

LAND USE COMMITTEE MEETING

September 16, 2009

Chair: Dennis J Taylor

District Manager: Walter Campbell

Members Present

Jean Reynolds
Shirley Oliver

Presenter from FOJS

Petrus Fortune (Architect)
James E. Gochnauer (Principal)
Christopher Gochnauer
George Aviles (Member)
Allen Roth (Member)
David Graybill (Member)
Matt Allert (Member)
Rachel Miller (Member)
Richard Schwartz (Member)

The Land Use Committee held its scheduled committee meeting on Wednesday, September 16, 2009 at 5:00 pm. There was one item on our agenda:

BSA # 186-08 BZ:

The Land Use Committee met with Board Members and the Principal of Followers of Jesus Mennonite Church (FJMC), and School (FJS).

Mr. Gochnauer, trustee, informed us that for nearly five years FJMC has been endeavoring to rectify an oversight in the purchase of their facility preliminary to doing a renovation. At the time of purchase, their legal counsel failed to check on the existence of a valid Certificate of Occupancy. The board has been working with a series of engineers and architects over the years to correct the situation. The building is an old factory building at 3065 Atlantic Avenue, on the corner of Shepherd Avenue. **It is in an M1-1 zone where a school is not permitted as of right. A Special Use Permit is required pursuant to Z. R. 73-19.**

The school is an operating school, registered with the New York Department of Education and granting NYS Regents diplomas to qualifying seniors.

Section 73-19 of the Zoning Regulations provides that:

In C8 or M1 Districts, the Board of Standards and Appeals may permit schools which have no residential accommodations except accessory accommodations for a caretaker provided that the following findings are made: