

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

**PLANNING BOARD**

SPECIAL MEETING  
June 13, 2017  
7:30 P.M. – VILLAGE HALL

PRESENT

CHARLES FRANKEL, CHAIRMAN  
RACHEL SCHWARTZ, DEPUTY CHAIRMAN  
HILLEL KURZMANN  
MEL POLIAKOFF  
JENNIFER EISENSTEIN

ABSENT

ALSO PRESENT

DENNIS MICHAELS, VILLAGE ATTORNEY  
JOHN LANGE, VILLAGE PLANNER  
ALLISON WEINRAUB, PLANNING BOARD SECRETARY

At the request of Amy Mele, Item 5 of the agenda will be discussed first.

**Discussion – the adoption of a Local Law amending Local Law No. 11 of 1984 involving a petition to add a new overlay zoning district to be designated as “Neighborhood Commercial” or “NC”**

Chairman Frankel stated the P.B. reviewed this Local Law back in December. We sent a favorable recommendation to the Village Board. The law has not been passed and certain amendments are being suggested to the Board of Trustees.

John Lange outlined his recommendation to the Board of Trustees - The major change is the lot size. Some of the areas we looked at are ½ acre or ¾ of an acre. If we had to do it on the basis of that they would be denied because they do not have the lot size. The maximum size, whatever the Board feels it wants to do, would still govern, but they will be able to put some lots together. It doesn't really change the number of sites that would be potentially eligible for this. There was a change in the floor area ratio that was requested by the County. There were no problems with that. Other than that, it is pretty much the way they proposed the original requirements. It does not have a significant impact. The only thing is it is allowing people with smaller lot sizes to be able to use that floating zone.

Chairman Frankel stated this item is on the agenda for the Board of Trustees' meeting tomorrow night. He also recommended that the P.B. continue to favorably recommend the floating zone.

Mrs. Schwartz offered the following motion, which was seconded by Mr. Poliakoff:

Resolution # P.B. 2017-41

WHEREAS the Planning Board has reviewed and discussed possible changes to the proposed commercial floating zone, and

WHEREAS the Planning Board has previously recommended to the Board of Trustees favorable approval of the zoning law,

NOW, BE IT RESOLVED, that the Planning Board continues its favorable recommendation for the approval of the floating zone law as amended with the revisions as submitted by Village Planner John Lange.

Chairman Frankel called for a vote. The vote was 5-0. The resolution was adopted.

**Continuation of a Public Hearing on Bais Malka HASC LLC. The property is located on the south side of Grandview Avenue, 900 feet east from the intersection of Pleasant Ridge Road in the Village of New Hempstead; designated on the Town of Ramapo Tax maps as Section 41.20 Lot 41, Block 2 in a 1R-25 zoning district.**

Present:  
Mr. Churgin  
Rabbi Grossman  
Mr. Celentano

Chairman Frankel stated the Planning Board declared a negative declaration on both parts of the original application; the pool and the permanent building. The Planning Board also approved the site plan relative to the pool. At this time we are in public hearing discussing the permanent prefabricated building. The Village Board approved a Special Permit for this building subject to site plan approval by the P.B.

Chairman Frankel stated at the TAC meeting several weeks ago, in reviewing the plans for the prefabricated permanent building, the applicant made us aware that the delivery of the prefab and its placement and construction would not allow them to open up school on a timely basis for this year. In addition, they have explored, based upon considerable suggestions by the Village Engineer, a number of engineering changes to accommodate the comments that were made on behalf of the neighbors. As a result, in reviewing the situation, the applicant has decided that instead of a prefabricated permanent building, they will construct a brick and mortar permanent building. A permanent building is a permanent building, whether it is brought in or whether it is constructed on site. The location of the building has not changed. It still has a basement and all the components that were discussed before. Since the building will not be ready in time for this school year, the applicant has submitted an application for a temporary modular for next year. That temporary building will be placed on another portion of the property on a temporary basis. That application, since the P.B. has the SEQRA responsibility, is Item #4 on the agenda and will be our designation as an intent to be Lead Agency on that application. At this meeting tonight, there will not be a public hearing on the application for the temporary trailer. Our discussion this evening should be on the permanent building.

Chairman Frankel introduced correspondence into the record.  
Town of Ramapo, Dept. of Public Works dated June 2, 2017  
Petition signed by 18 people who live on Pleasant Ridge Rd. except for 2 who live on the corner of Pleasant Ridge & Greenhill Rd. dated June 13.

