

**To:** Mayor Steven A. Vescio and the Village Board of Trustees

**From:** Sarah K. Yackel, AICP, Principal

**Subject:** 235 Elm Road – Application for Special Permit

**Date:** April 14, 2022

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As requested we have reviewed the revised Special Permit Application submitted by Yeshivath Viznitz Dkhal Torah Chaim (the “Applicant” or “Yeshivah”) the lessee of the property located at 235 Elm Road (SBL: 98.19-2-11) (the “Property” or “Project Site”). The 37.16-acre Project Site is located within an R40B single-family residential district and previously housed Pace University which operated on the site under a special permit pursuant to Village Code Chapter 220-6.J.(2) as an institution of higher learning operated for profit. The Applicant is proposing to renovate certain existing buildings (i.e. Dining Hall Building, Tead House, Valley Dorm, and the Dow Hall Southern Wing) for use as a private religious education institution for approximately 250 male students with a 10-year projected increase in students up to approximately 350. In addition, certain site improvements are proposed (i.e. repairing and re-striping existing parking lots, removing and installing new signage, identifying ADA parking and installing gates to control site access). The Applicant has submitted an application for a special permit from the Village Board of Trustees pursuant to Village Code Chapter 220-6.J.(1) places of worship, including parish houses and religious school buildings. The BOT will refer the special permit application to the Planning Board for review and recommendation. The Applicant will also apply to the Planning Board for Site Plan approval.

**Review Comments:**

We have reviewed the supplemental materials and find that significant questions related to completeness of the application materials still exist. The previous submission represented the project as a facility that would serve 250 students ages 17 to 20 with a 10-year projected increase in students of up to 350. The current submission in multiple locations (see cover letter page 3, page 2 of the revised municipal impact study) states that the "The proposed Briarcliff Manor campus student enrollment is expected to be made up predominantly of students from its elementary, middle, and high school levels." The nature of the student body residing on campus needs to be clarified. Is the campus serving 17-20 year olds or much younger elementary, middle and high school students? A satisfactory answer to this key project component needs to be answered in order for us to proceed with our review of the revised application materials. The needs of the student body, with respect to municipal and educational resources are very different if students are of "school-age" versus "college-age." If students are of "school-age" what is the anticipated age breakdown by grade level? How will these younger students be supervised on-site? What are the impacts on public educational resources, specifically with respect to bussing, special education and nursing services? The nature of the student population and the project itself needs to be clarified prior to the continuation of review of the application materials.

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Additionally, the revised submission did not include responses to our most recent review memo dated January 5, 2022. Following our meeting with the Board of Trustees, we revised our December memo to include comments from the Board. The application materials should be revised to address all of the comments in our January 5th memo.

Special Permit Application: We were asked to review the above documents to ensure that the Application meets certain elements of the *Required application submissions* section of Village Code Chapter 220-6D. We offer the following comments:

Cc: David Turiano, Village Engineer  
Joshua Ringel, Village Manager  
Joshua Subin, Village Counsel