

Exhibit I

VILLAGE OF CHESTNUT RIDGE
CONTINUED BOARD OF TRUSTEES MEETING

Chestnut Ridge Middle School

Tuesday

January 15, 2019

7:30 p.m.

BEFORE:

ROSARIO PRESTI, JR., MAYOR OF CHESTNUT RIDGE

HOWARD COHEN, TRUSTEE

GRANT VALENTINE, TRUSTEE

PAUL VAN ALYSTNE, TRUSTEE

APPEARANCES:

WALTER SEVASTIAN, ESQ., VILLAGE ATTORNEY

JONATHAN LOCKMAN, PLANNER

ROCKLAND & ORANGE REPORTING

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MAYOR PRESTI: Welcome to the Chestnut Ridge Board of Trustee's Meeting, today January 15th, at 7:30 p.m. Again, just as a reminder the sign-in sheet is at the end of the table. Again we'd just ask that in addition to your name you'd just put your address and then when you come up to speak it'll be five minutes. Any counsel present we have on behalf of any group or groups counsel will have ten minutes. So that having been said, I think my preliminary remarks are pretty consistent from the hearing one, two and three so again you're here hopefully to give us additional comments and any thoughts and suggestions with regard to the house of worship law. I am advised as we speak there's actually one attorney here representing a group so Mr. Mogel you get the honor of starting things off. And again name and address for the record and the organization you're representing.

MR. MOGEL: Stephen Mogel, hello?
Stephen Mogel, I'm representing CUPON of

1 Proceedings
2 Chestnut Ridge, my address is 457 Broadway,
3 Suite 16, Monticello New York. I've now
4 appeared in front of this Board several
5 times on this proposed law. I've pointed
6 out at every appearance that CUPON of
7 Chestnut Ridge believe in the founding
8 principles of this nation of which the
9 freedom to worship as you please is
10 rightfully and properly one of the most
11 revered and protected rights that we enjoy
12 at Americans. And that as Americans we have
13 an absolute right to live wherever we
14 please regardless of religion, race, color,
15 et cetera. However at my prior appearances,
16 I have pointed out that this law was born in
17 sin. It was crafted at nonpublic meetings
18 where only one religious group, The Orthodox
19 Jewish Coalition, or OJC, and their
20 engineering firm, Brooker Engineering, was
21 invited to attend. No meetings -- I'm
22 sorry. No minutes, notes or even attendance
23 records were apparently taken. This law was
24 first presented to the public at the Village
25 Board Meeting on February 22, 2018 on less

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than two days notice, even though a memorandum was prepared with a draft law and was presented to the Board almost two weeks before on the 9th of February, but that's only a tiny piece of the story that the public has not been told about the drafting of this law.

CUPON of Chestnut Ridge made a FOIL request requesting the invoices generated by the Village's planner for its work on the house of worship law. The documents produced by the Village revealed that the OJC, Orthodox Jewish Coalition, provided a draft house of worship law to the Village before August 15, 2017. How do you we know because Nelson, Pope & Voorhies the Village's planners first billed the Village for two and a half hours of work for quote, "reviewing OJC draft zoning: arrange meeting." On August 15, 2017 that invoice was paid. There were three more items billed to the Village in August and early September of 2017 including a three-hour meeting with the engineering firm that was

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hired by the OJC that was held on
September 6, 2017. All told the Village's
planner billed eleven hours in August and
September on the OJC's proposed house of
worship law, yet the first time the general
public heard about proposed law was two days
before it appeared on the February 22, 2018
Village Board agenda. It was six months
after it was first reviewed by the
Villager's planner. I have copies of the
invoices if the Board is interested. Of
course, we have to presume that the
Village's planner didn't start its billing
for its review of a law without any
direction from the Village Board, or at
least the Mayor. So it is undoubtedly true
that this Board knew of this proposed law
considerably more than six months before it
was revealed to the public.

The impropriety of this process which
has never been adequately addressed by this
Board has been called into question not only
by CUPON of Chestnut Ridge and individual
members of the community, but also by the

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Village's own Planning Board. I don't believe I am alone in stating that the Board Member's actions in crafting this law and in the Member's attitudes and statements throughout this process conveyed the distinct impression that the Board made up its mind to pass this law long before the general public ever knew the taxpayer dollars were being spent to review it. No matter what good planning principles are violated or environmental, legal or quality of life concerns are raised and over the objections of many or possibly even most of the members of this community.

This tainted process is not the primary objection that CUPON of Chestnut Ridge has to the proposed house of worship law. We've set forth substantial evidence of the potential significant adverse environmental impacts of the proposed law, impacts which have also been raised with concern by the Village's own Planning Board and now, despite it being in a substantially watered down version, from the Village's planner in

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their October 26, 2018 memorandum.

I've detailed in my prior appearances how this proposed law is not in compliance with New York State Statutory and case law, in that it's a dramatic departure from the Village's existing comprehensive plan. The observation that this proposed law is a dramatic departure from the current com plan is shared by both the Village's own Planning Board and the Village's planner. I emphasized that the Village's Planning Board recommends addressing this issue within the context of an adopted comprehensive master plan. I pointed out that I did an informal survey of the 19 villages and five towns in Rockland County and as far as I could determine only three villages with existing house of worship laws and of the three, two passed their house of worship laws after preparation of a formal adopted comprehensive plan. I've directed the Board's attention to the reports of Alan Sorsenson a professional planner whose most recent report concurs with the position

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taken by the Village planner that the quote, "proposed action is not consistent with the adopted land use plan," and that quote, "the proposed project is inconsistent with the existing community character and that significant adverse impacts may occur in the area of transportation." Mr. Sorenson also points out that there will be profound impacts upon on land, surface water, noise and light. I have a copy of the report, but I'll hand that out after I'm done with my comments. Ms. Kogut will provide a synopsis of Mr. Sorenson's report upon the Village planner's F-E-A-F parts 1 and 2.

Nevertheless this Board pushes through this legislation claiming in part it has no choice because of the demands of RLUIPA. CUPON of Chestnut Ridge has prepared a white paper on RLUIPA that we're now submitting into the record. Again, I'll hand that out after I'm complete with my comments. In sum, the white paper demonstrates that the cry that this law must be passed or else the Village will face an RLUIPA claim is a red

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herring. This law is neither mandated by RLUIPA nor will it insulate the Village from suit under RLUIPA. Thank you very much.

(Crowd applauds.)

MAYOR PRESTI: Thank you, Mr. Mogel. Next is Mr. Paley, Richard Paley. And again, just as a reminder, Mr. Paley, for clarity of the record your name and address, please.

MR. PALEY: Richard Paley, 17 Lancaster Lane, resident of about 20 years. And I'd like to present a vision of two different paths that the Village of Chestnut Ridge could possibly take. And as a prognosticator perhaps it's good to give you a little bit of background and introduce myself to these people that are here in the way of credentials. My background is in low and middle income housing. I owned and operated at one point 2000 apartment units in Inwood, Marble Hill, Washington Heights, parts of the Bronx, I also authored a plan of low income condominium housing for the City of New York presenting it to

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Commissioner Matthew Gober Commissioner
under Mayor Wagner. That might date me a
bit if anybody remembers those names. That
later became the basis of the FHA 221D3
program for low income condominium housing.
I did this pro bono, it was voluntarily, I
wasn't looking for monetary compensation for
it and together with Cora Walker, a well
known Black attorney from Harlem, she and I
were instrumental in renovating a whole
square block about 137th Street and 7th
Avenue, I was a Board Member of HARUAT which
was a foundation for uplifting that
neighborhood formed by Livingston Wingate,
and Adam Clayton Powell, another old name
here. I've also served on the boards of the
Institute of Specialized Plastic and
Reconstruction Surgery and a number of other
boards, et cetera.

So the vision of where this Village
could go is one, if the advocates of the
change of zoning law have their way and this
Board approves it, they shall live in
infamy. That shall be the legacy because

1 Proceedings
2 vision ten years from now, five or ten years
3 from now, what will this Village look like
4 if this law is put forward. Congestion, how
5 many place of worship, the taxes that will
6 go up because of the default in taxes
7 because of the strange laws about houses of
8 worship and other pictures which others have
9 presented here much more graphically than I
10 and I won't have to go that route.

