3:09-CV-1419 (JCH), 2017 WL 5015624, at \*14 (D. Conn. Nov. 2, 2017) (imposition of smaller footprint on Chabad violated RLUIPA and was not least restrictive means). In *Westchester Day Sch. v. Vill. of Mamaroneck*, 417 F. Supp. 2d 477, 553-54 (S.D.N.Y. 2006), *aff’d*, 504 F.3d 338 (2d Cir. 2007), the Court found that the Village had not demonstrated that outright denial of the religious school was the least restrictive means of furthering a compelling governmental interest with respect to three categories of asserted such interests: traffic (“incremental impact of the Project on traffic could have been mitigated in a number of ways. Defendants' have failed to carry their burden of demonstrating that no alternatives other than an outright denial could protect their interests relating to traffic.”); “visual impacts and adverse effects on property values” (aesthetic concerns could be mitigated and neither those nor property values are a compelling interest); and parking (lack of parking did not constitute “a threat to public safety”).

While some of the District Court’s holdings in the prior Tartikov litigation were overturned by the Second Circuit Court of Appeals, it did so on the ground that Tartikov had not yet filed a formal application to build its rabbinical college and thus lacked “standing” to bring suit.

*Congregation Rabbinical College of Tartikov, Inc. v. Village of Pomona*, 945 F.3d 83, 110 (2d Cir. 2019) (“Tartikov . . . never submitted a formal proposal for the building project, applied for a permit, or engaged in any other conduct that would implicate or invoke the operation of the challenged zoning laws.”). This justification no longer applies as Tartikov has now done so through two applications and a rezoning petition, all of which have been rejected, and is proceeding on another—this variance application. Therefore, the RLUIPA and Free Exercise Clause issues will be ripe for consideration and the relevant facts and legal considerations are unchanged, leading inescapably to the conclusion that the Village will lose a new lawsuit brought against it, now that the “standing” issue is resolved.

The ZBA must consider Tartikov’s federal rights. First, it is subject to requirements of RLUIPA and the Free Exercise Clause. *See* 42 U.S.C. § 2000cc-5(4) (“The term “government”—(A) means—(i) a State, county, municipality, or other governmental entity created under the authority of a State; (ii) any branch, department, agency, instrumentality, or official of an entity listed in clause (i); . . .”). *See Layman Lessons, Inc. v. City of Millersville, Tenn.*, 636 F. Supp. 2d 620, 643 (M.D. Tenn. 2008) (City is a government under RLUIPA and vicariously liable under respondeat superior for acts of its employees); *Bais Brucha*, 2024 WL 863698, at \*1 (Zoning Board of Adjustment is a “government” under RLUIPA); *Adam Cmty. Ctr. v. City of Troy*, 381 F. Supp. 3d 887, 890 (E.D. Mich. 2019) (City, City Planning Commission and Zoning Board of Appeals are proper party Defendants under RLUIPA); *DiLaura v. Twp. of Ann Arbor*, 112 F. App’x 445, 446 (6th Cir. 2004) (Town and Town’s Zoning Board of Appeals violated RLUIPA); *Bensalem Masjid, Inc. v. Bensalem Twp.*, No. CV 14-6955, 2015 WL 5611546, (E.D. Pa. Sept. 22, 2015) (RLUIPA claims could proceed against Township and Township Zoning Hearing Board); *Islamic Soc’y of Basking Ridge v. Twp. of Bernards*, 226 F. Supp. 3d 320, 351 (D.N.J. 2016) (planning board liable under RLUIPA); *Guru Nanak Sikh Soc’y of Yuba City v. Cnty. of Sutter*,

326 F. Supp. 2d 1128, 1136 (E.D. Cal. 2003) (even “individual government officials may be subject to suit under RLUIPA.”). Any argument that RLUIPA or the Free Exercise Clause do not apply to it must be rejected.

Second, RLUIPA itself provides a specific mechanism to allow local governments to avoid further violation of RLUIPA by voluntarily accommodating burdened religious exercise through any number of different ways. This provision, known as the “Safe Harbor” provision, states:

**Governmental discretion in alleviating burdens on religious exercise.** A government may avoid the preemptive force of any provision of this chapter by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions from the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden.

42 U.S.C. § 2000cc-3(e). The purpose of this “Safe Harbor” provision is to assure governmental bodies “that they retain discretion to decide how best to remedy an allegedly offending law, policy, or regulation . . . .” *Pratt v. Ott*, No. 1:20-CV-171, 2021 WL 1212587, at \*6 (M.D. Pa. Mar. 31, 2021). The legislative history of this provision supports this purpose.

“Congress intended to give each state the freedom “to choose its own means of eliminating substantial burdens on religious exercise.” See 146 Cong. Rec. E1563, E1564 (daily ed. Sept. 21, 2000) (statement of sponsoring Rep. Canady). . . .Another statement confirms that RLUIPA . . . . “leaves all other policy choices to the states.” See 146 Cong. Rec. S7774, S7776 (daily ed. July 27, 2000) (joint statement of Sens. Hatch and Kennedy). Congress plainly intended to allow each state to “eliminate the discrimination or burden in any way it chooses, so long as the discrimination or substantial burden is actually eliminated.”<sup>9</sup> See id.

*Pratt v. Ott*, No. 1:20-CV-171, 2021 WL 1212587, at \*6 (M.D. Pa. Mar. 31, 2021).

This provision authorizes any number of ways to eliminate the burden imposed by the accreditation requirement: the Village could repeal the offending provisions; the Village could exempt religious entities from it; or the Village—through its ZBA—could exempt Tartikov specifically from it, *i.e.*, granting variances, or any other means that eliminates its application to Tartikov. The provision provides discretion to the Village in how to accomplish this, so long as it in fact eliminates the burden on Tartikov. *See, e.g., Boles v. Neet*, 402 F. Supp. 2d 1237, 1241 (D. Colo. 2005), *aff'd*, 486 F.3d 1177 (10th Cir. 2007) (“This provision has been interpreted to provide discretion in the government agency to take corrective action to eliminate any violation of the statutory provisions . . . and thereby preempt liability under RLUIPA.”).

In exercising their governmental discretion under the Safe Harbor provision to alleviate substantial burdens and discrimination toward religious land use applicants, the following are examples of governmental action taken to avoid RLUIPA liability:

- Village “amended its zoning code in 2003 so that *all* membership organizations were excluded from I-1 zones, including the business-related organizations that under the 1988 version of the code were allowed. The village also opened up additional zones to religious organizations where they previously were not allowed. Religious organizations had been allowed only in the IB zone, but now were permitted as of right in two residential districts (R-1 and R-2), and in an additional 16 districts after obtaining a special permit.” *Petra Presbyterian Church v. Vill. of Northbrook*, 409 F. Supp. 2d 1001, 1004 (N.D. Ill. 2006), *aff'd*, 489 F.3d 846 (7th Cir. 2007). “The parties agree that the 2003 amendments to Northbrook’s zoning ordinance put nonreligious assemblies on equal footing with religious assemblies. Accordingly, Northbrook has avoided liability by eliminating its discriminatory zoning provision.” *Id.* at 1008.



- “The April 8, 2015 amendment and the April 21, 2015 issuance of the conditional use permit to the Church, taken together, permitted the Church to purchase the Theater Property for use as a place of worship and placed the Church on equal footing with secular assemblies, including movie theaters. Accordingly, the amendment and the conditional use permit eliminated any alleged substantial burden and any alleged discriminatory treatment imposed by the former Zoning Ordinance or by the City's denial of the Church's Planning Application.” *Church v. City of St. Michael*, 205 F. Supp. 3d 1014, 1032 (D. Minn. 2016).
- Adoption by a County of a Resolution and entering into a Settlement Agreement and Release with the Church which “eliminated those obstructions to the plaintiffs' religious exercise by permitting construction of the Church facilities and their use under conditions that were acceptable to the plaintiffs. *Grace Church of Roaring Fork Valley v. Bd. of Cnty. Comm'rs of Pitkin Cnty., Colorado*, 742 F. Supp. 2d 1156, 1160 (D. Colo. 2010).
- County approved initial land use application and entered into a Settlement Agreement. *United States v. Cnty. of Culpeper, Virginia*, No. 3:16-CV-00083, 2017 WL 3835601, at \*8 (W.D. Va. Sept. 1, 2017).
- Granting a conditional use permit to permit operation of a homeless ministry. *Family Life Church v. City of Elgin*, No. 07 CV 0217, 2007 WL 2790763, at \*2 (N.D. Ill. Sept. 24, 2007).
- Granting a building permit to a church after Special Counsel for the Town noted “[I]t is difficult to see what th[e] compelling interest [of the town] might be in light of the uses allowed at the Church site under the Bylaw. If the Town's compelling interest was to protect the health, safety and general welfare of the Town's inhabitants by reducing traffic and minimizing activity in that general area, it is unclear why then the Bylaw would permit the use of the Church site for a municipal use, private nonprofit library or museum, post office

or medical professional offices.... As such, it is difficult to support the position that § 9.18 of the Bylaw furthers a compelling governmental interest.” *Mintz v. Roman Cath. Bishop of Springfield*, 424 F. Supp. 2d 309, 313 (D. Mass. 2006).

