

**State Supreme Court Vacates Ruling by Village Zoning Board  
to Allow Expansion of Hassidic Synagogue in Southampton**

Reisman, Peirez & Reisman's representation of residents over two years in opposition to a variance application by a Chabad House has resulted in a favorable ruling on February 13, 2007, by New York State Supreme Court Justice Thomas F. Whelan that may stop the planned expansion of a Hasidic house of worship located on Hill Street in Southampton.

“A religious institution does not enjoy a conclusive presumption of an entitlement to an exemption from zoning ordinances,” wrote Judge Whelan. “The court of appeals has reaffirmed the right of zoning boards after the appropriate balancing process to deny a special use permit.”

“This is not about the residents of Southampton being unwelcoming of diversity, of a Jewish house of worship or members of the Chabad Hasidic community,” said David Peirez, a partner in the Garden City law firm of Reisman, Peirez and Reisman which appeared before the Village Zoning Board of Appeals over a two-year period in opposition to the variance application. After the Village granted the application, Reisman, Peirez & Reisman filed a legal challenge in State Supreme Court.

“The village zoning board failed to follow established legal standards, Rabbi Konikov did not address the environmental impacts that their expansion of a private home into a full service Synagogue would have on the community, also failed to meet the safety standards established by the fire department.”, said Mr. Peirez.

The matter will now go back before the Southampton Zoning Board of Appeals.

**LINK: *New York Times* - L.I. Edition** February 25, 2007  
***The Jewish Week*** February 23, 2007