11 On the other hand, if this same Board
12 would man up for another better term here,
13 block that law and stop this what's
14 happening throughout not only this area, but
15 in the surrounding towns throughout the
16 State, they will be venerated because most
17 of the residents here, I don't think it
18 takes brain surgery, are against the
19 changing of this law, they like the Town the
20 way it is, they're happy to have people
21 practice their religion the way they want to
22 in enough facilities that are already
23 generated here and if it stopped right here
24 if it could be held up as an example to
25 other towns that they too could block what

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looks like a conspiracy to change zoning laws to benefits one particular group. Doesn't matter what they practice and how they practice, it could be somebody that wants to put a landing pass for spacecraft because they believe that's a religious obligation or following some ancient religion which is fine, but the facilities that they have now should serve for it without changing the laws. And look at that possibility five or ten years and this Board will have a fine fine legacy. That's it.

MAYOR PRESTI: Thank you, Mr. Paley. Mr. Wasserman. Jeff Wasserman.

MR. WASSERMAN: Good evening. Jeff Wasserman, 365 South Pascack Road. Mr. Mayor, Trustees, residents and guests, thank you for your attendance this evening. This truly is a demonstration of democracy in action and I'm thrilled to be a part of it and to have an opportunity to address you this evening. I'm speaking tonight as a resident but in full transparency I am a member of the Chestnut Ridge Planning Board

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and I am also a candidate for Village trustee in the March 19th election which is nine weeks from today.

(Crowd applauds.)

MR. WASSERMAN: I'm not going to discuss specifics of the proposed amendments to the zoning code this evening. The Village Board has my response as represented in my comments and recommendations the Planning Board submitted on May 29, 2018. Those comments apply to the initial draft shared with the Board, but it's unfortunate the Planning Board has not been asked to review any subsequent revisions especially when they were significantly more than just a few tweaks. While the Board of Trustees was not obligation to solicit the Planning Board's review of the revisions, the scope and the nature of the proposed law and the subsequent revisions warranted doing so in my opinion.

I'd like to share three observations related to the proposed amendments. One, the Village has never discriminated against

1 Proceedings
2 religious applications and has never had an
3 RLUIPA challenge. In my five years on the
4 Planning Board I have worked with three
5 applicants wishing to build places of
6 worship. That's three in nearly five years.
7 RLUIPA has not be adequately tested in our
8 Village and so I do not see the need for the
9 extent for the proposed amendments. Our
10 land use boards have received training
11 specific to handling applications for places
12 of worship and we have qualified counsel to
13 help us make sound determinations with our
14 existing laws. Two, the applications that
15 have come before the Planning Board have all
16 included provisions for onsite parking.
17 These include Congregation Ohr Mordechai at
18 2 Madeline Terrace, an application for what
19 I consider to be a residential place of
20 worship which is proposed on .63 of an acre
21 in a residential district and they're
22 requesting sixteen onsite parking spaces. I
23 believe this applicant and all applicants
24 recognize the need for onsite parking and
25 this requirement should not be removed. The

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Planning Board worked with Ohr Mordechai and applied guidelines outlined in RLUIPA. The applicant satisfied the Board to the extent that we referred them to the Zoning Board for variances. The ZBA granted Ohr Mordechai ten variances on November 24, 2015 this clearly demonstrates deference to religious institutions and a willingness by our land use boards to work with them. I anticipate Ohr Mordechai will be back in front of the Planning Board to seek preliminary site plan approval. This is a clear example of how our land use boards are working with religious applications to attain their goals with out violating RLUIPA.

Three, my third point pertains to the Orthodox Jewish Coalition or OJC which was the sole organization that lobbied the Board for the law. I'd like to submit a transcript of a voice message from a representative of the OJC. The caller stated, "the update to the house of worship law is extremely detrimental to what we, the

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OJC, have been trying to accomplish. I don't think this could even work for what we are trying to accomplish, and therefore we are back to the drawing board." That was October 18, 2018.

Based on these three points, I have two requests for Mayor Presti, Trustee Cohen, Trustee Miller, Trustee Van Alystne and Trustee Valentine: One, since the Village has not demonstrated a need for places of worship -- a need for the places of worship law and the only organization lobbying for the law does not like the law, I request the Village Board stop and start over by first conducting a comprehensive plan and holding workshops to seek dialogue and input from all residents of Chestnut Ridge. I agree the Village is changing --

(Crowd applauds.)

MR. WASSERMAN: And I understand there may be a need for amendments, but I believe there's a better way to serve all the residents of our Village than what you have demonstrated.

1 Proceedings

2 And two, to those wishing to either
3 build a new place of worship or legitimize
4 an existing place of worship, what are you
5 waiting for? The Village Boards are open
6 for business. Get together with your
7 lawyer, your planner, your engineer and
8 formalize your applications, meet with CDRC,
9 planning and zoning. If you need a special
10 permit from the Village apply for your
11 special permit. Bring the full power of
12 RLUIPA with you. Let's sit down and hammer
13 out a plan that works for you and that works
14 for the Village. I think you will be
15 pleased with the process. The land use
16 boards in the Village of Chestnut Ridge are
17 open and waiting for you.

18 Thank you for your time. I'm glad to
19 see that everyone here is as passionate
20 about Chestnut Ridge as I am. Thank you.

21 MAYOR PRESTI: Thank you, Mr. Wasserman.
22 Man. Next Anthony Sherut.

23 MR. SHERUT: Anthony Sherut, 23 Mohocky
24 Drive. For transparency I am also running
25 for Village trustee with Jeff on the

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March 19th election.

(Crowd applauds.)

MR. SHERUT: My focus tonight will be on the importance of a comprehensive plan. The facts behind the origination of this proposed law, as I understand them, are that the Mayor was approached by members of the Orthodox Jewish Coalition and lobbied to draft the form of the law that residents were initially presented with early last year. From what I've been able to gather from various members of community over the last several weeks, including members of the ultra religious community, the OJC is one group within the ultra religious community that does not necessarily represent that entire community. What this means is that you as the Board initially proposed a law that could drastically change the landscape of the majority of our Village based solely upon the input of one group within one religious community. It was only after you drafted the law that you sought to obtain the input of the remainder of the ultra

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religious community and the entirety of the rest of our community. Understandably, that remainder of the ultra religious community has chosen to the support because the only other option available to them thus far is no change and we all agree that is not a good option.

What I've learned over these last several weeks knocking on doors and having conversations with residents of all backgrounds is that the overwhelming majority feel there is a compromise to be made. A compromise that does not circumvent the Zoning Board of Appeals process while also addressing the needs of our religious residents, and doing so in a way that retains the rural residential character of the Village.

It's amazing to hear that most of our residents in this community with diverse backgrounds and lifestyles actually want the same thing and all I had to do to find that out was ask them. Why can't the Village Board ask these same question in a polite

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open forum without the weight of poorly drafted drastic zoning amendments? So the question becomes how do we reach this compromise of polite dialogue where everyone can participate. What is the way forward that takes the time to fairly address the needs and carefully weigh the concerns of all residents of this Village? The answer is that it's time for the Village of Chestnut Ridge to stop tweaking an antiquated code and finally develop a capital C capital P Comprehensive Plan.

The Pace University Law Use Center was extremely helpful in providing a look at what exactly comprehensive plan is and what purpose it serves. I will share two interesting perspectives provided by them taken from the well grounded publication authored by John R. Nolan founder of the Pace Land Use Law Center. Number one, according to the 2008 survey of land use planning regulations in New York State 69 percent of New York's Governments have adopted a comprehensive plan. Somehow seven

1 Proceedings
2 out of ten governments in New York think
3 that a comprehensive plan is prudent
4 planning, but none of our Board Members feel
5 that way. Number two, the requirement that
6 all land use regulations conform to the
7 comprehensive plan reveals the wisdom of the
8 legislature in urging villages to adopt
9 comprehensive plans with citizen comment and
10 support. Said another way, adopting land
11 regulations that conform to the
12 comprehensive plan provides significant
13 legal protection for such regulations. How
14 is it possible that something that provides
15 a blueprint for their future development and
16 preservation of the community exists and is
17 in enforceable in a Court of Law to
18 alleviate your legal concerns and you are
19 completely ignoring this obvious solution?
20 Going back to earlier public hearings we
21 sat and watched members of the ultra
22 religious community stand up in front of
23 this room and talk about their love for the
24 current landscape of this Village. We saw
25 those same residents memorialize in a letter

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plan to be the legal foundation and vision document to guide the Village into the future for all residents. Thank you.

(Crowd applauds.)

MAYOR PRESTI: Thank you. Tony Averso.