Significantly, the Village’s counsel admitted the same at oral argument before the Second Circuit. *See Congregation Rabbinical College of Tartikov, Inc. v. Village of Pomona*, No. 21-2822 (Transcript of Oral Argument May 16, 2022) at 19 (“I think the question there becomes—is the accreditation requirements itself unconstitutional as applied to Tartikov. But that question should initially be presented to the Village when it comes in for the land use application like many plaintiffs that file land use applications or developers.” (emphasis added)); *id.* at 14 (“if they present an argument to the Village and say that the law, as applied, would be unconstitutional as to them, the Village is the first body that should evaluate that and make a determination.” (emphasis added)). The ZBA should use that opportunity, as the Village’s own counsel insisted it should, to avoid further lengthy and expensive litigation.

Finally, in New York, Boards of Zoning Appeals are authorized to take actions to provide accommodation to religious organizations to allow them to operate, both under RLUIPA and under the New York legal principle that “special treatment should be afforded schools and religious entities seeking to expand in residential areas.” *Septimus v. Board of Zoning Appeals for the Inc. Vill. of Lawrence*, 50 Misc. 3d 968, 975 (Sup. Ct., Nassau Cty. 2015). *See also Albany Preparatory Charter Sch. v. City of Albany*, 31 A.D.3d 870, 871, 818 N.Y.S.2d 651, 652 (2006) (“because of their inherently beneficial nature, educational institutions enjoy special treatment and are allowed to expand into neighborhoods where nonconforming uses would otherwise not be allowed”); *Assembly v. Vill. of Hempstead Bd. of Zoning Appeals*, 34 Misc. 3d 1208(A), 943 N.Y.S.2d 790 (Sup. Ct. 2011) (“greater flexibility is required in evaluating an application for a religious use than an application for another use and every effort to accommodate the religious use must be made”);

*Islamic Soc. of Westchester & Rockland, Inc. v. Foley*, 96 A.D.2d 536, 537, 464 N.Y.S.2d 844, 845 (1983) (“There is an affirmative duty on the part of a local zoning board to suggest measures to accomodate the planned religious use, without causing the religious institution to incur excessive additional costs, while mitigating the detrimental effects on the health, safety and welfare of the surrounding community.”); *Cornell Univ. v. Bagnardi*, 68 N.Y.2d 583, 595, 503 N.E.2d 509, 515 (1986) (because of their traditionally favored status, the “controlling consideration in reviewing the request of a school or church for permission to expand into a residential area must always be the over-all impact on the public's welfare.”).

We request that the ZBA not further compound the violation of Tartikov’s rights, and that it grant the variances requested.

Calendar No. \_\_\_\_\_

Received: \_\_\_\_\_, 2005

Hearing: \_\_\_\_\_

Notified: \_\_\_\_\_, 2005

Decision: \_\_\_\_\_, 2005

VILLAGE OF Pomona  
ZONING BOARD OF APPEALS  
COUNTY OF ROCKLAND, N. Y. 10901

APPLICATION TO THE ZONING BOARD OF APPEALS OF THE VILLAGE OF SUFFERN

Appellant: Congregatin Rabbinical Institute of Tardikov, Inc. ("Tardikov")  
Address: c/o Joseph Chusina, Sevid Chusina, 55 old Turnpike  
Owner: Same as above Address: Road, Nanuet, NY 10954 #209  
Lessee: \_\_\_\_\_ Address: \_\_\_\_\_  
Appellant's Phone No. \_\_\_\_\_ Alternate Phone No. \_\_\_\_\_

To the Zoning Board of Appeals

Appeal is hereby taken and application is made for:

- Variance from the requirement of Section/s 130-9 (130-4, 130-10(F))
- \_\_\_\_\_ Special Permit per the requirements of section/s \_\_\_\_\_
- \_\_\_\_\_ Review of an administrative decision of the Building Inspector
- \_\_\_\_\_ An order to issue a Certificate of Occupancy
- \_\_\_\_\_ An order to issue a Building Permit
- \_\_\_\_\_ An interpretation of the Zoning Ordinance or Map \_\_\_\_\_
- \_\_\_\_\_ Certification of an existing non-conforming structure or use
- \_\_\_\_\_ Other / Referral from Planning Board (explain)

To permit construction, maintenance and use of  
a non-accredited rabbinical institute with adult  
student housing.  
\* See Narrative \*

Zone R-40

Premises affected are situated on the east side of Rt 306 and

10 feet (direction) from the intersection of Rt 202 and

From the Village of Perinton Tax Map the property is known as Section 32.08  
55.2, 53, 54 \* See attachment \*  
32.12

Lot 25, 26, 27, 28, 29.1 The street address is 29.2, 30, 31, 33

Has this property been before the Board of Appeals before? No

If yes, give name of applicant, case number and date:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is this property within 500 feet of a State or County Park, State or County Road, Parkway, Village, Town or County Boundary, Wetlands, County owned land or County stream? If yes, give detailed specifications Yes State or  
County Road, Municipal Boundary  
U.S. Rte 202 and N.V.S. Rte 306

Explain alternative plans considered and reason for rejection / referral: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

680 Route 306, Pomona, NY 10970 (32.08-1-55.2)  
Deed filed 3/2/22; Instrument No. 2022-9226

672 Route 306, Pomona, NY 10970 (32.08-1-54)  
Deed filed 3/2/22; Instrument No. 2022-9229

656 Route 306, Pomona, NY 10970 (32.08-1-53)  
Deed filed 8/31/04; Instrument No. 2004-56777

640 Route 306, Pomona, NY 10970 (32.12-1-33)  
Deed filed 3/28/22; Instrument No. 2022-13262

636 Route 306, Pomona, NY 10970 (32.12-1-31)  
Deed filed 3/15/22; Instrument No. 2022-11009

634 Route 306, Pomona, NY 10970 (32.12-1-30)  
Deed filed 3/15/22; Instrument No. 2022-11008

630 Route 306, Pomona, NY 10970 (32.12-1-29.2)  
Deed filed 3/29/22; Instrument No. 2022-13278

632 (f/k/a 630) Route 306, Pomona, NY 10970 (32.12-1-29.1)  
Deed filed 3/11/22; Instrument No. 2022-10466

628 Route 306, Pomona, NY 10970 (32.12-1-28)  
Deed filed 3/28/22; Instrument No. 2022-13263

626 Route 306, Pomona, NY 10970 (32.12-1-27)  
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622 Route 306, Pomona, NY 10970 (32.12-1-26)  
Deed filed 3/2/22; Instrument No. 2022-9233

620 Route 306, Pomona, NY 10970 (32.12-1-25)  
Deed filed 3/11/22; Instrument No. 2022-10458



State of New York, )  
County of Rockland,) ss.:  
Village of Pomona

Michael Teuber, trustee for Applicant,

I hereby depose and say that all the above statements, and the statements contained in the papers submitted herewith, are true / Appellant Michael Teuber

Michael Teuber  
Sworn to before me this 18th day of October, 2023

Notary Public, County of Rockland

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6424197  
Qualified in Rockland County  
Commission Expires October 25, 2025

**Affidavit of Ownership**

State of New York, )  
Village of Pomona ss.:  
County of Rockland.)

Michael Teuber, being duly sworn, deposes and says that he / she resides at 10 Jeffrey Place, Monsey in the State of New York, that he / she is <sup>the trustee of the</sup> owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Pomona aforesaid and designated as Lot No. \*see list attached in Section No. \_\_\_\_\_ of the Pomona Village Assessment Map, and that he / she hereby authorizes in his / her behalf, and that the statements of fact contained in said application are true.

Owner Michael Teuber

Michael Teuber  
Sworn to before me this 18th day of October, 2023

Notary Public, County of Rockland

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6424197  
Qualified in Rockland County  
Commission Expires October 25, 2025



AFFIDAVIT PURSUANT TO SECTION 809 OF THE GENERAL MUNICIPAL LAW

STATE OF NEW YORK )  
COUNTY OF ROCKLAND ) SS.:  
VILLAGE OF Pomona

I, Michael Tauber, being duly sworn, hereby depose and say that all of the following statements and the statements contained in the papers submitted herewith are true, and that the nature and extent of any interests set forth are disclosed to the extent that they are know to the applicant.

