

VILLAGE OF NEW HEMPSTEAD
108 OLD SCHOOLHOUSE RD.
NEW CITY, N.Y. 10956

BOARD OF TRUSTEES

REGULAR MEETING
MONDAY, JULY 24, 2017
7:30 P.M. – VILLAGE HALL

PRESENT

ABE SICKER, MAYOR
ADAM REICH
SHALOM MINTZ
MOSHE SCHULGASSER

ABSENT

ALSO PRESENT

BRUCE MINSKY, VILLAGE ATTORNEY
LORI BELLO, DEPUTY VILLAGE CLERK-TREASURER

Pledge of Allegiance

Roll Call

Open Floor – Public participation

Mr. Geis, 7 Kingston Dr. re: the Village website. Wants the website to reflect the real feelings of the people in the Village. He feels the current website encourages builders in error.

Mayor Sicker appoints Moshe Schulgasser for the unexpired term of Trustee.

Public Hearing for Special Permit: Applicant is Congregation Bais Malka (Belz School for Girls). The property address is 46-48 Grandview Avenue, New Hempstead, N.Y. 10977 and is known on the Town of Ramapo Tax Map as Section 41.20, Block 2, Lot 41. The applicants are requesting a special permit for the installation of a temporary prefabricated classroom building on site, to be used during the construction of a permanent classroom building. The property is located on the south side of Grandview Avenue approximately 500 feet west of Union Road in a 1R-25 zoning district.

Paul Savad, Attorney for applicant – This involves a 16.9 acre property, formerly the Colton School. It involves an 11,000 sq. ft. addition. The applicant has received approval from the Planning Board to build a brick and mortar building for 160 new female children between the ages of 3 and 6. The current school has 700 students who live in the district; 150 of which are special needs and HASC occupies a portion of the building. The Planning Board issued a negative declaration and all the comments from the county have been addressed. No variances. The Planning Board has also approved the temporary modular for the classrooms. They, now need approval from the Village Board for the school. The building permit will be for only one year and the applicant will have to come back to renew it for another year. The Certificate of Occupancy is for one year.

Mayor Sicker incorporated the following correspondence into the record:

Town of Ramapo Dept. of Public Works dated 7/14/17
Rockland County Sewer District #1 dated 7/14/17
Maser Consultants dated 7/11/17
Celentano Engineering dated 7/11/17
Rockland County Dept. of Planning dated 7/11/17
Rockland County Highway Dept. dated 6/28/17
NYS Dept. of Environmental Conservation dated 6/21/17
Rockland County Dept. of Planning dated 6/27/17 (Gross Floor Area)
Rockland County Dept. of Planning dated 6/27/17 (Temporary Modular)
Rockland County Div. of Environmental Health dated 6/13/17
Rockland County Div. of Environmental Health dated 6/26/17
Same will be attached to and made a part of this record.

Mr. Lange discussed the most recent GML from the Dept. of Planning.

Trustee Mintz offered the following motion, which was seconded by Trustee Reich:

Resolution # BOT 2017-127

Resolved, that the public hearing on application of Congregation Bais Malka is hereby opened. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted. Mayor Sicker chose not to vote unless needed.

Charles Frankel, speaking as Chairman of the Planning Board – the plan requires that the temporary trailers meet all fire and building codes within the State of New York and also that our Local Law also requires that the trailers meet all fire and building codes.

Attorney Minsky wanted confirmation that there was an approved permanent building that is existing and approval for the interim school building that this temporary building will utilize while this building is being constructed. Also the applicant should demonstrate the need for these structures while the permanent building is being constructed. The permit will be limited to one year.

Mayor Sicker reminded the applicant that they must appear before the Board at least 30 days before the expiration date in order to renew the permit.

Trustee Mintz offered the following motion, which was seconded by Trustee Schulgasser:

Resolution # BOT 2017-128

Resolved, that the public hearing on application of Congregation Bais Malka is hereby closed. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

Trustee Reich offered the following motion, which was seconded by Trustee Mintz:

Resolution # BOT 2017-129

Resolved, that the Board of Trustees of the Village of New Hempstead hereby approves the application of Congregation Bais Malka for a Special Permit for the installation of a temporary prefabricated classroom building on site, to be used during construction of a permanent classroom building subject to the conditions listed in the GML letter from the Rockland County Planning Board dated July 24, 2017. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Continuation of Public Hearing for NC zone petition.

Ira Emanuel, Esq. – Attorney for Applicant – made a presentation.

The applicant will celebrate their 2nd birthday on August 5th. They have been “at this” for some time. This application is to allow the creation of an overlay district that will allow for commercial uses within the Village in certain circumstances. The client has a particular site in mind; the corner of Rte. 306 and Grandview Ave. The petition is to create and to apply for this floating zone.

Mayor Sicker stated previously the Board discussed the hours to be in operation. The wording was to allow the merger of two lots as long, as of today, neither of those lots have existing houses on them and one of those lots is on a State Highway. That is the only change to the last version of the Local Law.

Sally Kolinsky, 19 Barrie Drive – What is the proposal for that corner?

Mayor Sicker stated it is for a small establishment neighborhood development; a pharmacy or something of the like. This hearing is just for zoning. It is not for any particular applicant.

Ms. Kolinsky is concerned about traffic. Maybe there should be a traffic light.

Attorney Minsky explained this law allows the establishment of a neighborhood commercial district that would qualify. This is only creating the ability that every other village in Rockland County already has.