MR. AVERSO: Tony Averso, 40 Wilshire Drive. I've spoken to you people in the past, and basically nobody wants to bring up 3 Spring Hill Terrace, but there's a situation there. And the way you're going with this law or trying to pass what you want to pass, take that 3 Spring Hill, the parking situation, the congestion day in and day out and multiply it ten times, fifty times. Have you ever taken an idea of what's going to happen to this nice place to live. I moved here ten years ago and I thought it was a real nice place to live. The congestion is going to be out of control, the parking situation is going to be out of control. You're proposing something -- there's no limits to what you're proposing. You're giving vague vague examples, have we -- I know you guys don't

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want to answer question, but you've got a
Town gentlemen on the left, has there been a
survey done on roads as far as traffic or
anything along those lines? I mean, that's
basically what's going to happen. Now, I
don't think if it's going to be ten it might
be a hundred fold, but at 90 percent that's
a big percentage and those are not my
figures, that's what I've being reading and
hearing. So you gotta look at the whole
picture, not just a little picture cause the
little picture becomes a big picture. It's
like picking up a dime on the floor. If you
pick up ten of em you're gonna have a
dollar, you're gonna have \$10 by the time
you guys get done with what you guys are
pushing through.

MAYOR PRESTI: Thank you, sir. Heather
Federico.

MS. FEDERICO: Hi, my name is Heather
Federico, I live at 30 Tarton Road in
Mahwah, New Jersey. The reason I'm
addressing this Board tonight is I wanted
you to know that what happens here with this

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decision is being looked at by so many other places and other towns. People in Mahwah, Upper Saddle River, Montvale, Woodcliff Lake, Woodbury, Monroe, Chester, Toms River, Airmont, Howell, Lakewood and Jackson are going to be watching this so I just wanted you to know that first of all.

I've heard a lot of talk about the First Amendment, freedom of religion, freedom of speech, freedom of the press. Well there's the freedom of assembly and the freedom to petition your government. In Mahwah our government wasn't doing what we wanted them to do and we decided, a small group of people got together, and decided to recall the mayor. Everybody told us this could not be done. It was only eighty people that got together, in all reality about twenty people really worked hard on this. They had to get 4100 signatures, they had 120 days to do it, and they did it. They put it on the ballot in June and he was recalled in November.

(Crowd applauds.)

MS. FEDERICO: Now, I know New York

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State does not have a recall, but that does not mean that you do not have the power to talk to your neighbors and ask them to vote and to tell them what's going on. A lot of people don't know. We didn't understand how many people didn't know what was going in on in our town and you know somebody, they know somebody, they know somebody, you just go knocking on the doors and tell them what's going on and you know what, come the next election the people who are not doing the right thing can be pulled out of the office and who will do the right thing can be put into office.

(Crowd applauds.)

MS. FEDERICO: The press was against us, they laughed at us, they told us that this would never be done and it is a success story. So I just wanted to give you a little bit of hope. You guys are doing a great job and we're rooting for you.

(Crowd applauds.)

MAYOR PRESTI: Just a footnote, Mahwah is still under the supervision of the

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Attorney General within the State of New Jersey with any zoning ordinances they need to pass in the future, but thank you Ms. Federico.

Next will be Linda Amon. Thank you.

MS. AMON: Linda Amon, 311 North Highland Avenue. As my neighbors and I have been living next to a house or worship for the past 15 months we have become quite the authorities on the impact these places can impart on a neighborhood and that is why we read with great interest part two of an environmental impact study that the Village filed with the State of New York. As per the replies, the Village does not think that this proposal will alter any of the land surfaces, does not think it will impact surface waters, does not think it will impacts plants or animals by the loss of flora or fauna, does not think it will cause a diminishment of public enjoyment or cause a decline in the appreciation of aesthetic resources, and finally they don't think it will result in an increase of noise, odors

1 Proceedings
2 and outdoor lighting. Even your own
3 Planning Boar has disputed answers many of
4 your answers. In response to this, I ask
5 the Board, what world are you living in? My
6 neighbors and I live in the real world. It
7 is a new existence of looking out on a lawn
8 mower that only saw service once all summer
9 and can't fit into an illegally converted
10 basement garage, a lawn on which fourteen
11 cars park anywhere they want causing a mud
12 parking lot this is actually plowed when it
13 snows, noise from the slamming of car doors
14 started at 6:30 a.m. and continuing to
15 11:45, garbage that blows through the yard,
16 and because of the erosion you have allowed
17 to occur a lake with boats when it rains.
18 Hey, wait, look closer, those aren't really
19 boats just overturned milk crates and wood
20 pallets floating among discarded plastic
21 bags.

22 I would like to remind the Mayor and
23 Trustees that no one in this diverse
24 community has ever been denied the right to
25 worship. All we ask is that it be done in a

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manner that respects the rights of everyone in the community. We didn't purchase our homes to live next to a shanty town and refuse to do so because of your lack of code enforcement. And besides, how is it equitable that some houses or worship are required to spend thousands of dollars getting plans drawn up, obtaining the proper permits and going through all required inspections, while other house of worship are allowed to slide right into a basement death trap with no permits or inspections?

(Crowds applauds.)

MS. AMON: If that isn't a form selective discrimination I don't know what is. I think those in the audience should know what they are up to if a problematic house of worship pops up next to them. For example, when they report they only have 49 members to fit the definition of being a residential house of worship, but really have way more. Will our two code enforcers be out in the street counting? Seems unlikely when we're told they only both work

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the same three days allowing the Village to go to hell in a hand basket for the other four days of the a week. A definite lack of efficiency at its best. Month after month you will get up in front of this Board to tell them how your neighborhood's character has horribly altered, and if you're astonished at the creative excuses from your teenagers as to why they haven't gotten something done just wait till you hear what the Board has to say.

Mr. Mayor, Board of Trustees and your representatives, I remind you that to earn respect one must give respect. Therefore the report of a possible closed door meeting, the apparent attack of amnesia by your planner as to who was in attendance and what they discussed, the arrogance displayed by dismissing the May 2018 recommendations of your own Planning Board as to the detrimental affects of this proposal, the numerous excuses given when told of serious code violations, the apparent lack of interest displayed by the Trustees when they

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arrived late to these proceedings and finally, the you people counterresponse to the opponents of this plan does not afford this Board that courtesy. It only shows us that if past behavior is a predictor of future behavior you have neither the ability or the interest in representing all of your constituents should this flawed proposal be enacted. Thank you.

(Crowd applauds.)

MAYOR PRESTI: Thank you, Mrs. Amon. Jerry Liebelson. Mr. Liebelson?

MR. LIEBELSON: Jerry Liebelson, 31 Midway Road. Tonight's public hearing is the fourth held by the Board on the proposed places of worship law. I think it's time to take stop. In my view these hearing have not been particularly constructive. Earlier hearings have been hampered by continued, though justified, resident anger and outrage over the unfair and unrepresented process by which this Board came up with the proposed law. There were no resident workshops, not even to explain the details of this

1 Proceedings
2 complicated law with some simple Q and A.
3 And the law was initially drafted, as we
4 know, behind the scenes with proposals
5 submitted only by one outside organization,
6 the Orthodox Jewish Coalition, and nobody
7 else. Along the way however residents have
8 submitted substantive written feedback. 635
9 residents submitted this detailed six page
10 letter of opposition with critical comment
11 on specific provisions of the law including
12 rebuttal of the Mayor's remarks about
13 RLUIPA, comprehensive plans, moratorium, and
14 property tax exemptions. Over 800 residents
15 submitted a one-page letter distributed by
16 CUPON. And last July 639 residents from the
17 ultra religious community submitted a one
18 page form letter in support, though few of
19 them probably know that their one key
20 request in that letter has not been
21 incorporated at all into the present law.

22 So, what do we have after all this time,
23 effort and emotion? After two rounds of
24 revisions there is no complete and current
25 draft of the law, just this mishmash of

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strikeouts and insertions to the revision that proceeded it, which is also a mishmash of strikeouts and insertions that in turn could only be read with close reference to the original document which remains the only ever complete draft of any kind of this law from a year ago. And this original document was not readily available to the Village -- on the Village website until shortly before the first public hearing last June. That is what this Board has given residents to work with, along with these hearings which have been just one way communications from the public to the Board without dialogue or debate, without any proper discussion of the serious opposing concerns that divide the community on this controversial proposal. The Mayor has repeatedly justified this flawed law as necessary to avoid lawsuits and yet, ironically if this Board votes to adopt these amendments as they stand now it seems fairly to certain me and others they will clench this Village into prolonged and serious legal action against it, and from

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what I have heard, possible from both sides.
Governance by lawsuit is not acceptable to
the residents and taxpayers of this Village.