1) Print or type full name and Post Office address:

Michael Tauber, 10 Jeffrey Place, Monsey NY

certifies that he / she is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he / she has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

2) To the ZBA of the Village of Pomona  
(Board, Commission, or Agency)

Application, petition or request is hereby submitted for:

- (  ) Variance or modification from the requirement of Section 130-9 <sup>(see 130-9 and 130-10(F))</sup> to allow a non-accredited rabbinical institute and to allow adult student housing.
- ( ) Special Permit per the requirements of Section \_\_\_\_\_
- ( ) Review and approval of proposed subdivision plat;
- ( ) Exemption from a plat or official map;
- ( ) An order to issue a Certificate, Permit, or License;
- ( ) An amendment to the Zoning Ordinance or Map or change thereof;
- ( ) Other ( explain ) \_\_\_\_\_

To permit the construction, maintenance and use of a non-accredited rabbinical institute with adult student housing for students, faculty and their families

3. Premises affected are in a R-4D (zone) and from the Powassa Tax Map the property is known as Section \_\_\_\_\_, Lot \_\_\_\_\_.

4. There is no state officer, Rockland County Officer or employee; or Village of Powassa Employee, nor his / her or his / her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition, or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation, if its stock is listed on the New York or American Stock Exchanges ( or any exchange listed in the Wall St. Journal); or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such Village officer or employee nor any member of his / her family in any of the foregoing classes, is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for services rendered, which is dependent or contingent upon favorable approval of this application, petition or request.

5. That to the extent that the same is known to your applicant, and to the owner of the subject premises, there is disclosed herewith the interest of the following officer or employee of the State of New York, or the County of Rockland, or the Village of Powassa in the petition, request or application, or in the property or subject matter to which it relates: (if none, so state.)

a) Name & Address of officer or employee \_\_\_\_\_

b) Nature of interest N/A

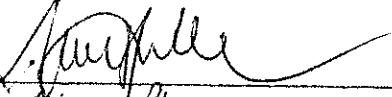
c) If stockholder, number of shares \_\_\_\_\_

d) If officer or partner, nature of office and name of partnership \_\_\_\_\_

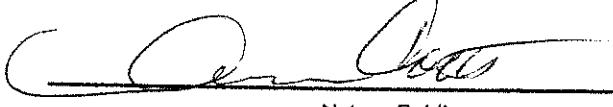
e) If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such State, County, or Village of Powassa officer or employee, state name and address of such relative and nature and extent of office, interest or participation in the ownership or any person, partnership or association having an interest in such ownership or in any business entity sharing in such ownership. \_\_\_\_\_

f) In the event of Corporate Ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, if any of these are, or have ever been, officers or employees of the State of New York, or County of Rockland, or Village of Powassa.

I, Michael Tauber (print name), do hereby depose and say that all of the above statements, and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section, is guilty of a misdemeanor.

Signature   
Address 10 Jeffrey Place, Monsey NY 10952

~~Subscribed~~ Subscribed to before me this 18th day of October, 2023.



Notary Public

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01C06424197  
Qualified in Rockland County  
Commission Expires October 25, 2025

APPLICATION REVIEW FORM

203-8

Applicant's Signature and Certification

State of New York)  
County of Rockland) SS.:  
Town/Village of Pomona

I, Michael Tober, trustee, hereby depose and say that all the above statements contained in the papers submitted herewith are true.

Mailing Address

[Signature]  
10 Jeffrey Place Minerva NY

Affirmed  
SWORN to before this  
18th day of October, 19 2023  
[Signature]

Notary Public

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6424197  
Qualified in Rockland County  
Commission Expires October 25, 2025

Owner/Applicant's Consent Form to Visit Property

I, Michael Tober, trustee, owner/applicant of the property described in application submitted to the town/village board, planning board, zoning board of appeals, and/or supporting staff, do hereby give permission to members of said boards and/or supporting staff to visit the property in question at a reasonable time during the day.

[Signature]  
Owner/Applicant

Affirmed  
SWORN to before this  
18th day of October, 19 2023  
[Signature]

Notary Public

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6424197  
Qualified in Rockland County  
Commission Expires October 25, 2025

### Reimbursement for Professional Consulting Services

The Town/Village Board, Planning Board and Zoning Board of Appeals in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village for the cost of such consultant services upon receipt of the bill. Such reimbursement shall be made prior to final action on the application.

Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full.

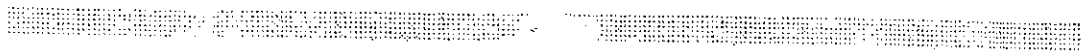
Applicant *[Signature]*

*[Signature]*  
SWORN to before this

18<sup>th</sup> day of October, 19 2023

*[Signature]*  
Notary Public

MARIANA COTTER  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6424197  
Qualified in Rockland County  
Commission Expires October 25, 2025





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09/32.16-2-19  
CIMENT YOSEF &  
ALEXANDER SHOSHANA  
18 BEAVER DAM RD  
POMONA, NY 10970

09/32.12-1-14  
KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-24  
SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-15  
PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-4  
POMONA VILLAGE OF  
100 LADENTOWN RD  
POMONA, NY 10970

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-5  
LEVI MOSHE  
30 TARA DR  
POMONA, NY 10970

09/33.09-1-7  
GURKOV MYER &  
GURKOW SHAINA  
45 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-6  
THEVENOT EDOUARD  
32 TARA DR  
POMONA, NY 10970

09/33.09-1-6  
SPECTOR HAROLD & AMY  
47 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-10  
YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/33.09-1-5  
LUFTIG IRWIN G & HARRIET  
JOINT INCOME ONLY  
IRREVOCABLE TRUST  
130 DEAN STREET  
HARRINGTON PARK, NJ 07640

09/32.12-1-8  
POMONA PURCHASING LLC  
36 TARA DRIVE  
POMONA, NY 10970

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/33.09-1-4  
POMONA VILLAGE OF  
100 LADENTOWN ROAD  
POMONA, NY 10970

09/32.12-1-21  
PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-11  
NUDEL ABRAHAM & RITA  
33 TARA DR  
POMONA, NY 10970

09/32.12-1-20  
LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-25  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-7  
MERMELSTEIN ELIYAHU &  
ELLEN G  
34 TARA DR  
POMONA, NY 10970

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-9  
REITSKY EUGENE H &  
LITMAN LISA  
32 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/33.09-1-3  
BRENDEN RALPH J + BEULAH D  
59 CAMP HILL RD  
POMONA, NY 10970

09/33.09-1-1  
BARUCH LEVI Y  
63 CAMP HILL ROAD  
POMONA, NY 10970

89/33.09-2-10  
BRUNO RALPH & KARIN  
62 CAMP HILL RD  
POMONA, NY 10970

89/33.09-2-2  
EIDLISZ JOEL  
66 CAMP HILL RD  
POMONA, NY 10970

09/33.05-1-22  
MANISCALCO NATHANIEL &  
LINDA J  
75 CAMP HILL RD  
POMONA, NY 10970

09/32.08-1-54  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-60  
BANKS IAN B & MILLER  
ALISON K  
12 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-26  
BESSELMAN HARRIET  
REVOCABE TRUST  
C/O BESSELMAN JEFFREY  
2390 JORDAN DR  
CORTLANDT MANOR, NY 10567

09/32.08-1-56  
SRI RANGANATHA SEVA  
4 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-46  
WERTHEIMER CHEZKEL  
& RUTH  
42 LADENTOWN RD  
POMONA, NY 10970

09/32.12-1-33  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/33.09-2-9  
GUMBRECHT LISA L  
58 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-3  
ABHIVA LUSKY EHI &  
EBOHON NOSAKHARE IRENE  
65 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-1.1  
BERKOWITZ SHLOMO &  
AHUVA RACHEL  
71 CAMP HILL RD  
POMONA, NY 10970

09/32.08-1-52  
PECOVIC GJORJIJE & MARIA  
79 CAMP HILL RD  
POMONA, NY 10970

09/32.08-1-55.1  
LITMAN ELOISE  
682 RT 306  
SUFFERN, NY 10901

09/32.08-1-27  
KROYNIK CHAIM &  
LIEBLICH MALKA  
3 OPAL CT  
POMONA, NY 10970

09/32.08-1-55.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-57  
MIRRO DANIEL & CORBETT  
LYNN  
24 WILL ROGERS LANE  
NANUET, NY 10954

