

Exhibit A



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November 1, 2017

Village of Chestnut Ridge
277 Old Nyack Turnpike
Chestnut Ridge, NY 10977

Attn: Mayor Rosario Presti, Jr.
Village Planner Max Stach

Re: Proposed Zoning Text Amendment
Orthodox Jewish Coalition

Dear Mr. Presti and Mr. Stach,

We have been retained by the Orthodox Jewish Coalition of Chestnut Ridge (herein referred to as the "OJC") to initiate a discussion with the Village regarding possible zoning revisions. The zoning revisions are intended to address the needs of the OJC for a variety of synagogues, primarily in existing residential neighborhoods. The discussion provided below has been prepared to introduce the needs of the OJC and provide preliminary proposals for how those needs can potentially be addressed.

Purpose and Need

The OJC is a growing constituency within the Village of Chestnut Ridge that now numbers approximately 500 member families. The steady growth of the population of Orthodox Jewish residents moving into the Village has created a need for a number of varied synagogues within Village neighborhoods. The neighborhood synagogues will accommodate their religious need to pray within walking distance of their homes. So by necessity, these synagogues must be located within residential districts.

The current Zoning Code permits "churches and similar places of worship" as a special permit use in the Village's residential districts, subject to the bulk regulations for use group "c". Use group "c" requires a minimum lot area of 5 acres. There are a very limited number of vacant parcels within the Village meeting the minimum 5 acre land area criteria. One option would be to purchase multiple lots to accumulate enough land area to meet the minimum area requirement and other bulk criteria. But this is challenging and expensive to achieve, and would potentially affect the current character of the neighborhoods.

Small places of worship have formed within the Village out of necessity, as the observant population must walk to services during the Sabbath. These places of worship exist as small gathering places in existing houses. On the Sabbath, the congregations will pray within their main place of worship, which should preferably be a short walking distance from their home. In accordance with the Orthodox Tradition of Judaism, the use of automobiles or other mechanized forms of transportation is prohibited on the Sabbath (every Friday evening though Saturday night) and Jewish Holidays. Therefore, congregants are regularly walking to services, and currently walk in excess of 30 minutes to their place

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Suggested language for consideration of the text amendments is as follows:

Definitions

Add new definition to Article XVIII:

RESIDENTIAL PLACE OF WORSHIP

The use of a building or structure by a religious organization for regular organized religious assembly. A minimum of 50% of the floor area of the building or structure must be used exclusively for residential purposes.

NEIGHBORHOOD PLACE OF WORSHIP

The use of a building or structure by a religious organization for regular organized religious assembly. The use may take place in a structure with or without a residential component.

COMMUNITY PLACE OF WORSHIP

The use of a building or structure by a religious organization for regular organized religious assembly, without a residential component.

Conditional Use Permit Standards

Add Conditional Use Permit conditions for the newly proposed Place of Worship categories to Article XII:

RESIDENTIAL PLACE OF WORSHIP

1. A residential place of worship is permitted as a conditional use by the Planning Board, provided that it finds:
 - a) The building containing the residential place of worship shall comply with all requirements of all applicable building codes of New York State.
 - b) The maximum number of persons using the residential place of worship shall be the maximum number that can comply with the building and fire codes of New York State, as applied to the portion of the structure containing the religious use component.
 - c) The residential place of worship shall be located on a lot which conforms with the minimum lot area requirement for one-family detached dwellings in the district in which it is located.
 - d) Notwithstanding anything to the contrary contained in this chapter, the maximum floor area ratio for a lot on which a residential place of worship is located shall be 0.40 and the maximum development coverage shall be 60 percent.
 - e) All required parking spaces should be provided on the lot on which the neighborhood place of worship is located, or on lots within 1500 feet walking distance of the periphery of the lot on which the residential place of worship is located, with the written permission of the owners of such lots.
 - f) All structures shall be in character with the surrounding neighborhood, and be of similar design aesthetic.
 - g) Screening shall be provided in the required rear and side yards, as required by the Planning Board to protect the character and compatibility of adjacent uses. Screening can consist of a wall, fence or as hedge, approved by the Planning Board.
 - h) The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the residential place of worship from adjacent residential properties, outdoor lighting, and other conditions of use of the residential

COMMUNITY PLACE OF WORSHIP

1. A community place of worship is permitted as a conditional use by the Planning Board, provided that it finds:
 - a. The building containing the community place of worship shall comply with all requirements of all applicable building codes of New York State.
 - b. The maximum number of persons using the community place of worship shall be the maximum number that can comply with the building and fire codes of New York State.
 - c. The community place of worship shall be located on a lot or combination of lots that complies with the minimum lot area requirement for one-family detached dwellings in the district in which it is located.
 - d. Notwithstanding anything to the contrary contained in this chapter, the maximum floor area ratio for a lot on which a community place of worship is located shall be 0.40 and the maximum development coverage shall be 60 percent.
 - e. All required parking spaces should be provided on the lot on which the community place of worship is located, unless an application is made to the Planning Board for relief from this requirement. Upon such application, the Planning Board may determine to allow parking in any of the following locations to count towards satisfaction of the parking requirement if it determines that it would be consistent with public safety and maintaining the neighborhood character to do so:
 - i. On-street parking on any street other than a major road;
 - ii. On-street parking on any street other than a street or portion thereof which has pavement width of less than 30 feet;
 - iii. On-street parking on any street other than a street or portion thereof which has only a single means of access and egress;
 - iv. Parking on other lots within the Village of Chestnut Ridge and within 1500 feet walking distance of the periphery of the lot on which the community place of worship is located, with the written permission of the owners of such lots; or
 - v. A combination thereof.
 - f. Screening shall be provided in the required rear and side yards, as required by the Planning Board to protect the character and compatibility of adjacent uses. Screening can consist of a wall, fence or hedge, as approved by the Planning Board.
 - g. The Planning Board may impose such additional restrictions and conditions on the location of parking spaces, landscaping and/or fencing to screen the community place of worship from adjacent residential properties, outdoor lighting, and other conditions of use of the community place of worship as, in the judgment of the Board, are necessary for the community place of worship to be able to operate in a manner that is consistent with public safety and neighborhood character.
2. Catering facilities are permitted.
3. A narrative summary shall be submitted, providing the anticipated number of congregants, square footage of the sanctuary and other dedicated spaces, days and hours of services, and number of parking spaces provided.