But it's not enough to throw these
amendments in the garbage. The ongoing
unchecked de facto expansion of informal
noncompliant places of worship has to stop.
Existing places of this sort must come
before the Planning and Zoning Boards and
follow the existing process. And what on
Earth do we do about the building inspector?
Who again and again is improperly
interpreting the code, approving permits and
plans without sending these properties to
the Planning Board, even approving a permit
when a applicant has appeared before the
board but walked away from it without an
approval of a site plan and continually
making mistakes that result in otherwise
unwarranted variances and forced decisions
by the Zoning Board. As Mr. Shaw said
earlier it is time for the Village of
Chestnut Ridge to stop tweaking and
encumbering an ancient body of code --

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MAYOR PRESTI: Please wrap up.

MR. LIEBELSON: And finally build a comprehensive plan in accordance with New York State Village Law and I'm done. And frankly folks, it is time to put new leadership on this Board in the March 19th election.

MAYOR PRESTI: Thank you, Mr. Liebelson. I see we have another attorney here, Joseph Churgin. Mr. Churgin, you're up.

MR. CHURGIN: Good evening, Mr. Mayor and Good evening to the Board. Thank you very much for allowing me to speak to you. My name is Joseph Churgin and I'm an attorney and I represent the Orthodox Jewish Coalition. I have been to several of these meetings and frankly a lot of the things that I've heard at these meeting have appalled me. I've heard attacks on the Mayor that were unwarranted, I've heard attacks on the elected officials here that were unwarranted. I have heard attacks on our laws that are unwarranted. I have heard over and over again how RLUIPA is this

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terrible law and we want it repealed and we want to ignore it.

(Crowd yells out.)

MR. CHURGIN: I went to this high school. I live here. I don't live in Chestnut Ridge, but I live here.

MAYOR PRESTI: Excuse me, nobody spoke -- Mr. Churgin has the floor. One speaker. Thank you. Ladies and gentlemen, we have sat here since 7:30, everyone has had a chance to speak, all right, and believe me if other people would've retorted during the conversation it would be rude so I expect -- so I expect the same courtesy to Mr. Churgin that everyone else has received here. Thank you. You can proceed, Mr. Churgin.

MR. CHURGIN: Thank you. RLUIPA was passed with unanimous consent from both sides of both houses and it was signed into law by Bill Clinton. There's nothing that is passed unanimously, you are not going to have that overturned, you are not going to be able to ignore overturn, you're going to have to deal with it and that is exactly

1 Proceedings
2 what the Board has tried to do. But let's
3 take a second and let's pretend that
4 Mr. Clinton didn't sign that document in the
5 90's, let's pretend that is not a law, would
6 your laws as they currently are, would they
7 be Constitutional, would they be appropriate
8 under our law? No, they would not. Look at
9 the First Amendment to the United States
10 Constitution. It says that the Congress
11 shall not pass any law which establishes any
12 religion or which interferes with the free
13 exercise of that religion. You have a law
14 today, and I'm going to be very brief, but
15 you have a law today that says in order to
16 have a schul, a church, a house of worship,
17 whatever you want to call it, you need to
18 have five acres of land. Five acres of
19 land, do you know what this is? That's the
20 equivalent of four plus football fields. I
21 don't know who passed that law, I don't know
22 why it was passed, but it is incredibly
23 illegal and it is prevented the religious
24 community from practicing their religion.
25 And you can yell and you can scream and you

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can try to interrupt me and you can hiss all you want but the bottom line is under the most sacred law that this Country was founded, the First Amendment, this law is violating this whole community's rights. There are 700 Orthodox Jewish families that are living in your Village today, there will probably be more as time goes on, but there are 700 families. You cannot ignore these people's rights.

The Village Board and the Mayor are trying to balance the rights of everybody in the Village. It is apparent to me that this is what they are trying to do. And believe me there are portion of the latest iteration of the law that the Orthodox community is not happy with, however we recognize that this is a balancing situation and that there has to be give and take on both sides in order for you to live together in harmony and I think you should allow the Mayor and the Village to do it's job. Thank you.

(Crowd applauds.)
(Crowd boos.)

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2 MAYOR PRESTI: Thank you, Mr. Churgin.
3 Next, Mr. Mallory, Chris Mallory.

4 MR. MALLORY: Good evening, Chris
5 Mallory, 7 Imperial Lane, Chestnut Ridge.
6 For the past 40 years I've been an
7 environmental manager, I have some expertise
8 in that area. Many of the things that I've
9 done have included preparing various
10 environmental reviews, so forth and so on.
11 I've taken a look at your SEQRA submission
12 and I noticed that by your own admission
13 that traffic and congestion like that is
14 going to be problem already identified.

15 Now, I don't know whether you know it or
16 not but we live in an area of air quality
17 noncompliance and I don't see anything that
18 you've done to address that particular
19 issue. I strongly urge you to put together
20 a comprehensive plan which does. Thank you.

21 MAYOR PRESTI: Thank you, Mr. Mallory.
22 Ms. Kogut. Hilda Kogut.

23 MS. KOGUT: First I have two more
24 letters that were submitted that state that
25 the signers are not in favor of the house of

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worship resolution that I want to give you.

MAYOR PRESTI: Thank you.

MS. KOGUT: Hilda Kogut. 20 Pine Knoll Court. I'm not going to read this summary of the this planner -- the planner's report. I would hope that the document that Mr. Mogel provided you will find its way into your reading so that you'll see that another planner has some similar feelings to the planner that the Village has hired.

I believe that this law is wrong. I believe that the Village of Chestnut Ridge deserves a comprehensive plan. First, we were told it was gonna five years or three years. Now we know, because a planner has told us, that it will take two years. Two years to allow this Village to continue to grow properly and under proper guidance. We don't have code enforcement here, we don't a have a building inspector who knows what he's doing, we see rampant construction. If you allow this law to be passed we are gonna be looking like Monsey and I don't want that and I don't think

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2 anybody in this room wants that.

3 (Crowd applauds.)

4 MS. KOGUT: This is a lovely Village.

5 And Mr. Churgin, I grew up in Chestnut
6 Ridge, I don't where you are, I grew up in
7 Chestnut Ridge, I rode my bicycle around
8 here. I am a Jewish woman, I live in
9 Chestnut Ridge and I am not an anti-Semite.

10 MAYOR PRESTI: Ms. Kogut, if you could
11 please address your comments to the Board.

12 MS. KOGUT: The last time he was here he
13 implied such. In any event, I believe that
14 this house of worship resolution is ill
15 founded. Orthodox Jewish Coalition, who is
16 here from the Orthodox Jewish Coalition?
17 None of us in this room or everyone in this
18 room who's gotten up to has identified, why
19 have not members of the Orthodox Jewish
20 Coalition come forward to speak about why
21 they feel this plan is needed. I'm sorry, I
22 don't believe it's needed, we needed a
23 comprehensive plan first. I ask you to take
24 your time once Mr. Mayor and do the right
25 thing for this Village.

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MAYOR PRESTI: Thank you, Ms. Kogut.
Karen DeNico, Karen DeNico, please.

MS. DeNICO: Good evening, my name is Karen DeNico, I live at 16 Ledgewood Trail in Kinnelon, New Jersey. I've come here also as you have from Mahwah because we are watching what's going on and what happens impacts everyone. I graduated from Spring Valley High School 1985, I grew up here, I loved this Village, I love this County and I felt compelled to come and stand with the residents of this Village.

(Crowd applauds.)

MS. DeNICO: To say it's shocking to see what's going on. I watch on Youtube as many people do in surrounding areas and watched a garage, so obviously a garage, on Three Spring Hill Terrace that's being used as place of worship, and to even hear that there's arguments over something so obvious it's ludicrous to people who are watching. It's incomprehensible how this is allowed to go on, and how you're not enforcing your zoning, and the building inspector is

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obviously not doing his job and it makes it a place that people don't want to move to. I right now who grew up here would not buy a house in this community. And I happen to also own one in the Town of Woodbury and this is currently up for sale. Thank you.

MAYOR PRESTI: Thank you. Ms. Dupre?