09/32.08-1-15  
KIVELEVITZ YOEL G  
& BRACHA  
15 JADE CT  
POMONA, NY 10970

09/33.09-1-2  
FREUND FAIGA M  
61 CAMP HILL RD  
POMONA, NY 10970

89/32.11-1-5  
GREENBERG MORDECHAI &  
CHAYA  
55 OLD NYACK TURNPIKE  
NANUET, NY 10954

09/32.12-1-2  
FRANCIS ARLENE  
69 CAMP HILL RD  
POMONA, NY 10970

09/32.12-1-1.2  
ROCKLAND COUNTY OF  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/32.08-1-51  
ZIVARI BEHROOZ & SOHAYLA  
7 POWDERHORN DR  
SUFFERN, NY 10901

09/32.08-1-50.1  
THOMPSON CHRISTOPHER &  
JOSEPH  
1465 RT 202  
POMONA, NY 10970

09/32.08-1-10  
LEE CAROL Y &  
URBANEK JARED J  
10 JADE CT  
POMONA, NY 10970

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.08-1-14  
ISRAILY ISRAEL & DEVORAH  
18 JADE CT  
POMONA, NY 10970

09/32.08-1-45  
POMONA VILLAGE OF  
50 CAMP HILL RD  
POMONA, NY 10970

09/32.08-1-32  
 KOHL SENDER & JUDITH  
 10 EMERALD DRIVE  
 POMONA, NY 10970

09/32.08-1-13  
 BORISUTE SHERSHEIAL &  
 MALKA  
 16 JADE CT  
 POMONA, NY 10970

09/32.08-1-16  
 GRAFSTEIN ALLEN  
 13 JADE CT  
 POMONA, NY 10970

09/32.08-1-28  
 BELL CURTIS &  
 SARGENT-BELL JOAN D  
 4 OPAL CT  
 POMONA, NY 10970

09/32.08-1-12  
 AFRAN MUHAMMAD & BIBI  
 SAMINA  
 14 JADE CT  
 POMONA, NY 10970

09/32.08-1-29  
 MAK WING YEUNG & AMY C L  
 5 OPAL CT  
 POMONA, NY 10970

09/32.08-1-17  
 ELEVEN JADE LLC  
 11 JADE CT  
 POMONA, NY 10970

09/32.08-1-30  
 FUZAILOV EFRAIM &  
 CHANA LADAEW  
 6 OPAL CT  
 POMONA, NY 10970

09/32.08-1-33  
 SHURPIN TZVIYAAKOV &  
 MIRIAM  
 9 EMERALD DR  
 POMONA, NY 10970

09/32.08-1-31  
 VIGLER URIEL & BASSHEVA  
 1766 2ND AVE  
 NEW YORK, NY 10128

09/32.08-1-11  
 WILSON NICHOLAS G &  
 PATRICIA C  
 12 JADE CT  
 POMONA, NY 10970

09/32.08-1-18  
 HOFFMAN STEPHEN E & JUNE  
 C  
 9 JADE CT  
 POMONA, NY 10970

09/32.08-1-34  
 ZFATMAN MENACHEM M  
 & TAUBER YECHIEL  
 551 CROWN ST  
 BROOKLYN, NY 11213

09/32.08-1-59  
 SRI RANGANATHA SEVA  
 SAMITHI INC  
 C/O PADMAJA PARTHASARATHY  
 8 LADENTOWN RD  
 POMONA, NY 10970

09/32.08-1-38  
 POMONA VILLAGE OF  
 100 LADENTOWN  
 POMONA, NY 10970

09/32.12-1-29.1  
 CONG RABBINICAL INSTITUTE  
 OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952

09/32.12-1-29.2  
 CONGREGATION RABBINICAL  
 INSTITUTE OF TARTIKOV INC  
 10 JEFFREY PL  
 MONSEY, NY 10952



09/32.16-2-2

CHARLES FRITZ & MARIE Y  
20 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-1-2

NEUBERGER NATHAN & ROCHEL  
21 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-2-1

COHEN KAREN  
22 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.16-1-1

FIREMAN STANLEY &  
FLEISCHER FIREMAN KAREN  
23 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

89/32.15-2-17

PRICE RICHARD L & RENA B  
611 RT 306  
SUFFERN, NY 10901

09/32.16-2-5

GROSS ARI & SHIRA D  
29 TARA DR  
POMONA, NY 10970

09/32.12-1-13

PARNELL FAMILY  
IRREVOCABLE TRUST  
24 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-22

SILBER ASHER &  
MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-11

PRI LETOIVA INSTITUTE  
1372 47TH STREET  
BROOKLYN, NY 11219

09/32.12-1-12

EISENBERG LEVI & ROCHEL  
31 TARA DR  
POMONA, NY 10970

09/32.12-1-21

PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-14

KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-11

NUDEL ABRAHAM & RITA  
33 TARA DR  
POMONA, NY 10970

09/32.12-1-24

SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-20

LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-15

PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-25

CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-19

RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-10

YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/32.12-1-26

CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-9

WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

09/32.12-1-27

CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-8

GELLIS LYNDA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-16

LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-17

SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-18

WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-28

CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-7

GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

09/32.12-1-30

CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6

MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-10  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

89/32.11-1-10.1  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

09/32.12-1-23.1  
POMONA THREE HUNDRED SIX  
P.O. BOX 304  
MONSEY, NY 10952

09/32.12-1-23  
POMONA 306 LLC  
PO BOX 304  
MONSEY, NY 10952



09/32.16-1-2  
NEUBERGER NATHAN & ROCHEL  
21 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-13  
PARNELL FAMILY  
IRREVOCABLE TRUST  
24 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-12  
EISENBERG LEVI & ROCHEL  
31 TARA DR  
POMONA, NY 10970

09/32.12-1-11  
NUDEL ABRAHAM & RITA  
33 TARA DR  
POMONA, NY 10970

09/32.12-1-15  
PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-10  
YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-7  
GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.16-2-1  
COHEN KAREN  
22 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-22  
SILBER ASHER &  
MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-21  
PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-24  
SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-25  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-8  
GELLIS LYNDIA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.16-1-1  
FIREMAN STANLEY &  
FLEISCHER FIREMAN KAREN  
23 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

89/32.11-1-11  
PRI LETOIVA INSTITUTE  
1372 47TH STREET  
BROOKLYN, NY 11219

09/32.12-1-14  
KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-20  
LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-9  
WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952



09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-10  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

89/32.11-1-10.1  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

09/32.12-1-23.1  
POMONA THREE HUNDRED SIX  
P.O. BOX 304  
MONSEY, NY 10952

09/32.12-1-23  
POMONA 306 LLC  
PO BOX 304  
MONSEY, NY 10952



32.07-1-21

32.07-1-30

32.11-1-2

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32.11-1-10.1

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32.15-2-17

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32.12-1-33

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32.07-1-47

32.07-1-48

32.07-1-49

32.07-1-50

09/32.16-2-1  
COHEN KAREN  
22 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-22  
SILBER ASHER &  
MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-21  
PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-24  
SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-25  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-9  
REITSKY EUGENE H &  
LITMAN LISA  
32 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-7  
GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.16-1-1  
FIREMAN STANLEY &  
FLEISCHER FIREMAN KAREN  
23 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

89/32.11-1-11  
PRI LETOIVA INSTITUTE  
1372 47TH STREET  
BROOKLYN, NY 11219

09/32.12-1-14  
KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-20  
LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-9  
WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

89/32.11-1-8  
GELLIS LYNDA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/32.12-1-13  
PARNELL FAMILY  
IRREVOCABLE TRUST  
24 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-12  
EISENBERG LEVI & ROCHEL  
31 TARA DR  
POMONA, NY 10970

09/32.12-1-11  
NUDEL ABRAHAM & RITA  
33 TARA DR  
POMONA, NY 10970

09/32.12-1-15  
PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-10  
YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-10  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

89/32.11-1-10.1  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

09/32.12-1-23.1  
POMONA THREE HUNDRED SIX  
P.O. BOX 304  
MONSEY, NY 10952

09/32.12-1-23  
POMONA 306 LLC  
PO BOX 304  
MONSEY, NY 10952



2.07-1-21

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PARNELL FAMILY  
IRREVOCABLE TRUST  
24 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-22  
SILBER ASHER &  
MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-21  
PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-14  
KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-11  
NUDEL ABRAHAM & RITA  
33 TARA DR  
POMONA, NY 10970

09/32.12-1-24  
SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-20  
LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-15  
PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-25  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-10  
YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-9  
WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-9  
REITSKY EUGENE H &  
LITMAN LISA  
32 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-8  
GELLIS LYNDA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-7  
GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-10  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

89/32.11-1-10.1  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

09/32.12-1-23.1

POMONA THREE HUNDRED SIX

P.O. BOX 304

MONSEY, NY 10952



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09/32.12-1-24  
SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-8  
GELLIS LYNDA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.12-1-33  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