Chairman Frankel asked Mr. Lange for his thoughts on the decision to build a permanent building as opposed to a prefab.

Mr. Lange stated the applicant has the right to place his school where they feel it is the best place provided he doesn't need any variances. The map shows that the nearest neighbor is 80 feet away. With the new building close to the old one, the road will then be closer to the property line. The road will have buses going back to the pool.

Chairman Frankel asked where the applicant intends to place the temporary building.

Discussion –

Chairman Frankel asked if the neighbors' situation would improve if the new building was built closer to the existing building. The applicant stated the situation is better where it is presently planned.

Chairman Frankel stated he has spoken with Village Engineer, McCreedy. He has not had a chance to review everything. He stated that anything we do can be conditioned on his final assessment.

Chairman Frankel opened the public hearing.

No one from the public wished to speak. No one from the Board had questions. The subject is on the permanent building.

Attorney Michaels read the GML from the Rockland County Dept. of Planning dated May 15, 2017.

Mr. Churgin agreed to all of the conditions of the GML. None of the conditions will be overridden.

Chairman Frankel offered the following motion, which was seconded by Mr. Poliakoff:

Resolution # P.B. 2017-42

Resolved, that the public hearing on application of Bais Malka HASC LLC is hereby closed.

Chairman Frankel called for a vote. The vote was 5-0. The resolution was adopted.

Chairman Frankel offered the following motion, which was seconded by Mrs. Eisenstein:

Resolution # P.B. 2017-43

Resolved, that the application for site plan approval for Bais Malka HASC LLC is hereby approved subject to approval of Village Engineer and subject to the conditions of the County GML dated May 15, 2017, with which the applicant concurs. Chairman Frankel called for a vote. The vote was 5-0. The resolution was adopted.

**Bais Malka – Intent to Declare Lead Agency**

Mrs. Schwartz offered the following motion, which was seconded by Mr. Poliakoff:

Resolution # P.B. 2017-44

Resolved, the Planning Board declares itself to be Lead Agency with reference to the application of Bais Malka. Chairman Frankel called for a vote. The vote was 5-0. The resolution was adopted.

The public hearing will be on July 11, 2017.

Attorney Michaels stated because the interim school use is going to affect more than one piece of property that is owned by more than one entity, we are going to need a temporary easement (document) which will be related to a performance bond so if the temporary trailers stay longer than they are supposed to stay, the Village can enter the property and literally dismantle them.

Item #6 was pulled from the agenda.

**Discussion – Executive Order GML recommendations**

Communication from Rockland County, Office of the County Executive dated May 22, 2017 is attached to and made a part of this record.

Chairman Frankel explained that if it is necessary to override any item from the County's GML, the P.B. as well as other boards, should be aware there are administrative details that have to be taken care of.

Mrs. Schwartz offered the following motion, which was seconded by Mrs. Eisenstein:

Resolution # P.B. 2017-45

Resolved, that the minutes of the regular meeting of the Planning Board, held on April 3, 2017 are hereby approved as submitted and that the reading of said minutes be waived. Chairman Frankel called for a vote. The vote was 3-0. Mr. Poliakoff and Mr. Kurzmann were not in attendance at that meeting.

Mr. Poliakoff offered the following motion, which was seconded by Mr. Kurzmann:

Resolution # P.B. 2017-46

Resolved, that the minutes of the regular meeting of the Planning Board, held on May 1, 2017 are hereby approved as submitted and that the reading of said minutes be waived. Chairman Frankel called for a vote. The vote was 3-0. Mrs. Schwartz & Mrs. Eisenstein were not in attendance at that meeting.

Mr. Poliakoff offered the following motion, which was seconded by Mrs. Eisenstein:

Resolution # P.B. 2017-47

Resolved, that the minutes of the regular meeting of the Planning Board, held on May 16, 2017 are hereby approved as corrected and that the reading of said minutes be waived. Chairman Frankel called for a vote. The vote was 3-0. Mrs. Schwartz & Mr. Kurzmann were not in attendance at that meeting.

Next meeting is July 11, 2017. Tentative meeting for August 16, 2017.

Mr. Kurzmann offered the following motion, which was seconded by Mrs. Schwartz:

Resolution # P.B. 2017-48

Resolved, the meeting of the Planning Board held on June 13, 2017 is hereby adjourned.  
Chairman Frankel called for a vote. The vote was 5-0. The resolution was adopted.

Respectfully submitted,

Lee Mazza, Secretary