MS. DUPRE: My name is Magaly Dupre, 49 Spring Hill Terrace. I'm so sorry that Mr. Richard Miller was not here because I wanted to on the record say that the way he addresses the community, the residents of this community, is disgusting. To call us you people and then tell us that they care about what we say, they care about our comments, remember you were elected by the you people; okay? So please, you want the respect then you need to show some respect.

Now, I know this has been said by me also by some people before, Mayor Presti had told us that our zoning laws were never out of compliance with RLUIPA, so did Mr. Valentine, okay, so did people from the Planning Board and everybody else around, we

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are not out of compliance, so why are we fixing something that isn't broken.

Also, Mr. Grant had said last week -- last meeting that this is what democracy looks like, but maybe from your point of view from what's being done, but from what the Mayor has done, he has already told one of our resident no matter what you say this law is going through, okay. That's not democracy. That is not democracy, okay? So this is just like a sham. Now, we were also told the parade law was forced on us. The parade law happens or was made because of the problem we had with the Torah dedication on Spring Hill Terrace, 3 Spring Hill Terrace to be specific, this was to address the problem that we had. And also Mr. Miller had said that the law was trying to help a certain segment of this community, okay. Tell me this is not discriminatory. Now, I also looked at the latest version of your zoning plan. I want to -- a question that I have, I know I may not get a answer right now, the residential place of worship

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was changed to residential gathering place.
This, according do my thinking, means that
anybody can gather there, whether it is a
business or a place of worship, okay. Also
on page six I believe letter S congregants
was changed to users. Users getting a
service is not a religious service, it could
be anybody. So right now you opened us up
to whatever, not just places of worship, but
whatever people want to do. You also said
that they have to have -- the community
place of worship can have a sign that is
twenty-four square feet wide and at least
six feet high and may have lighting. You
also said that the facade -- that there
could be a facade in addition to the big
24-square foot sign there could be -- in
addition there could be a facade or a wall
sign that is no more than 21-square feet,
what is this Village turning into?

This is not for a residential area. I
did not move into a commercial area; okay?
I moved into a residential area. I moved
out of the City so I wouldn't have to see

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these things so I just don't understand the reason for this or what -- what you doing because if doesn't make any sense, okay?

Now, I also want to say I kind of object to saying religious group, religious group and only referring to one group. I'm also religious so please do not insult everybody else by saying that only group is religious because that's where we're seeing it because we too are religious. And before we started the meeting we Pledged Allegiance to the Flag and the last thing we said, justice for all, is this really what's happening now, is it justice for all? If not, then the words we say when Pledge Allegiance mean nothing. Thank you.

MAYOR PRESTI: Thank you. Lise Dixon. And again, name and address for the record.

MS. DIXON: Hi, my name is Lise Dixon, my address is actually in Manhattan which I think is irrelevant, but I own two properties in Rockland County and my family lives in Chestnut Ridge so I think with that I could speak to a few things.

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2 MAYOR PRESTI: I'm not preventing you
3 from speaking. For the record, name and
4 address for the record.

5 MS. DIXON: Lise Dixon, Second Street,
6 Manhattan, you want my zip code? So first
7 of all I'd like to say, Mayor Presti, before
8 I get into RLUIPA, law the whole premises of
9 this seems to be your dire whatever to
10 comply with the law. So if that's so and
11 next time you run assembly or anybody else
12 on the Board and I know this is not a Q and
13 A session, but maybe you'll get back to us
14 sometime on this, I believe that zoning,
15 building codes, public due process, all of
16 those are actually also laws which somehow
17 you don't seem to have a problem with a lack
18 of enforcement. Now we can Carol Court
19 which is another one, the other places
20 people have just mentioned, Spring Hill
21 Terrace that repeatedly seem to be not in
22 compliance with the law and there's no
23 enforcement.

24 So as far as RLUIPA and you're big claim
25 that we must pass this to be in compliance

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with RLUIPA is a complete misread of the law including the gentleman who spoke who is a lawyer. And RLUIPA literally, you look it up, there's a bunch of lawsuits that have gone forward, it basically says you may not pass a law to explicitly be against someone practicing their religion. There is absolutely no part, case, whatever, that says you must pass a law to permit, to allow, to facilitate, whatever religion it is, and it has been passed in everything from Bible, to African religions, to Jewish religions, you name it. So your read on this is completely completely wrong. And as a homeowner of Rockland County and as the ladies from New Jersey said this is from so many other perspectives, environmental, traffic, taxes, you name it, this is going on from the Hudson River straight up across Orange, Rockland, Sullivan County. There is right now if people aren't aware there's a proposal to build 300 units on five acres on the Hudson River, it's going on in Haverstraw, there's Minisceongo Golf Course,

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there's a 75 acre parcel along Route 45,
there's your brilliant plan here, I mean,
this goes on and on and on.

So let's talk about all that and let's
talk about tax exemptions, let's talk about
children, let's talk about the tax base,
let's talk about traffic, let's talk about
schools, let's talk about all of this. So
if there could ever be a dire need for a
comprehensive plan if not for this Town, for
the County and the State this would be the
time. So maybe those are a few things you
could think about.

(Crowd applauds.)

MAYOR PRESTI: Sabrina Martin?

MS. MARTIN: Sabrina Martin, 2 Roundwood
Road. I just have a few comments to make
that I have concerns about, it may not flow
as well I would like to, but there are some
things I would like to say. First, I would
like to address the comments that were made
by the Board of Trustees -- some Members of
the Board of Trustees at the last public
hearing. A statement, "the reason why these

1 Proceedings
2 illegal developments exist is because there
3 are no zoning laws in place to regulate
4 them." I do not believe, now it's me
5 speaking, I do not believe that is a true
6 statement. These illegal developments exist
7 because number one there's a total disregard
8 of the law by pertinent individuals. And
9 number two, along with that, we have a
10 Village administration that has not enforced
11 the law. Another statement, "parking that's
12 a difficult issue. However, we are going to
13 try something, but if one thing doesn't
14 work, we'll try something else." Now this
15 is in reference to the proposal, this is a
16 statement made by Village leadership
17 regarding the current proposal. This
18 statement is indicative of an approach that
19 is at minimum nebulous, at best very
20 confusing and lacking of substance. Laws
21 are established to create and maintain
22 criteria, and quality controls so as to
23 minimize any possibility of quote,
24 "something not working."

25 During a Planning Board meeting in

1 Proceedings
2 November in response to the question I
3 raised about the name change from
4 residential houses of worship to residential
5 gathering places the Village planner stated
6 that the term was adopted from Airmont's
7 zoning laws. So I chose to follow this
8 lead. I reviewed and compared Airmont's
9 zoning laws dated September 2018 along with
10 Chestnut Ridge's proposal. Now, I agree
11 with the mindset of adopting what's already
12 in place and modifying to fit our needs so
13 as to not reinvent the wheel. Let's keep in
14 mind however that Airmont's zoning
15 amendments is based on a comprehensive plan
16 that they recently revised a few months
17 before. Their use regulations have very
18 clear criteria, standards, and quality
19 controls that not only promote freedom of
20 religion and freedom of assembly, but also
21 create protection of health, safety and
22 welfare for its citizens. Just for an
23 example, their use regulation with regards
24 to what they call residential places of
25 assembly and neighborhood places of worship

1 Proceedings
2 require a special permit. Their parking
3 regulations are clearly standard. Our
4 current proposal is allowing for residential
5 gathering places and neighborhood places of
6 worship to only simply apply with a
7 conditional permit, and we all know there's
8 a big difference between a conditional
9 permit and a special use permit.

10 In addition, somehow or other our
11 environmental assessment report concludes
12 that there's no need for an environmental
13 impact study as there will be no impact on
14 the environment of the Village. This was
15 based on how the environmental assessment
16 was completed and interpreted. I have a
17 hard time understanding how you all were
18 able to check off there's no impact on land,
19 no impact on surface water, no impact on
20 ground water. Now you approached this
21 conclusion by developing a potential impact
22 for a number of houses that will potentially
23 be developed in the area and then you back
24 stepped and said, okay, well 2,00, 1,000
25 plus number of houses can be developed, but

1 Proceedings
2 maybe only fourteen will become houses of
3 worship and you used that date based on what
4 you allegedly compared to what was going on
5 in Airmont and what was going to Wesley
6 Hills. That's inadequate. You did not
7 include what current number of houses of
8 worship that we have and nor did you include
9 the fact that perhaps there will be smaller
10 gatherings. Airmont has a comprehensive
11 plan where there's pages and pages and pages
12 and pages that speak to land use and the
13 impact of water, the creation of impervious
14 surfaces, which means parking lots, and
15 impact on water. And their comprehensive
16 plan makes it very very clear that they will
17 not allow for any development to affect
18 storm water drainage cause that's going to
19 impact public wells, private wells, our
20 water use. How dare you create a place that
21 says there's not going to be an impact on
22 our environment, how dare you create a plan
23 that is going to have an affect on our
24 quality of life, our health and wellbeing.
25 I beg you, to please, go back do what you're

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supposed to do with integrity, with
comprehension and a clear regard for our
quality of in this Village. Thank you.