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CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-25  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-9  
WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-7  
GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-5  
GREENBERG MORDECHAI &  
CHAYA  
55 OLD NYACK TURNPIKE  
NANUET, NY 10954

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970  
09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

89/32.11-1-10  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901



09/32.12-1-22  
SILBER ASHER &  
MERMELSTEIN CHANA  
25 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-24  
SOUTHEND LLC  
PO BOX 350-169  
BROOKLYN, NY 11235-0169

09/32.12-1-25  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-9  
REITSKY EUGENE H &  
LITMAN LISA  
32 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-7  
GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

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INSTITUTE OF TARTIKOV INC  
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MONSEY, NY 10952

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OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

89/32.11-1-10  
WEIS DAVID  
619 RT 306  
SUFFERN, NY 10901

09/32.12-1-21  
PARK ROSHIK & SUHYUN  
27 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-20  
LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-9  
WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

89/32.11-1-8  
GELLIS LYNDY  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-23.1  
POMONA THREE HUNDRED SIX  
P.O. BOX 304  
MONSEY, NY 10952

09/32.12-1-14  
KLEIN YEDHUDA & LAURA  
FAMILY TRUST  
26 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-15  
PELSINGER RYAN &  
BRYNA  
28 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-10  
YARIMI LINDA  
6565 LAS FLORES DRIVE  
BOCA RATON, FL 33433

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.12-1-33  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952



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LEVIN TZVI  
29 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-8  
GELLIS LYNDA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-25  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-9  
WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

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CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.12-1-33  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
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MONSEY, NY 10952

09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-7  
GESSNER LAURIE  
P O BOX 309  
POMONA, NY 10970

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-5  
GREENBERG MORDECHAI &  
CHAYA  
55 OLD NYACK TURNPIKE  
NANUET, NY 10954

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952



09/32.12-1-19  
RASKIN SCHNEUR & MIRIAM  
31 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-27  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV  
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MONSEY, NY 10952

09/32.12-1-17  
SCHWARTZ RONALD & CIVIA  
35 SHERWOOD RIDGE RD  
POMONA, NY 10970

89/32.11-1-7  
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POMONA, NY 10970

09/32.12-1-31  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
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MONSEY, NY 10952

89/32.11-1-5  
GREENBERG MORDECHAI &  
CHAYA  
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NANUET, NY 10954

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-26  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-8  
GELLIS LYNDA  
623 RT 306  
SUFFERN, NY 10901

09/32.12-1-18  
WIESEL YECHIEL MICHAEL  
& RIVKA  
33 SHERWOOD RIDGE ROAD  
POMONA, NY 10970

09/32.12-1-30  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

89/32.11-1-9  
WEIS DAVID  
621 ROUTE 306  
SUFFERN, NY 10901

09/32.12-1-16  
LANZBOM LEGACY TRUST  
37 SHERWOOD RIDGE RD  
POMONA, NY 10970

09/32.12-1-28  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-6  
MOLESTON FIRE DISTRICT  
C/O GORDON WREN SR  
374 MAIN ST N  
SPRING VALLEY, NY 10977

09/32.12-1-33  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

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MONSEY, NY 10952





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POMONA, NY 10970

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POMONA, NY 10970

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SPRING VALLEY, NY 10977

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CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-32  
STATE OF NEW YORK  
ROCKLAND COUNTY TREASURER  
50 SANATORIUM ROAD  
BUILDING A - 8TH FLOOR  
POMONA, NY 10970

09/32.12-1-33  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.11-1-5  
GREENBERG MORDECHAI &  
CHAYA  
55 OLD NYACK TURNPIKE  
NANUET, NY 10954

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.12-1-29.1  
CONG RABBINICAL INSTITUTE  
OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.12-1-29.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

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09/32.08-1-54  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-55.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-56  
SRI RANGANATHA SEVA  
4 LADENTOWN RD  
POMONA, NY 10970

89/32.07-1-9  
LEVINE ZACHARYA  
1 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-13  
BORISUTE SHERSHEIAL &  
MALKA  
16 JADE CT  
POMONA, NY 10970

09/32.08-1-12  
AFRAN MUHAMMAD & BIBI  
SAMINA  
14 JADE CT  
POMONA, NY 10970

09/32.08-1-55.1  
LITMAN ELOISE  
682 RT 306  
SUFFERN, NY 10901

89/32.07-1-10  
SANDERSON NICHOLAS L &  
LESLIE  
12 SECOR CT  
POMONA, NY 10970

89/32.07-1-8  
KARAMVELIL VARUGHESE G &  
MARIAMMA  
3 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-14  
ISRAILY ISRAEL & DEVORAH  
18 JADE CT  
POMONA, NY 10970

09/32.08-1-16  
GRAFSTEIN ALLEN  
13 JADE CT  
POMONA, NY 10970

09/32.08-1-59  
SRI RANGANATHA SEVA  
SAMITHI INC  
C/O PADMAJA PARTHASARATHY  
8 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-60  
BANKS IAN B & MILLER  
ALISON K  
12 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.08-1-57  
MIRRO DANIEL & CORBETT  
LYNN  
24 WILL ROGERS LANE  
NANUET, NY 10954

09/32.08-1-15  
KIVELEVITZ YOEL G  
& BRACHA  
15 JADE CT  
POMONA, NY 10970

89/32.07-1-7  
DONALD WILLIAM H & REYES  
JOSE M & FELIX JOSEPHINE  
5 LADENTOWN RD  
POMONA, NY 10970

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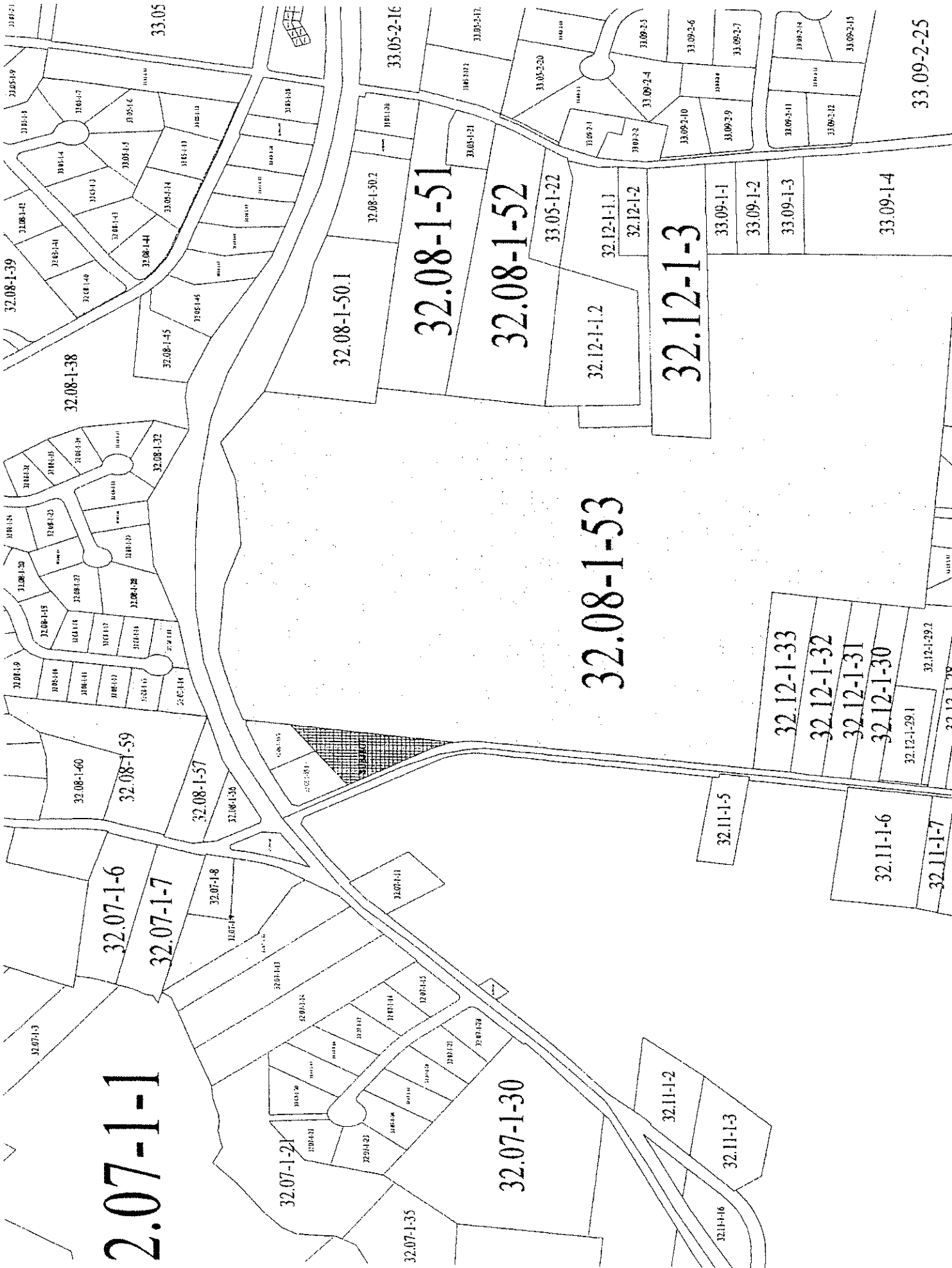
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89/32.07-1-11  
LADENTOWN REALTY LLC  
C/O SCENIC DEVELOPMENT  
PO BOX 52  
MONSEY, NY 10952