Discussion regarding parking for a Doctor’s office vs. a deli. Discussed at last meeting.

Trustee Mintz offered the following motion, which was seconded by Trustee Reich:

Resolution # BOT 2017-130

Resolved, that the public hearing on the NC zone petition is hereby closed. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Trustee Mintz offered the following motion, which was seconded by Trustee Reich:

Resolution # BOT 2017-131

Resolved, that the Board of Trustees of the Village of New Hempstead hereby adopts Local Law No. 4 of 2017, a local law amending Local Law No. 11 of 1984 (Zoning Code) establishing a Neighborhood Commercial District, as was sent out to review, last draft. The only change would be allowing for 2 lots to merge as long as the 2 lots qualify in acreage and neither of those lots, today, would have a residential home on it. Roll Call vote – Trustee Mintz, yes, Trustee Reich, yes, Trustee Shulgasser, yes, Mayor Sicker, yes. The resolution was adopted by a vote of 4-0.

Trustee Reich offered the following motion, which was seconded by Trustee Shulgasser:

Resolution # BOT 2017-132

Resolved, that the Board of Trustees of the Village of New Hempstead hereby schedules a public hearing for August 22, 2017 on the mapping of the Local Law No. 4 of 2017. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

Scheduling Public Hearing for Special Permit: Applicant Aron Saperstein, 4 Pennington Way, New Hempstead, N.Y. 10977

Trustee Reich offered the following motion, which was seconded by Trustee Shulgasser:

Resolution # BOT 2017-133

Resolved, that the Board of Trustees of the Village of New Hempstead hereby schedules a public hearing for August 22, 2017 on Application of Aron Saperstein, 4 Pennington Way, New Hempstead, N.Y. 10977. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

Scheduling a Public Hearing for Special Permit: Applicant Congregation Ohaiv Shalom, 18 Bridle Road, New Hempstead, N.Y. 10977.

Scheduling a Public Hearing for Special Permit: Israel Teichman, 36 Pennington Way, New Hempstead, N.Y. 10977

Trustee Reich offered the following motion, which was seconded by Trustee Mintz:

Resolution # BOT 2017-134

Resolved, that the Board of Trustees of the Village of New Hempstead hereby schedules a public hearing for August 22, 2017 on Application of Israel Teichman, 36 Pennington Way, New Hempstead N.Y. 10977. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

Trustee Mintz offered the following motion, which was seconded by Trustee Reich:

Resolution # BOT 2017-135

Resolved, that the Board of Trustees of the Village of New Hempstead hereby schedules a public hearing for August 22, 2017 on Application of Ohaiv Shalom, 18 Bridle Road, New Hempstead, N.Y. 10977. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

Resolution to accept resignation of Raphael Ziegler – no resolution required.

Discussion and scheduling a public hearing of proposed law for regulating hours of NC

Attorney Minsky explained that with regard to the commercial districts, the Board is looking to pass law

to govern the hours of operation and what they are allowed to do. At last month's meeting, the people around the location indicated they wanted something like a Pharmacy in that area.

Mayor Sicker explained that this law gives a minimum of places. There are only a few locations that qualify; it has to be on a State Highway for one thing. The traffic is considered. The Boards are trying to control the situation.

Charles Frankel, Chairman of the Planning Board – A complaint was received in the early part of the discussion for the school that is being built. The complaint was about the easterly exit, that it was not built in accordance with the plan, which was confirmed by our Village Engineer. It was not built according to the plan because the turn out does not prevent them from turning left. That needs to be Addressed. It needs to be corrected as to the plan that was approved by the Village Board.

Mayor Sicker stated he would follow up on that.

Trustee Mintz is sitting in as temporary Deputy Mayor, as the Mayor had to leave for a few minutes.

Approval of Abstract of Audited Vouchers 2017-7

Trustee Reich offered the following motion, which was seconded by Trustee Mintz:

Resolution # BOT 2017-136

Resolved, that Abstract of Audited claim numbers 17557 through 17590 in the amount of \$33,975.45 are hereby approved. Deputy Mayor Mintz called for a vote. The vote was 3-0. The resolution was adopted.

Mayor Sicker returned to the meeting.

Trustee Reich offered the following motion, which was seconded by Trustee Mintz:

Resolution # BOT 2017-137

Resolved, that the Board of Trustees of the Village of New Hempstead hereby authorizes Mayor Sicker to sign Right-of-Way use agreement with Crown Castle. Deputy Mayor Mintz called for a vote the vote was 3-0. The resolution was adopted.

GML – Town of Ramapo/Moratorium for temporary modular units

Correspondence dated June 27, 2017 from Rockland County Dept. of Planning –Town of Ramapo/Moratorium for Temporary Modular Units – no comment
Correspondence dated June 27, 2017 from Rockland County Dept. of Planning - Town of Ramapo/Gross Floor Area – no comment

Trustee Reich offered the following motion, which was seconded by Trustee Mintz:

Resolution # BOT 2017-138

Resolved, that the minutes of the meetings of March 13, 2017, June 14, 2017 and June 27, 2017 are hereby approved and the reading of said minutes be waived. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

No Mayor's report
No Trustees' Report

Trustee Schulgasser offered the following motion, which was seconded by Trustee Reich:

Resolution # BOT 2017-139

Resolved, that the meeting of the Board of Trustees held on July 24, 2017 is hereby adjourned. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

Respectfully submitted – Lee Mazza Secretary