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*Via email: abettello@newhempstead.org*

Members of the Planning Board  
Village of New Hempstead  
108 Old Schoolhouse Road  
New City, New York 10956

Re: Bama Enterprises Corp. (Binyamin Amona)  
*619 Union Road, New Hempstead, NY (SBL 50.05-1-18)*

Dear Board Members:

This letter is to clarify the confusion with respect to my client's application. The Village has insisted that a narrative be submitted relating to the Village code 255-6, we have done so. This narrative relates to the establishment of a hardship to permit the Planning Board to consider our client's subdivision application. This is distinct from the review of my client's subdivision application itself.

Since the establishment of a hardship and the evaluation of the subdivision plan, are two separate things, my client does not believe the hardship narrative and associated documents should be included with the documents circulated for the other agencies. This is a separate application for a separate variance that has nothing to do with the subdivision plan approval itself.

We strenuously object to this requirement that we submit a hardship narrative in the first place. We believe the Village Planning Board has never received, approved or denied any such applications in the past and we are certain that the Village has approved other subdivisions that did not comply with strict standards in the past without such a narrative. We have submitted a FOIL request to the Village seeking any such application approvals or denials.

Although we strongly object to this process, we have worked with our client to submit a narrative backed with financial documents reflecting his hardship. As I stated above, we believe it should be considered **without** distribution to any other agencies. We ask that this be put on the April Planning Board Agenda for

determination of the hardship.

Very Truly Yours,

*Joseph Churgin*

JOSEPH A. CHURGIN

JAC/dk

cc: Bruce Minsky, Esq. (via email: [bwminsky@gmail.com](mailto:bwminsky@gmail.com))  
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