MAYOR PRESTI: Thank you, Ms. Martin.
Joel Seleskin, Joel Seleskin?

MR. SELESKIN: Good evening, Mr. Mayor
and Board of Trustees. Joel Seleksin,
46 Spring Hill Terrace. I spoken before and
I've heard many of other speakers present
issues from RLUIPA, the specific issues with
the law itself and, you know, when I started
the process of really looking into this I
found -- where we are right now I find this
to be actually quite complicated so I made a
statement one time that, you know, I have a
day job and I'm not an orange haired
attorney and so I am going to try to quote a
few things. But one of things that I would
like to bring is that when I look at the way
this law came about it appears that this
there was an effort to appeal to the Board
to come you have you did with changes to our
zoning laws based on matters of convenience
and I don't want to insult anyone, but it

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appears that the changes are happening here as a matter of convenience.

Now, I have to put myself in the shoes of members of the Orthodox community who have to walk a very long distance to practice their religion, to go to their house of worship and I understand that. I actually took from Nyack Turnpike back home and it was a long walk so there are occasions where I do see members of the religious group walking. But my concern is that if this law is being proposed as a result of a matter of convenience then I'm looking at what the Department of Justice wrote, and I'm gonna submit this as part of the record, but this is a guide to RLUIPA and one of the things that it says is, minor cost or inconveniences imposed on religious institutions are insufficient to trigger RLUIPA protections. And so if it's a question of a matter of convenience I think there have been other Court cases, Supreme Court cases, and I can't quote all of them, that have addressed the issue of religion

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and substantial burdens and I think on several of them I read that convenience cannot be argued as a substantial burden, but it appears that everything you're doing here is based on convenience.

(Crowd applauds.)

MR. SELESKIN: I'm sure you all know this you're some good attorneys a couple of you up there, but there is also another paper written on the -- by the Department of Justice this is the statement of the DOJ on land use provisions of religious uses and institutionalized persons act and I looked at one of the points, does RLUIPA exempt religious assemblies and institutions from local zoning laws? No, RLUIPA is not a blanket exemption from local zoning laws. As a general matter religious institutions must apply for the same permits, follow the same requirements and go through the same land use processes as other land users.

(Crowd applauds.)

MR. SELESKIN: I -- as I said, I can't quote every single case but based on what

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I've read and based on what I know to be the case here I disagree with the attorney that said that the laws here specifically target members of the Jewish religion with five acres. I don't recall reading one specific religious group being targeted by the five acre minimum. I do agree with what one of the candidates, those proposed candidates for trustee, did say is that we have to come to some type of reasonable agreement or solution. What you have proposed here is an extreme solution and quite frankly I've been hearing what some folks talked about with regard to the quality of our Village. I live on Spring Hill Terrace and I have walk by Three Spring Hill Terrace every single day and I'm telling you there is no mechanism to enforce what you have in place here. There's absolutely no mechanism to enforce this.

And so, I do ask the Board to reconsider. I will submit these and I think I might submit a few more points in writing probably citing a couple cases for you to

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Proceedings

consider. Thank you.

(Crowd applauds.)

MAYOR PRESTI: All right. That concludes the folks wishing to speak this evening. Before I give the Trustees an opportunity to speak I am going to try to address as briefly as I can a few of the points that were brought up without having to stir up a heck of a lot of ire. Number one, the convenience that we speak of is not the fact that a segment of the community that to practice their religion needs to walk. The convenience factor is that the fact of the matter is our land use has one category for houses of worship, five acres or more. That is not convenient. There needs to be other options. Now, in a perfect world what would happen is you only have an acre and you want to worship so you have to go to the Planning Board, you have to go to the Zoning Board because you have to -- folks, please, I'm gonna try to explain. When you only have a regulation that says five acres or more, now you have

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to go to the zoning board. So now you go to the zoning board and you have to ask for permission or a variance, that's going to take time, then you go to the Planning Board and you get your site plan application. However, during the process of the site plan application you make some changes and now you have to go back to the zoning board so what ends up happening is the convenience of applying for a house of worship is not eight months, it's not a year, it's two and a half years, it's three years.

(Crowd yells out.)

MAYOR PRESTI: Excuse me. You asked me to explain, I'm gonna try to explain. Please, one meeting. One meeting. Thank you. One meeting.

Mr. Wasserman brought up a very good example of Madeline Terrace. Madeline Terrace applied for their house of worship permission, took them five years. Five years to go through the Planning Board to get their permission. Now granted they were bumps on the road on both sides, but it

1 Proceedings
2 took them five years. Not convenient, not
3 the fact that they have to walk, the fact of
4 the matter is it took five years to get
5 themselves a house of worship.

6 Now moving on, moving on. There have
7 been allegations of the shadow passing of
8 the law. When folks wanna see a new law
9 there's numerous ways to go about doing it.
10 One of them happened to be there was
11 confusion brought at a Board meeting about
12 our garage law. Our garage law was a little
13 confusing. It was brought out to us at a
14 public meeting; all right? So, we worked on
15 it, took a couple of months, we passed the
16 garage law, we passed the garage law because
17 somebody brought it to our attention that
18 thereby was some confusion. We try to be
19 proactive when we promulgate laws in this
20 Village, however, we're not perfect, we
21 can't see and we can't anticipate
22 everything. So we have folks contact us at
23 various times to say hey, look, you know
24 what, you have a need for this, you have a
25 need for that.

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And I should also say this Board has always been and continues to be accessible to everyone. There isn't anyone here who is not able to contact any one of us in some way, shape or form to say that they have an issue or that they have a problem. As a matter of fact, the respective boards in this Village have that same ability whether they're on the ARB, the Planning Board, or the Zoning Board, they have access to this Board all the time, but for maybe one or two members of the three boards there has never been a member of those boards come and ask this Board or recommend to this Board issues that they feel as though need to be addressed. As a matter of fact, the last time -- the last time I could recall it happening I was on the Planning Board and we had a meeting with the Mayor and Trustees because we had some issues with regard to the way things were going. That was the last time I could recall a Board or its members approaching the Board of Trustees. So, for people to say we operate in the

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shadows, for people to say that we are trying to accommodate particular groups I think is unfair.

You have to also look at this overall. We have been going at this, folks, since February of last year officially. Officially. The planner put together the idea and a basic draft in around of November of 2017. So, you want to talk about having an opportunity to talk about this thing, there has been continued opportunity. The fact that you may not appreciate how it made to our desks; all right, I guess reasonable minds will differ, but the bottom line is nothing was passed, nothing was set in stone until we do the process and this is the process.

(Crowd yells out.)

MAYOR PRESTI: Thank you. As we have the hearings, everyone is allowed to weigh in on what's going on and with all due respect, okay, we utilize our professionals in addition to comments from the citizenry; okay? Because the citizenry may sometimes

1 Proceedings
2 feel the law says this, but the law doesn't.
3 With all due respect, we have to follow the
4 law as the Court follow it, not the way
5 perhaps some citizens think the way it
6 should be. But we understand, we understand
7 that you want to be heard and this is what
8 we're doing here and we have done things in
9 this Village, we have done things in this
10 Village as a result of people coming out and
11 telling us that they need to see changes and
12 we'll continue to do that. We will continue
13 to do that. But because you don't
14 necessarily get a hundred percent of your
15 way that doesn't mean we're not paying
16 attention to you, that means perhaps,
17 perhaps there's a different way to go about
18 doing it. Now you may not agree and that is
19 your right, but to malign these Trustees, to
20 say they're doing something in the shadows
21 is unfair to them, is unfair to them. And
22 that's not right. We're all volunteers
23 here. We all moved here for the same
24 reason.

25 Now, on that note, I believe the

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Trustees would like to have their say in the way of perhaps their respective thoughts so why don't we do this, we'll start with Mr. Van Alystne and then we'll go with Trustee Valentine and then we'll go to Trustee Cohen and then I'll wrap up. Mr. Van Alystne, please, begin.

