

**Village of South Blooming Grove
Zoning Board of Appeals
July 13, 2023**

Members Present:

Chairman Yehoshua Bittman
Chaim Goldstein
Shmaya Spitzer

Members Absent:

Sholem Lieberman

Also present: Attorney Tad Barone, Todd Maurizzio for Al Fusco, Village Engineer, Joel SDtern, and Tom Shepstone, Planner.

A quorum being present, the meeting was called to order by Chairman Bittman at 8:00 PM and followed by a pledge to the flag.

Approval of Previous Minutes

Planner Shepstone distributed copies of minutes for the July 13, 2023 meeting. Bittman moved and Spitzer seconded a motion to approve the minutes. The motion was unanimously carried.

Congregation Avodas Uisroel Kosnitz Variance Application

A motion was made by Bittman, seconded by Goldstein and unanimously carried to re-open the continued public hearing for comments.

The applicant, Moshe Halpern, and his engineer, Michael Morgante, explained the details of the application, which is for multiple variances (front yard from 45 feet to 12.7 feet, rear yard from 50 feet to 6.6 feet, building height from 35 feet to 38 feet - 8 inches and coverage from 35% to 58.11%) related to a proposed house of worship at 8 Kingsville Drive. They indicated the variance requests have been reduced in response to suggestions made by Todd Maurizzio at a previous meeting. It was further noted that the revised requested was generally limited to only extending existing non-conformities.

Moshe Halpern addressed the reasons for the project for which variances are requested, explaining a regular size shul was necessary to avoid relying upon basement space, for example. There were be a maximum of 49 attendees and most will walk. The Village Board will also need to issue a permit for the use.

Following further general discussion, a motion was made by Bittman, seconded by Spitzer and unanimously carried to close the public hearing to close the public hearing.

Tad Barone then proceeded to explain the requirements of the Religious Land Use and Institutionalized Persons Act (RLUIPA). He pointed out the burden of proof shifted to the Village

in the case of religious uses and went through a list of criteria important to any decision on the same, asking the applicant to address each for the benefit of the board. These included factors such as not forcing worshipers to drive to a shul, length existence, contributions to the community, justifying the size of the shul and the like. Michael Morgante was asked to submit a new application and a narrative that would deal with all the appropriate factors. There was also discussion of the need for a parking condition.

Special Meeting Date

A motion was made by Spitzer, seconded by Goldstein and unanimously carried to set a Special Meeting at 8:00 PM on September 7, 2023 at the Village Hall for purposes of hearing and taking action on pending application.

Clesky Weiss Sign Variance Application - Route 208

A motion was made by Bittman, seconded by Goldstein and unanimously carried to set a public hearing at 8:05 PM on September 7, 2023 at the Village Hall on the application of Clesky Weiss for a variance to construct a 10' x 20' sign on Route 208.

Clesky Weiss Sign Variance Application - Route 208 & Fairway Drive

A motion was made by Bittman, seconded by Spitzer and unanimously carried to set a public hearing at 8:10 PM on September 7, 2023 at the Village Hall on the application of Clesky Weiss for a variance to construct a 10' x 20' sign on Route 208 at Fairway Drive.

Adjournment

There being no further business to come before the Board, a motion was made by Bittman, seconded by Goldstein and unanimously carried to adjourn the meeting at 8:15 PM.