09/32.08-1-54  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

09/32.08-1-55.1  
LITMAN ELOISE  
682 RT 306  
SUFFERN, NY 10901

09/32.08-1-55.2  
CONGREGATION RABBINICAL  
INSTITUTE OF TARTIKOV INC  
10 JEFFREY PL  
MONSEY, NY 10952

89/32.07-1-10  
SANDERSON NICHOLAS L &  
LESLIE  
12 SECOR CT  
POMONA, NY 10970

09/32.08-1-53  
CONG RABBINICAL COLLEGE  
OF TARTIKOV INC  
P O BOX 304  
MONSEY, NY 10952

09/32.08-1-56  
SRI RANGANATHA SEVA  
4 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-57  
MIRRO DANIEL & CORBETT  
LYNN  
24 WILL ROGERS LANE  
NANUET, NY 10954

89/32.07-1-12  
PANGERT BENJAMIN  
1336 HAVERSTRAW RD  
SUFFERN, NY 10901

89/32.07-1-9  
LEVINE ZACHARYA  
1 LADENTOWN RD  
POMONA, NY 10970

09/32.08-1-14  
ISRAELY ISRAEL & DEVORAH  
18 JADE CT  
POMONA, NY 10970

09/32.08-1-15  
KIVELEVITZ YOEL G  
& BRACHA  
15 JADE CT  
POMONA, NY 10970

09/32.08-1-13  
BORISUTE SHERSHELAL &  
MALKA  
16 JADE CT  
POMONA, NY 10970

09/32.08-1-59  
SRI RANGANATHA SEVA  
SAMITHI INC  
C/O PADMAJA PARTHASARATHY  
8 LADENTOWN RD  
POMONA, NY 10970

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Use Variances to permit Tartikov's use as an unaccredited Rabbinical Institute and to permit Student and Faculty Housing		
Project Location (describe, and attach a general location map): Monsey-Ladentown Road, Village of Pomona (southeast of US Route 202 and NYS Route 306); tax lots: 32.08-1-53, 54, 55.2, and 32.12-1-25, 26, 27, 28, 29.1, 29.2, 30, 31, 33		
Brief Description of Proposed Action (include purpose or need): The proposed variances have been submitted to comply with Federal and State statutory and case law, to reconcile the Zoning Code with RLUIPA and the Federal and State Constitutions, to remove land use regulation impediments to the free exercise of religion, and to accommodate religious educational uses, including the proposed rabbinical institute, by permitting non-accredited educational institutions and removing the impediments currently prohibiting certain types of student housing as an accessory use to an educational institution. The variances are in support of the establishment of a non-accredited Rabbinical institute to educate/train up to 255 students in a 42,000 sf building on a 119.55-acre site located on Route 202 and Route 306 in Pomona, NY which will include associated student and faculty housing in 255 student and faculty housing units with accessory support facilities. Applicant will be required to obtain a Special Use Permit from the Village Board of Trustees and Site Plan approval from the Planning Board, and meet other standards as already set forth in Village Code.		
Name of Applicant/Sponsor: Congregation Rabbinical Institute of Tartikov, Inc.	Telephone: (845) 624-3820	E-Mail: j.churgin@savadchurgin.com
Address: (c/o Savad Churgin) 55 Old Turnpike Road, Suite 209		
City/PO: Nanuet	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role): Joseph A. Churgin, Esq.	Telephone: (845) 624-3820	E-Mail: j.churgin@savadchurgin.com
Address: (c/o Savad Churgin) 55 Old Turnpike Road, Suite 209		
City/PO: Nanuet	State: NY	Zip Code: 10954
Property Owner (if not same as sponsor): (same)	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. Board of Trustees: Zone Change if needed, Special Permit Application	
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. Planning Board: site plan approval	
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. ZBA: Use Variance if needed	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	V. Building Department: building permit	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	RCDOH: water main extension, mosquito control; RC Swr Dist #1: Off-site imprvmt plan apprvl	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT: hwy wk pmt; NYS DEC: SWPPP GP, stream protection; NYSOPRHP: advisory review	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACOE: Nationwide Permit	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part I

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

R-40

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes, replacing Educational Institutions definition; adding Adult Student Housing as a permitted accessory use if needed  
i. What is the proposed new zoning for the site?

**C.4. Existing community services.**

a. In what school district is the project site located? East Ramapo School District

b. What police or other public protection forces serve the project site?  
Town of Ramapo Police Department, New York State Police Department (Troop F)

c. Which fire protection and emergency medical services serve the project site?  
Moleston Fire District 1

d. What parks serve the project site?  
Cobblestones Farm park, Secor Village Park, Mount Ivy Environmental County Park, Van den Hende Village Park, Sandy Brook Town Park, P. Erikson County Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? religious educational use with accessory adult student housing

b. a. Total acreage of the site of the proposed action? 119.55 acres  
b. Total acreage to be physically disturbed? 44.66 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 119.55 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: 18-24 months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_



f. Does the project include new residential uses?  Yes  No \*

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	255*
At completion of all phases	_____	_____	_____	_____

\*255 student housing units as accessory student housing to principal Educational Institution Use

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No

If Yes,

i. Total number of structures \_\_\_\_\_ 1 \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ 35' height; \_\_\_\_\_ 70.75' width; and \_\_\_\_\_ 189.3' length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ (2 stories+basement) 42,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No

If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): decrease in size of wetland due to driveway crossing (approximately - 0.01 acre decrease)

\_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
location of proposed roadways has been chosen to minimize impact to wetlands and waterbodies, but proposed driveway entering property from Route 306 crosses through wetland, 0.01 ac of wetland alteration proposed.

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iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

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c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ (see attached detail) 114,920 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: Veolia Water New York, Inc.
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

---

d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 114,920 gallons/day (see attached detail)

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): sanitary wastewater

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iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: Rockland County Sewer District #1 Treatment Plant
- Name of district: Rockland County Sewer District #1
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_  
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or 12.82 acres (impervious surface)  
 \_\_\_\_\_ Square feet or 119.6 acres (parcel size)  
 ii. Describe types of new point sources. buildings, parking lots, driveways  
 \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
stormwater retention areas on site  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
NYSDEC wetland TH-15, ACOE wetland  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No  
 iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? (traffic impact analysis to confirm)  Yes  No

If Yes: peak traffic expected from 8-10 am & 3-5 pm M-Th & Sun

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend

Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

N/A

iii. Parking spaces: Existing 0 Proposed 306 Net increase/decrease +306

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: New access to property on Hwy 306, and 2 proposed emergency-only access points (from Rte 202 and from Sherwood Ridge Road)

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: as per local ordinance
- Saturday: (same)
- Sunday: (same)
- Holidays: (same)

ii. During Operations:

- Monday - Friday: 6am-10:30pm (M-Th.); 6am-1pm &
- Saturday: 5pm-10pm (Fri); 8am-6pm (Sat.);
- Sunday: 6 am - 10:30 pm;
- Holidays: 6 am - 12 pm

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:  
 During construction, noise may exceed ambient levels due to normal construction activity during hours permitted by Village code. Sound levels will return to ambient levels post-construction.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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n. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 pole mounted light fixtures, locations to be dispersed to provide appropriate illumination; fixtures will be down-light; location of fixtures will be at least 20 feet from the nearest occupied structure

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing: \_\_\_\_\_

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

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t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)

Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	4.87	12.82	+7.95
• Forested	69.12	29.93	-39.19
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	1.01	1.01	0
• Wetlands (freshwater or tidal)	29.90	29.89	-0.01
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>pervious - grass cover/landscaping</u>	14.62	45.90	+31.28

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
 i. If Yes: explain: \_\_\_\_\_

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d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
 If Yes,  
 i. Identify Facilities: \_\_\_\_\_  
 \_\_\_\_\_

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e. Does the project site contain an existing dam?  Yes  No  
 If Yes:  
 i. Dimensions of the dam and impoundment:  
 • Dam height: \_\_\_\_\_ feet  
 • Dam length: \_\_\_\_\_ feet  
 • Surface area: \_\_\_\_\_ acres  
 • Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
 ii. Dam's existing hazard classification: \_\_\_\_\_  
 iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
 \_\_\_\_\_