TRUSTEE VAN ALYSTNE: Can you hear me? Thank you all for coming tonight.

A VOICE: Can I say one thing quickly?

MAYOR PRESTI: Sure, come on up. Name and address for the record, please.

MS. STRIKER: Ingrid Striker, and I'm from Red Schoolhouse Road number 117. And I was just wondering I just see when I go from religious communities if everybody comes together usually you raise money, you make -- you get funds to get your houses of worship in the way you need them. And I was thinking this pressure on the Village to find lots of five acres which is not that easy to find of course and they're expensive too, but I see so many apartment buildings going up in Spring Valley and every little

1 Proceedings
2 inch is used to make money, having more
3 income, why not buy five lots of all the
4 houses that are being bought? Many of them
5 are torn down anyway because they're not big
6 enough, so why not buy many different --
7 five different houses and then have huge lot
8 where you can have your house of worship and
9 you wouldn't bother anybody, you follow the
10 rule, you have privacy, you have a lot of
11 parking and you have space and you can keep
12 some trees and respect nature. I think --
13 everybody is welcome, everybody can do and
14 come. This is a great Village, people from
15 all nationalities and all religions and
16 let's just keep it so that we don't bother
17 anybody because I think that law was passed
18 because when people are religious it says
19 love thy neighbor like yourself. I mean,
20 it should just be an act of kindness and
21 consideration for everybody. That's what
22 true religion means to me. There should be
23 kindness and respect for others and not just
24 thinking oh I'm going to jam my knees in
25 here and bother everybody. It can be done

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differently and there will be enough money to buy five lots in a row wherever they really want to they want to, I think. That's all.

MAYOR PRESTI: Thank you, Ms. Striker. Okay. Mr. Van Alystne?

MR. VAN ALYSTNE: Thank you for being here tonight. I've been a Chestnut Ridge resident for 31 years. Please believe me, I share the same concerns as the people in the audience. In my opinion transparency is the major concern for the residents of Chestnut Ridge. I believe this all will help the Village do a better job bringing unpermitted houses of worship out of the shadows and in front of the Boards. My take on the law is that transparency will be served, all applicants under the house of worship law will be vetted through the Planning and/or the Zoning Board of Appeals. These are public meetings where residents of the Village can ask questions and give opinions about the application. Positive or negative opinions will be heard.

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Transparency will be served by this process.

The house of worship law has been under consideration for more than a year. Monthly Village meetings, many comments and questions have be submitted, our Village planner has written thoughtful answers to questions posed by the CUPON group, Steve Mogel attorney for CUPON through his planner, Plan It Main Street, and Brooker Engineering. Suggestions from the Village residents have been considered and adopted. Meaning, that we're listening, we're working with you.

The legal landscape, RLUIPA is the law of the land. The message from the Federal Government is State and local government may not discriminate based on a person's personal form of worship. That's what is says. Noncompliance has led villages in our County to lose RLUIPA lawsuits a hundred percent of the time. Losses of these cases have cost taxpayers in these villages millions of dollars in legal fees and fines. Frankly, I don't want to waste money on

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Proceedings

finest and legal fees when I could have avoided them in the beginning. I'm sure you agree that we can put our tax dollars to better use like keeping our taxes low, makes sense; doesn't it?

The Village has certainly challenges with enforcement right or wrong it's a reality. I being from the private sector say, hey, let's hire somebody and put em to work, right? The Rockland County Personnel red tape is unbelievable. We're not the only Village faced with red tape problems from the County of Rockland. My contacts in Airmont say they've experienced so much red tape that they've gone and hired outside of the box. I have contacts in Rockland County Government and will ask them to help. We're working within the rules and regulations that control the hiring process. We have to deal with the rules good or bad. I'm making it my priority to solve this problem.

I believe the Trustees have acted in good faith. We as residents have the best interests of the Village in mind, don't we?

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So let's work together. Thank you.

MAYOR PRESTI: Thank you, Mr. Van Alystne. Mr. Valentine?

MR. VALENTINE: Good evening, everyone and thank you again for coming out this evening and I'm certainly thrilled to see everyone out here and certainly the dialog is certainly what democracy is. Let me start by saying that I've been in public service for over forty years. Forty years. And I lived in Chestnut Ridge since 1996. Of that forty years that I have been in public service ten years was on the Planning Board right here in Chestnut Ridge so I truly understand what takes place here in Chestnut Ridge. This is not new to me. And I have never never supported special interests or self interest so the implications that that's taking place that I'm involved in, that does not sit well with me.

Let me say that I believe in leadership, not by a wink and a nod, but I believe in leadership to identify and convert

1 Proceedings
2 challenges into real solutions. I believe
3 if you know better you do better. The
4 vision for the Village must be based on
5 evidence first, then build a vision, not
6 based on exaggerations, fear, and threats.
7 We know where that goes. Our neighbors
8 can't feel left out or disenfranchised and I
9 know that happens when I hear the voices
10 here in this arena. I hear you and I see
11 you.

12 I walk my community every single day. I
13 stop and talk to every one of my neighbors
14 and if any of my neighbors are here in this
15 room you know you see me, I stop and we talk
16 every day about the issue and concerns that
17 you have. I raised my four children in this
18 community, I'm speaking here tomorrow at
19 this school and I'm part of the East Ramapo
20 School District in terms of my (inaudible),
21 but I believe in this community, but I do
22 not believe in special interest or self
23 interest. My wife tell me, why can't you
24 ever say no and I don't do that because I
25 feel I still have something to contribute to

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my community and that's what I do.

I know this is a growing and changing community and I believe in my heart that the rhetoric that causes division is not who the people in Chestnut Ridge are. As I talk to my neighbors when I'm walking there I hear their concerns and their issues. They may not speak up here in this forum, but I hear them when I'm talking, when I'm walking in those communities. This is not who they are. They believe in religious freedoms, they wants to find a way to make this work that works for everyone and that's what we're trying to do, trying to make it work for everyone. I know this is a very sensitive issue, but, you know, we've had villages that have done this law in Montebello, we've had Wesley Hills has done this law and it seemed to work out pretty well.

We will improve code enforcement. I know code enforcement is an issue, and we work this Trustee Board works tirelessly trying with the County to get more code

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Proceedings

enforcement officers. It's a challenge. The government does not move very quickly. But I'm also a member of SHIELDS. SHIELDS is a law enforcement fraternity. I'm part of that. I've been in law enforcement for over 25 years and as part of SHIELDS I will talk to them about how they may be able to help with that code enforcement issue until the County can come in help us. That's a start in the right direction.

A vision based on evidence and not on exaggeration is where we want to go because the Courts time and time again in these suits ruled against municipalities. They have ruled against municipalities. When they rule against municipalities and the taxpayer's dollar there are folks who will say, well, let them sue us, let them sue us, but what happens what your property taxes go up. I have to now be concerned about everyone, but also those senior citizens who are on fixed incomes, those families have multiple -- because sometimes they don't want to send their children to East Ramapo

1 Proceedings
2 School District, they go to private schools.
3 They have to pay that money, what happens
4 then when their property taxes go up? I
5 have to be, we have to be, concerned about
6 every single resident here in Chestnut
7 ridge, not a selective few. And there are
8 those who have been on the Planning Board
9 that I've worked with that are just as
10 passionate as Chestnut Ridge as I am. As
11 passionate. So I say to you that leadership
12 is based on thinking through solutions, not
13 knee jerk reactions, not sound bites, but
14 thinking through the solutions for the
15 future scenarios that we are coming up
16 against and what needs to be done so that we
17 can do it and make it work. That's what
18 we're trying to do here on this Board with
19 this issue. It is a very complicated issue,
20 it's not an east answer but I think some of
21 you have said that we have to find some
22 compromise that we all can work with and
23 that's what we're trying to do. Government
24 is not a perfect wheel, but it's a process
25 that we're going through to try to make this

1 Proceedings

2 work for everybody in Chestnut ridge, not a
3 selective few, everybody to benefit thank
4 you.

5 MAYOR PRESTI: Thank you, Trustee
6 Valentine. Trustee Cohen.

7 TRUSTEE COHEN: Good evening, thank you
8 for coming here. This is a process that has
9 been going on, as my colleagues have said,
10 for quite a while and members of this
11 audience here today have confirmed that. It
12 seems that we're coming to the end of the
13 process and yet it's really the very
14 beginning. The beginning here is because
15 we're going to be trying something that
16 hasn't been tried here before and that is
17 because there hasn't a need for it like
18 there is today.