R-15
Add "Residential Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #1, Same as RR-50 No. 8 (Residential Place of Worship). Under Column C.1, designate Use Group x.1.1.

Add "Neighborhood Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #1, Same as RR-50 No. 9 (Neighborhood Place of Worship). Under Column C.1, designate Use Group x.1.1

Add "Community Place of Worship" use to Table of General Use Requirements – Part I: Residential Districts, Column C, as Use #1, Same as RR-50 No. 10 (Community Place of Worship). Under Column C.1, designate Use Group x.1.1.

Table of Bulk Requirements

Add Amendment to Table of Bulk Requirements, Part 1.

See attached proposed revised table. It includes three proposed use groups for the new places of worship categories in the residential zoning districts. The only variations proposed from the bulk requirements in the respective districts are Development Coverage and Floor Area Ratio, to allow for additional coverage for parking areas and sidewalks as well as floor area for the sanctuary, second floor balconies and basement space for great rooms, which are traditional and essential for the function of a house of worship.

The applicant respectfully requests that you consider the benefit to the entire Village as a result of the proposal. The creation of zoning to permit the proposed use allows the Village to sustain land use control and review authority while providing guidelines and permit standards for these much needed uses with the Village. We look forward to your initial thoughts and comments on the proposal. Please let us know when you are available to have another informal meeting to continue our discussions.

Very truly yours,

Elizabeth Mello, P.E.
BROOKER ENGINEERING, PLLC

Village of Chestnut Ridge, New York
Table of Bulk Requirements
Part I

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Use Group	Minimum Lot Area	Lot Width (feet)	Front Setback (feet)	Front Yard (feet)	Side Setback (feet)	Total Side Setback (feet)	Side Yard (feet)	Rear Setback (feet)	Rear Yard (feet)	Street Frontage (feet)	Maximum Height (feet)	Development Coverage (feet)	Floor Area Ratio (FAR)
a	None	n/a	30	0	30	60	0	50	0	15	15	5	n/a
b	10 ac.	400	100	100	100	200	0	100	0	15	35	3	0.20
c	5 ac.	400	100	50	100	200	75	100	75	300	35	25	0.20
d	2 ac.	200	100	100	100	200	25	100	25	50	35	10	0.20
f	10 ac.	400	100	100	100	200	100	100	100	300	45	30	0.20
g	2 ac.	200	100	100	100	200	25	100	25	50	35	20	0.20
h	50,000sf	175	50	50	30	75	10	50	10	100	35	20	0.20
h.1	50,000sf	175	50	50	30	75	10	50	10	100	35	60	0.40
k	2 ac.	200	100	50	50	100	15	75	15	200	35	40	0.20
m	40,000sf	160	50	50	25	70	10	50	10	100	35	40	0.20
m.1	40,000sf	160	50	50	25	70	10	50	10	100	35	60	0.40
q	35,000sf	150	50	50	25	60	10	50	10	100	35	40	0.20
q.1	35,000sf	150	50	50	25	60	10	50	10	100	35	60	0.40
t	25,000sf	125	35	35	20	50	10	35	10	90	35	50	0.20
t.1	25,000sf	125	35	35	20	50	10	35	10	90	35	60	0.40
x.1	15,000sf	100	35	35	15	40	5	35	5	85	35	50	0.25
x.1.1	15,000sf	100	35	35	15	40	5	35	5	85	35	60	0.40
x.2	20,000sf	125	35	35	20	50	10	35	10	125	35	55	0.25
x.3	10,000sf	62.5	35	35	20	20	10	35	10	62.5	35	55	0.25

ⁱ Pursuant to 6NYCRR Part 617 State Environmental Quality Review (SEQR) Law §617.4 (b) (1) “the adoption of changes in the allowable uses within any zoning district, affecting 25 or more acres of the district is considered a Type 1 Action. The Village of Chestnut Ridge, has a geographic area of 4.9 square miles, or 3,136 acres. The Proposed Action would allow “Community Places of Worship” in over 90% of the Village’s geographic area, which far exceeds the Type 1 Threshold of 25-acres. ***The Proposed Action must be classified as a SEQRA Type I Action.***

ⁱⁱ **6NYCRR Part 617 State Environmental Quality Review (SEQR) Law §617.4 Type 1 Actions.** Prior to undertaking most actions, a government agency must determine their potential “significance” by evaluating the possible significant adverse environmental impacts the action may have. **If the agency determines that the action may include the potential for at least one significant adverse environmental impact, then it must require the preparation of an environmental impact statement (EIS).** An EIS “must assemble relevant and material facts upon which an agency’s decision is to be made. It must analyze the significant adverse impacts and evaluate all reasonable alternatives.” (Source: *Zoning and the Comprehensive Plan, NYSDOS-Division of Local Government Services, Revised 2015, pg. 5*). The Proposed Action would have several significant adverse environmental impacts related to Aesthetic Resources, Transportation, Consistency with Community Plan, and Community Character that **must** be thoroughly analyzed through the environmental review process. Clearly this a case where a “**Positive Declaration**” is necessary and where a Draft Environmental Impact Statement (DEIS) must be prepared.