

**VILLAGE OF POMONA
ZONING BOARD OF APPEALS MEETING
DECEMBER 18, 2024 – 7:30PM**

PRESENT:

Jesse Kaufman, Zoning Board of Appeals Chairman

Alan I. Lamer, Zoning Board Member

Bill Baker, Zoning Board Member

Kevin Dock, Zoning Board Member

ALSO PRESENT:

David MacCartney, Village Attorney

Jenna Antoine, Village Clerk

ABSENT:

Martin Spence, Village Engineer

Louis Zummo, Village Building Inspector

Jesse Kaufman called the meeting to order at 7:38 pm.

Bill Baker made a motion to approve the Meeting Minutes from November 20, 2024. The motion was seconded by Kevin Dock. Upon vote, the motion was carried by all present, passes 4-0.

Moses Goldberger – 68 Call Hollow Road Pomona NY 10970

Tax Roll# 24.16-1-2

Jesse Kaufman:

At the last meeting we went through the five factors of the balancing test with the Village Attorney.

David MacCartney:

Yes, correct and they are also embodied in the draft resolution that I prepared, that is before you as well.

Jesse Kaufman:

So if we are ready, can we take a motion to approve or deny the resolution that our attorney drafted?

Kevin Dock made a motion to approve the resolution as drafted for 68 Call Hollow Road. The motion was seconded by Bill Baker. Upon vote, the motion was carried by all present, passes 4-0.

Congregation Rabbinical Institute of Tartikov, Inc. - 65-67 Route 306 in the Village of Pomona

Tax Map as Section 32.08, Block 1, Lots 53, 54, and 55.2, and Section 32.12, Block 1, Lots 25, 26, 27, 28, 29.1, 29.2, 30, 31, and 33

12 parcels of land totaling 119.55 acres

The above applicant went before the board for the below 3 applications:

Congregation Rabbinical Institute of Tartikov, Inc. - 65-67 Route 306 – Appeal of Denial Determination of Building Inspector for Special Use Permit Application

Congregation Rabbinical Institute of Tartikov, Inc. - 65-67 Route 306 – Appeal of Denial Determination of Building Inspector for Site Plan Application

Congregation Rabbinical Institute of Tartikov, Inc. - 65-67 Route 306 – Use Variance Application

The below people were present to represent the above applicant:

Attorney, Daniel Ruzow from Whiteman Osterman & Hanna LLP. Address is 1 Commerce Plaza 19th floor, Albany, NY 12260.

Dennis Rocks from Brooker Engineering PLLC. Address is 74 Lafayette Ave #501, Suffern, NY 10901.

Attorney, Joseph Churgin from Savad Churgin. Address is 55 Old Nyack Turnpike # 209, Nanuet, NY 10954.

Attorney, Donna Sobel from Savad Churgin. Address is 55 Old Nyack Turnpike # 209, Nanuet, NY 10954.

Jesse Kaufman:

We have been dealing with the three applications for the Congregation Rabbinical Institute of Tartikov, Inc. as a single application, even though there are three applications. I was thinking about how we can move forward and do a possible draft resolution, similar to how we did for 68 Call Hollow Road, with one resolution in favor and one resolution denying the applications.

David MacCartney:

The only potential complicated matter is that I looked at the calendar and thought the next meeting date fell within the 60 days to make a decision, from when the public hearing was closed, but it is actually 62 days. I just spoke to the applicant's counsel, Mr. Churgin, who is here in the audience and I think that he'd be willing to waive the 60 day rule, so that a decision would be made on Wednesday, January 22nd.

Joseph Churgin:

I was trying to make the calendar work for you. Your meeting is scheduled for after the 60 days from when you closed the public hearing and I didn't want to penalize you for that. So I'm willing to agree and my clients willing to agree to allow a decision to be made at the next scheduled meeting, which is January 22nd.

Kevin Dock made a motion directing the Village Attorney to draft two resolutions prior to the next meeting scheduled for January 22, 2025 at 7:30 pm. The attorney will draft two resolutions for each application, one in favor of the application and one denying the application. The motion was seconded by Bill Baker. Upon vote, the motion was carried by all present, passes 4-0.

Joseph Churgin:

The real reason I am here tonight is because you guys were supposed to do the SEQRA determination on the use variance application at the last meeting and you couldn't so we adjourned it to this meeting.

David MacCartney:

Yes, we will do the SEQRA determination at the next meeting as well.

Joseph Churgin:

Okay, very good.

The applicant will be returning at the next meeting, on January 22, 2024 at 7:30 pm.

Bill Baker made a motion to close the meeting at 7:55 pm. The motion was seconded by Kevin Dock. Upon vote, the motion was carried by all present, passes 4-0.

Minutes respectfully submitted by Jenna Antoine, Village Clerk