19 MAYOR PRESTI: Excuse me. There's a
20 little bit of walking around in the room, if
21 you could just keep in your seats. Hello,
22 Mr. Liebelson? Thank you.

23 TRUSTEE COHEN: When I moved to Rockland
24 County in 1973 I found a synagogue here in
25 Chestnut Ridge that I could belong to, it

1 Proceedings
2 was just down the street from a mosque and
3 across the street from a church and there
4 were many other religious organizations
5 here. I thought this was a great
6 opportunity for all people. However, as
7 other people who had other needs for
8 religious worship started moving into our
9 neighborhood we found that our zoning codes
10 did not fit their needs. When people move
11 into a neighborhood they bring their First
12 Amendment rights with them. You can have a
13 synagogue on five acres and if your needs
14 were for a smaller synagogues we never had a
15 problem with people just getting together in
16 their homes and praying. However, we did
17 not have a mechanism for people who were --
18 wanted to have a full synagogue of a smaller
19 nature. So the issue was, do you just pray
20 in your home without guidelines, without a
21 path that -- within the law that they could
22 follow to establish that or do you have to
23 have five acres? So, we left with a
24 situation where people want to pray in their
25 homes without guidelines without a law that

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gave them a path to follow with permits and so on and that's how we found people who were pray in a garage, in a great room, in a basement, in a factory, building. Because people did not have an opportunity within the law they asked the Village for guidance and we said, what are your needs and they came up with a proposition. We studied this proposition, we opened it up to the public for comments, and quite a bit of comments have come out, and as a result we've had many many iterations of that original law or proposal and we're still working on it.

However it reaches a point where we've heard the same issues over and over again and it's time to put this to the test and I'm going to make a motion that -- not yet? Okay. At any rate this particular law that we're working on gives people a chance to have the synagogue of their size and dimensions to fit their needs within our community.

(Crowds yells out.)

TRUSTEE COHEN: And this way they'll be

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permits, they'll be inspection and you will not have --

(Crowd yells out.)

TRUSTEE COHEN: We have had multiple opportunities here to speak, for people to look at the law and make improvements on it or give us their version of what is needed and we're reaching a point here where we must move forward and for that I'm gonna turn it over the Mayor. Thank you.

A VOICE: We'll sue you.

MAYOR PRESTI: Ladies and gentlemen, the past couple of meetings, at least the first one was a little wild, the others we tried to maintain some calm and we hope we can finish it that way also. I understand it's a passionate -- no more. I understand it's a passionate subject. So please, I would ask for the courtesy that all has been given to each of you when you spoke to now give us an opportunity to speak so thank you. It is the responsibility of this governing body our fiduciary obligation to assure the Village is legally compliant in its law and

1 Proceedings
2 committed to developing the foresight, the
3 planning required to see to that our Village
4 continues to progress and maintain the
5 quality of life we all enjoy here. It is
6 not an option to do nothing and maintain the
7 status quo. It is not an option to ignore
8 the development of the law regarding houses
9 of worship, lest we ignore the law the
10 Village faces the potential negative
11 consequences as previously and currently
12 experienced by various municipalities on the
13 side of the border and on the New Jersey
14 side. The Village governing body recognizes
15 the passion and the interest this subject
16 has spurred. Truly democracy in action.
17 And as a result of the various schools of
18 thought brought to our attention we have
19 tried to craft the law through a number of
20 revisions, not the least the modest, that is
21 the fair, legally compliant and clear to
22 follow.

23 I appreciate the fact there are
24 individuals who feel the Village is not
25 running a foul of the laws governing of

1 Proceedings
2 houses of worship. However, as I have been
3 consistently addressing, unless the Village
4 practices preventive maintenance we are
5 faced with crisis management. There also
6 needs to be a recognition by all that as any
7 law or laws revisions may have to be made in
8 the future, but the processes utilized in
9 the review and assessment of any potential
10 changes will continue to follow this
11 processes as required by local, State and
12 Federal Law, and input from Village
13 residents. The fact that there may be an
14 out for corrective action in the event that
15 the Village does not follow applicable laws
16 should not be considered a license or a pass
17 to ignore another potential pitfalls because
18 we could always go back later. Let's try to
19 get right sooner rather than later.

20 An example currently is our Red
21 Schoolhouse Road corridor study. Getting as
22 far as we did with input from our
23 professional and our Village residents we
24 founds we can continue the process and
25 complete the remainder of the Village.

1 Proceedings

2 However, to wait a year for the anticipated
3 completion and then continue with the law
4 before us is not only an option but not
5 prudent governing.

6 (Crowd yells out.)

7 MAYOR PRESTI: At this juncture, I will
8 continue, the process of the development of
9 modifications to the Village's zoning code
10 as pertains to places of public assembly and
11 houses of worship began in November of 2017.
12 The process followed to develop the law, to
13 refer it out for comments by the County and
14 various outside agencies, and to hold public
15 hearings as set forth in State law, and we
16 have followed it, many people disagree with
17 the process, but it is what the law
18 requires. It is the same process, by the
19 way, we followed when we adopted the Rental
20 Registry law, the Entity Disclosure Law, and
21 laws pertaining to limiting solicitation
22 within the Village.

23 This was the fourth public hearing on
24 the local law, and the latest draft of the
25 local law reflects many of the various

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comments received by both opponents and supporters of the law.

The Village planners have completed the full environmental assessment form which analyzes the potential environmental impact of the local law, taking into account what our current law allows, what could be developed under the new law, similar laws already in place in nearby communities, and recognizes that each and every application under the proposed law will undergo a site specific environmental review. Each time an application is made under the local law the Planning Board will conduct an environmental review of the application on the facts which exist on the ground, not on the potential impacts that may in fact change neighborhood by neighborhood.

Therefore, at this time I would entertain a motion that the Village Board of the Village of Chestnut Ridge accepts the full environmental assessment form, together with the supporting documentation attached to the analysis by the Village planners, and

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determines: Number one, that the proposed local law amending the zoning code regarding residential gathering places and religious assembly uses will not have a significant effect of the environment, and -- number two --

(Crowd yells out.)

MAYOR PRESTI: Ladies and gentlemen, please. Number two, that a notice of determination of non-significance be circulated as required by law. I would entertain such a motion.

TRUSTEE COHEN: I would make that motion.

MAYOR PRESTI: Thank you, Trustee Cohen. Do I hear a second?

A VOICE: What is the law you're voting on?

MAYOR PRESTI: Ladies and gentlemen, what we are doing is we are voting on the environmental assessment form that is on our website, please. This is not the house of worship law, this is environmental assessment as submitted by the planners.

1 Proceedings

2 Listen. Listen.

3 (Crowd yells out.)

4 MAYOR PRESTI: I'm waiting for a second.

5 TRUSTEE VALENTINE: I'll second it.

6 MAYOR PRESTI: As seconded by Trustee
7 Valentine. All those in favor?

8 (A response of aye was given.)

9 MAYOR PRESTI: Opposed? There being
10 none. Thank you very much.

11 Secondly, I would accept a motion at
12 this time to close the public hearing on the
13 proposed local law amending the zoning code
14 regarding residential gathering places and
15 religious assembly uses, but given the
16 additional comments we have received this
17 evening I would include in the motion to
18 provide the Board to accept written comments
19 for an additional seven days from the close
20 of the public hearing, with all written
21 comments to be submitted to the Village
22 Clerk by 4:00 p.m. on January 22, 2019.

23 TRUSTEE COHEN: So moved.

24 MAYOR PRESTI: Thank you, Trustee Cohen.
25 Do I hear a second?

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TRUSTEE VALENTINE: I'll second that.

MAYOR PRESTI: Thank you Trustee
Valentine. All those in favor?

(A response of aye was given.)

MAYOR PRESTI: Opposed? There being
none. Thank you. I will entertain a motion
to adjourn.

TRUSTEE VALENTINE: So moved.

TRUSTEE COHEN: Second.

MAYOR PRESTI: Thank you Trustee Cohen,
Trustee Valentine. All in favor?

(A response of aye was given.)

MAYOR PRESTI: Opposed? There being
none, thank you very much. Thank you for
coming out this evening.

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THE FOREGOING IS CERTIFIED to be
a true and correct transcription of the
original stenographic minutes to the best
of my ability.

Melissa Pezzullo

Melissa Pezzullo

