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MELVILLE, NEW YORK  
BY APPOINTMENT ONLY

December 21, 2009

Mr. Ron Rabbie  
16 Hunters Lane  
Roslyn, NY 11576

**RE: Babylonian Jewish Center**  
**440 Great Neck Road, Great Neck**

Dear Ron:

Enclosed is a copy of the Board of Zoning Appeals Decision granting the BJC's application.

Please be advised that there is a 30-day statute of limitations to judicially challenge any portion of this decision, which begins when the decision is filed in the Village Clerk's Office (December 16, 2009). Accordingly, if you wish to challenge any portion of the decision, an Article 78 proceeding must be commenced on or before January 15, 2010. The 30-day statute of limitations cannot be extended whatsoever and if an Article 78 is not commenced on or before that date, you are barred from any remedies against the Board.

Please call me if you have any questions regarding the decision.

Very truly yours,

  
PETER R. MINEO

PRM:rer  
Enclosure

cc: Albert Nassim (w/enc.)  
Thomas F. Fitzsimmons, AIA (w/o enc.)  
Robert M. Eschbacher, P.E. (w/enc.)



# Board of Zoning Appeals

## Town of North Hempstead

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Appeal No. 18468

Babylonian Jewish Center

440 Great Neck Road, Great Neck, N.Y.

Section: 2 Block: 46 Lots: 43, 46 & 143 Zone: B-A / R-C Districts

1. The maximum occupancy of the sanctuary shall be limited to 149 persons. The maximum occupancy of the social hall shall be limited to 200 guests and 10 employees, for a total of 210 persons. The sanctuary and the social hall shall not be used at the same time. At no time may there be more than 200 seats within the social hall. For purposes of this condition, a seat is defined as any place on the premises where a patron may sit and be served, whether or not a person is seated there. A table set up with four chairs counts as four seats. The conditional use permit and/or variance set forth herein shall continue only for so long as there is compliance with this condition. If at any time the applicant is not in compliance with this condition, then the conditional use permit shall terminate, and applicant must make a new application to this Board in order to continue the restaurant use. The Applicant shall obtain a Public Assembly License from the Building Department prior to the issuance of a Certificate of Occupancy or Completion.
2. Valet parking shall be provided in accordance with a plan entitled "Valet Parking Plan", prepared by Thomas F. Fitzsimmons, AIA, dated: 8/19/2009, for any social function where the anticipated number of guests in the social hall is 100 or more persons. Motor Vehicles which are under the control of the applicant, its employees, or contractual agents shall not be parked on Clair Street, Jason Avenue or within the adjacent Residence District.
3. On the Sabbah (sunset Friday to sunset Saturday) and on the High Holy Days the applicant shall provide on the premises 30 off-street parking stalls as depicted on a Parking Lot Closure Plan entitled "Babylonian Jewish Center", prepared by Thomas Fitzsimmons, AIA dated: 8/19/2009.
4. Applicant shall install a suitable refrigerated garbage locker within the building. There shall be no outdoor storage of putrescible waste generated by the proposed restaurant at any time. The applicant shall arrange for indoor carry-out pick-up with a licensed sanitation collector and shall forward a copy of the contract to the Building Official prior to the issuance of a Certificate of Occupancy. All exterior doors shall be of solid construction, equipped with self closing hardware; and shall remain closed at all times except for ingress & egress.
5. The driveway/curb cut on Clair Street shall be angled with a concrete traffic island and that a "No Left Turn" sign shall be maintained at the driveway. All Landscaping and fencing shall be maintained in compliance with the approved site plan.
6. Applicant shall comply with all laws, ordinances, rules and regulations of all public authority with jurisdiction over the premises and that. No Certificate of Occupancy / Completion shall be issued until absolute compliance has been proven the Commissioner of the Building Department.

DLM/gm 12/16/2009