

ENY LAND USE COMMITTEE PG2

Listed below are the 4 finds:

- a) That within the neighborhood to be served by the proposed school there is no practical possibility of obtaining a site of adequate size located in a district wherein it is permitted as of right, because appropriate sites in such districts are occupied by substantial improvements.
- b) That such school is located not more than 400 feet from the boundary of a district wherein such school is permitted as of right.
- c) That an adequate separation from noise, traffic and other adverse effects of the surrounding non Residential District is achieved through the use of sound attenuating exterior wall and window construction or by the provision of adequate open arrears along lot lines of the zoning lot .
- d) That the movement of traffic through the street on which the school is located can be controlled so as to protect children going to and from the school. The board shall refer the application to the Department of Traffic for its report with respect to vehicular hazards to the safety of children within the block and in the immediate vicinity of the proposed site.

On present, they have submitted plans to the city Department of Buildings, and had a hearing before the Board of Standards and Appeals (BSA) on September 15 obtain a Special Permit to have a School in this facility.

The facility has been operating as a Parochial School through a Church for 10 years, and would hope to operate in a legal environment.

The Land Use Committee recommends that the School be allowed to operate until their legal status is obtained.

Dennis J Taylor
Chair, Land Use Committee
September 23, 2009

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