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f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
 If Yes:  
 i. Has the facility been formally closed?  Yes  No  
 • If yes, cite sources/documentation: \_\_\_\_\_  
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
 \_\_\_\_\_

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g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
 If Yes:  
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
 \_\_\_\_\_

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h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
 If Yes:  
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
 ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
 If yes, provide DEC ID number(s): 344064  
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
 off site, approximately 1300 ft east: site 344064: class A (active), currently under remedial action  
 \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? greater than 5 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Paxton Fine Gravelly Loam	_____	_____ %
Adrian Muck	_____	_____ %
Charlton Fine Sandy Loam	_____	_____ %

d. What is the average depth to the water table on the project site? Average: 0.5 - 6.0 feet

e. Drainage status of project site soils:

<input checked="" type="checkbox"/> Well Drained:	<u>75</u> % of site
<input type="checkbox"/> Moderately Well Drained:	_____ % of site
<input checked="" type="checkbox"/> Poorly Drained	<u>25</u> % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	<u>50.4</u> % of site
<input checked="" type="checkbox"/> 10-15%:	<u>24.4</u> % of site
<input checked="" type="checkbox"/> 15% or greater:	<u>25.2</u> % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name <u>860-15, 864-501</u>	Classification <u>B, C</u>
• Lakes or Ponds:	Name <u>unnamed, unregulated pond</u>	Classification <u>N/A</u>
• Wetlands:	Name <u>NYSDEC: TH-15; Fed.: Riverine, Freshwater Forested/shrub, freshwater pond</u>	Approximate Size <u>approximately 29.9 ac on site</u>
• Wetland No. (if regulated by DEC)	<u>TH-15</u>	

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names: Ramapo SSA



m. Identify the predominant wildlife species that occupy or use the project site:  
 typical suburban species (deer, squirrel, \_\_\_\_\_)  
 birds, raccoon, etc.) \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes: \_\_\_\_\_ not anticipated on site  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 Bog Turtle: endangered, Timber Rattlesnake: threatened; see attached letter dated 8/29/21

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: OFF SITE resources in vicinity: Ladentown United Methodist Church, Seaman-Knapp House, Camp Hill School (Pomona Village Hall)

iii. Brief description of attributes on which listing is based: Ladentown United Methodist Church: off-site 976 ft N, architecture; Seaman-Knapp House: off-site 860 ft N, architecture and social history; Camp Hill School: off-site 1520 ft E, architecture and education;

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): No precontact sites identified, no historic sites identified, no sites recommended for Phase 2.

ii. Basis for identification: Phase 1A/Phase 1B Archaeological Investigation, Historical Perspectives, Inc. 2007 and Addendum dated June 2022

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: Palisades Interstate Parkway, Town of Ramapo Scenic Road District on Camp Hill Road

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic Parkway, Scenic Roadway

iii. Distance between project and resource: less than 1 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

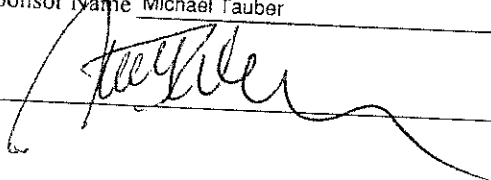
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Michael Tauber Date October 2023

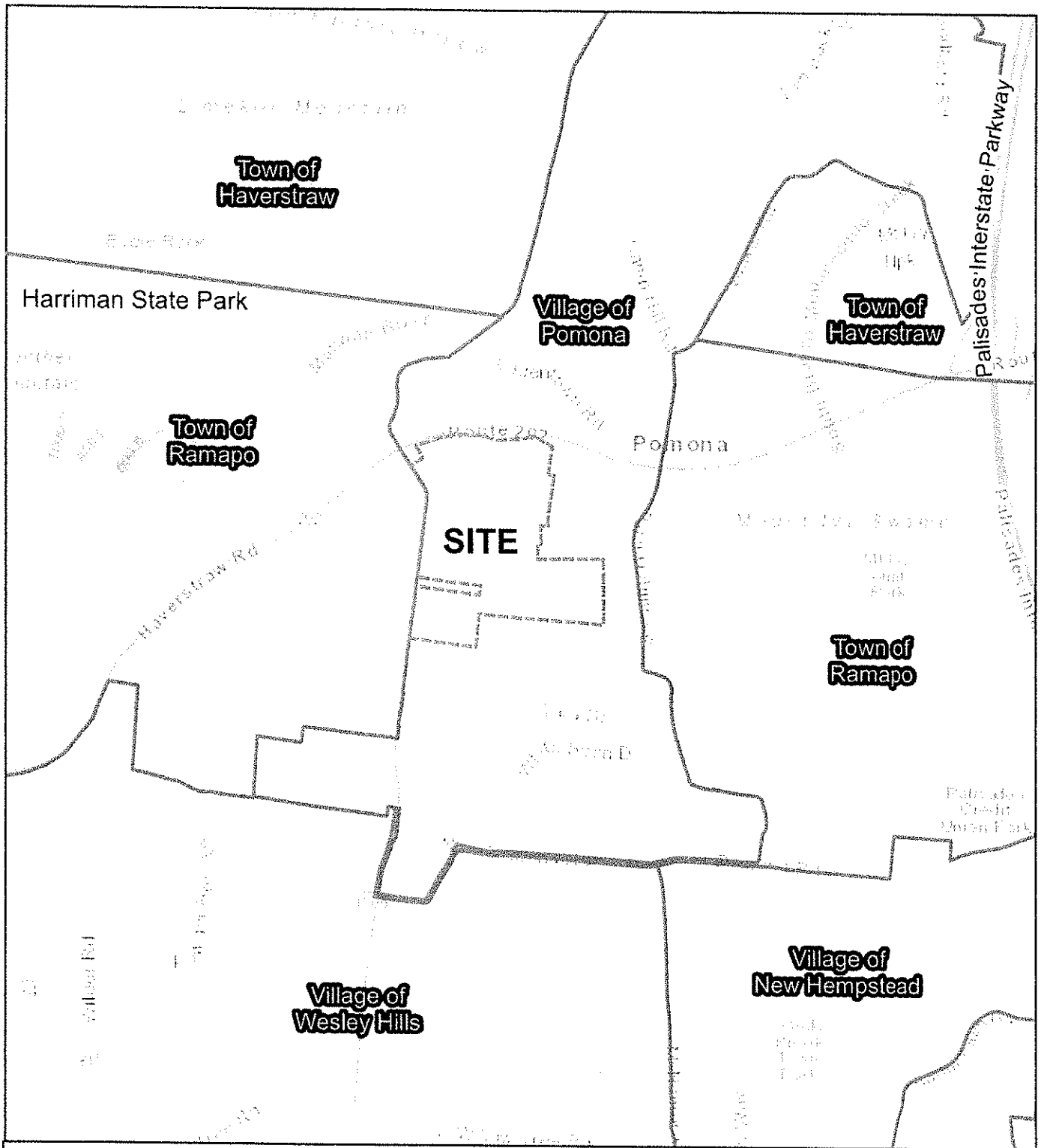
Signature  Title Trustee of Rabbinical Institute

**PRINT FORM**

**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

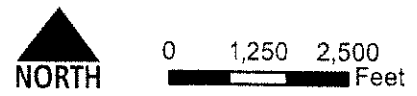
B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	344064
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	860-15, 864-501
E.2.h.iv [Surface Water Features - Stream Classification]	B, C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):76.7

E.2.h.iv [Surface Water Features - DEC Wetlands Number]	TH-15
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Ramapo SSA
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Timber Rattlesnake
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



**Legend**

 Site Boundary
  Municipal Boundary



**Kimley»Horn**  
of New York, P.C.

**Congregation Rabbinical Institute  
of Tartikov, Inc.  
Village of Pomona  
Rockland County, NY**

**LOCATION MAP  
DECEMBER 2021**

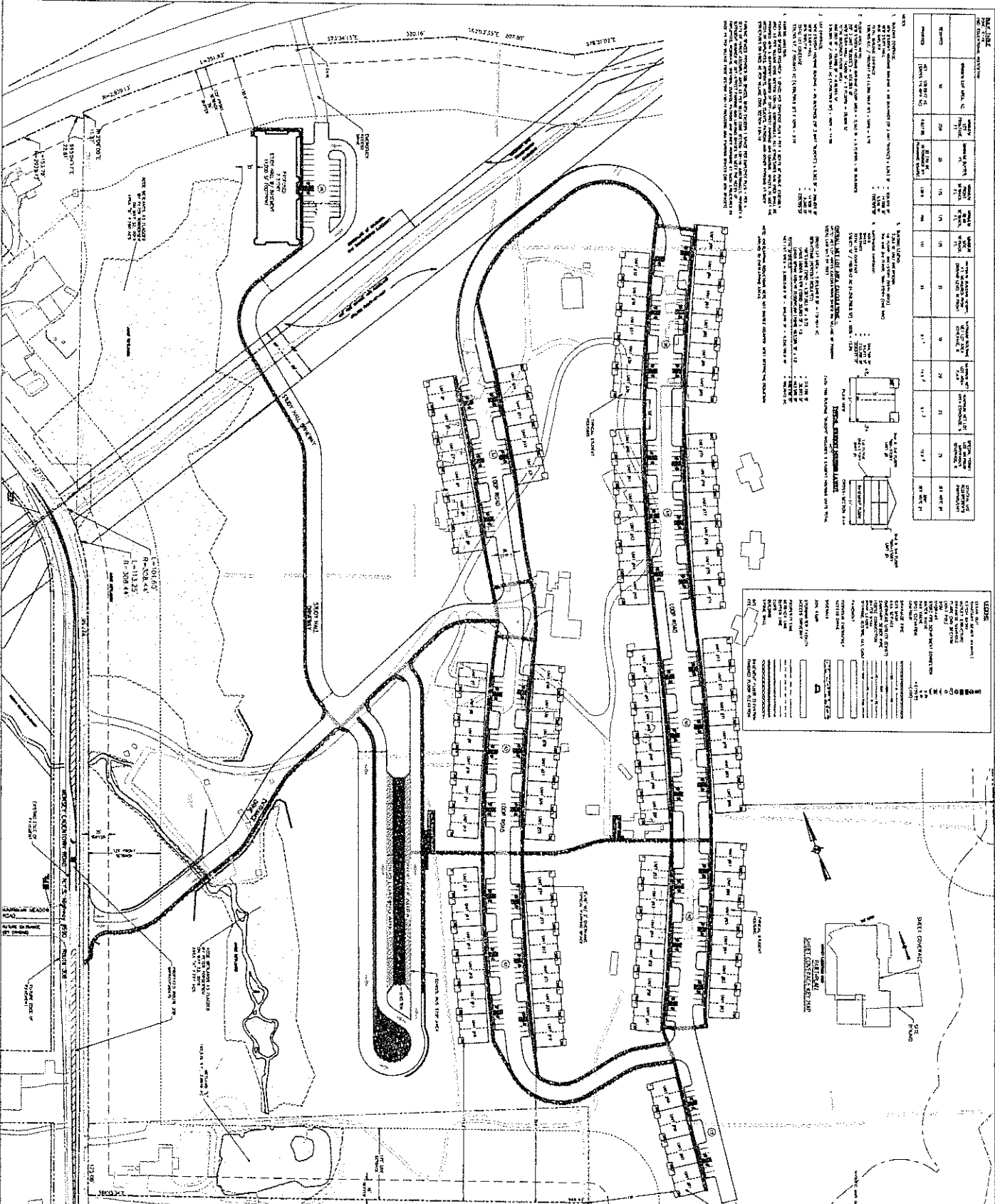
NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
1	PRELIMINARY LAYOUT	10/15/68	J. M. BROWN	J. M. BROWN	J. M. BROWN
2	FINAL LAYOUT	11/15/68	J. M. BROWN	J. M. BROWN	J. M. BROWN
3	REVISIONS				

**NOTES:**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
3. ALL UTILITIES ARE TO BE DELETED AND RELOCATED AS SHOWN.
4. ALL EXISTING UTILITIES ARE TO BE MAINTAINED AND PROTECTED.
5. ALL EXISTING UTILITIES ARE TO BE MAINTAINED AND PROTECTED.
6. ALL EXISTING UTILITIES ARE TO BE MAINTAINED AND PROTECTED.
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10. ALL EXISTING UTILITIES ARE TO BE MAINTAINED AND PROTECTED.

**LEGEND:**

- EXISTING UTILITIES
- PROPOSED UTILITIES
- PROPOSED DRIVEWAYS
- PROPOSED SIDEWALKS
- PROPOSED DRIVEWAYS
- PROPOSED SIDEWALKS
- PROPOSED DRIVEWAYS
- PROPOSED SIDEWALKS
- PROPOSED DRIVEWAYS
- PROPOSED SIDEWALKS



**BROOME ENGINEERING, INC.**  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
117 WEST 10TH STREET  
ROCHESTER, N.Y. 14604  
PHONE: 582-1111

**CONGREGATION RABBINICAL INSTITUTE OF YAMINOV, INC.**  
OVERALL LAYOUT PART-PLAN

DATE: 11/15/68  
SCALE: 1" = 40'  
SHEET NO. 2

Water Demand and Sanitary Sewage generation calculations:

85 Buildings, 3 student housing units per building: = 255 apartments

4 bedrooms per student housing unit: = 1,020 bedrooms

total bedrooms: = 1,020

Student housing: 1,020 bedrooms \* 110 GPD = 112,200 GPD

Study Hall: (242 students \* 10 GPD) + (20 employees \* 15 GPD) = 2,720 GPD

Total Demand: 112,200 + 2,720 = 114,920 GPD

**PETER D. TORGERSEN,**  
**ENVIRONMENTAL SCIENCES**

110 Town Line Road, Pearl River New York 10965, 845 642 8939 petertorger271@gmail.com

October 17, 2023

Dennis Rocks  
Brooker Engineering  
74 Lafayette Avenue, Suite 501  
Suffern, New York 10901

Re: Potential Bog Turtle and Timber Rattlesnake Habitat at Congregation  
Rabbinical College of Tartikov

Dear Mr. Rocks,

The above 119.491 acre site is made up of 12 separate existing adjacent lots located on the south east corner of Route 306 and Route 202. The project site is made up of 11 existing residential lots as well as Lot 32.08-1-53 which is now a shuttered day camp. The wetlands along the west side are both directly connected with a tributary of the Mahwah River. The large wetland along the east side is directly connected to a tributary of the Minniseongo Creek. The project site as a whole contains three separate wetlands as well as large areas of mature forest habitat. Running across the north part of the site is a large utility easement. During their environmental impact review the NYSDEC has brought up the possibility of this site having habitat that could be used by both Bog Turtles and the Northern Timber Rattlesnakes, two endangered reptiles that are occasionally found in the lower NY state. The Bog Turtle is always found in open bogs, fens, wetlands and ditches that have a specific combination of saturated soils that can receive plenty of sunlight, a ground water outlet or spring fed water supply and vegetation dominated by sedges and grasses. The onsite wetland that runs parallel to Route 306 on the residential lots do indeed have areas along the edges that do meet the written description of potential Bog Turtle habitat. The large cattail dominated areas have too much seasonally standing water to qualify because the Bog Turtle is really a terrestrial creature, not an aquatic one. Areas that seasonally flood are no good for any eggs to successfully incubate. Numerous spots along the edges of the wetland have soft muck type soils that could allow the Bog Turtles to dig their seasonal burrows and tunnels. While suitable habitat is indeed found onsite it should be remembered that Bog Turtles have not been documented in Rockland County for at least 100 years. All three wetland areas on the former day camp have forested wetland habitat that totally eliminates them from being potential Bog Turtle habitat.

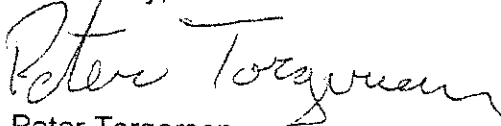
The Northern Timber Rattlesnake is known to inhabit the western most areas of Rockland County. There are documented den sites for the Northern Timber Rattlesnakes just about 1 mile west of this project location in the



Palisades Interstate Park System. The rattlesnake winters in dens that are located steep rocky areas that usually face to the east and south. There is no onsite habitat that could in any way be interpreted as suitable winter den sites for the rattlesnake. There are no onsite cliffs, south facing rocky slopes or talus piles. Female rattlesnakes usually stay close to the dens during the summer months however the male snakes have been known to travel up to 3 or 4 miles from their winter dens in order to find suitable summer hunting sites. Between this known snake habitat west of Route 202 and the project site is a large flooded swamp associated with the Mahwah River, Route 202 itself and numerous residential neighborhoods. All of this represents a formidable route for the snakes to travel. The swamp and river represent an almost insurmountable obstacle because the rattlesnake will not voluntarily swim. It is a creature of the upland hillsides and forests, not the valleys and swamps.

Because of the lack of any onsite habitat suitable for winter dens and the obstacles between this site and known rattlesnake habitat this project site should not be considered suitable for Timber Rattlesnakes.

Yours truly,

  
Peter Torgersen