

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

BOARD OF TRUSTEES

REGULAR MEETING
Tuesday, April 28, 2020
7:30 P.M. – ZOOM

PRESENT

ABE SICKER, MAYOR
SHALOM MINTZ, DEPUTY MAYOR
ADAM REICH, TRUSTEE
JEN EISENSTEIN, TRUSTEE

ABSENT

MOSHE SCHULGASSER, TRUSTEE

ALSO PRESENT

ALLISON WEINRAUB, DEPUTY VILLAGE CLERK-TREASURER
BRUCE MINSKY, VILLAGE ATTORNEY
GLENN MCCREEDY, VILLAGE ENGINEER
JOHN LANGE, VILLAGE PLANNER

PLEDGE OF ALLEGIANCE

ROLL CALL

OPEN FLOOR – PUBLIC PARTICIPATION

Stephen Geis, 7 Kingston Dr

Would like to thank the Village and Town for the distribution of reusable masks.

APPROVAL OF ABSTRACT OF AUDITED VOUCHERS 2020-3

Trustee Eisenstein offered the following motion, which was seconded by Deputy Mayor Mintz:

Resolution # BOT 2020-26

Resolved, that abstract of Audited Vouchers 2020-3, #18948-18982 in the amount of \$26,601.72 is hereby approved. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

APPROVAL OF MINUTES: 2/25/2020

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

Resolution # BOT 2020-27

Resolved, that the minutes of the meeting of 2/25/2020 are hereby approved and the reading of said minutes is waived. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

Public Hearing for Avrohom Spitzer-8 Red Oak Ln. The Applicant is requesting Special Use Permit per Section 290-28.E(2) from the Village of New Hempstead Zoning Code; The construction of an accessory building or structure over 1,000 square feet in floor area or greater than 20 feet in height shall require the issuance of a special permit by the Board of Trustees. The subject property is located on North side of Red Oak Ln, 350 ft. from the intersection of McNamara Rd. designated on the Town of Ramapo Tax Map as Section 33.17 Block 3 Lot 32 in a 1R-50 Zoning District

The Building inspector could not make it because he had to run to a fire call, but he does not feel this application should be approved at this time. This structure was already built, and the plans don't match what was erected.

Yossi Walter, Representing the applicant
Kevin Conaway, Attorney representing the applicant
Anthony Celentano, Engineer Representing the Applicant

The applicant's professionals explained the neighboring property the structure is on is owned by the applicant. Totaling 4 acres. The applicant will remove the old shed because the Village code only allows for one. The structure will be used for a wood working shed as a hobby and would also like to store his lawn maintenance equipment for his adjoining properties. The applicant is aware that he cannot run a business, it will not be used for commercial vehicles, and this will be for personal use only. The reason we are seeking the Special Use Permit is because the shed is larger than the existing house. We will also need a Variance if we receive the Special Use Permit.

Mayor Sicker asked if the shed to be removed is currently on the property and is the new structure currently erected?

The applicant's attorney responded the small shed is still on the property but will be removed and the structure has already been erected. This is more to legalize.

Mr. Celentano explained the applicant is looking to relocate the structure to off the property line.

The board takes issue with the placement, access, and size of the structure. They would like the building inspector to go out and determined

The Village Planner believes this is a really big structure. If he would have come in for a permit, we would not have allowed him to place it there and it's also not a size permitted in our ordinance. Do we want to make an exception, and will this set precedent?

Village Engineer has no issue with the size because it will be meant for recreation use, but it will be up to the applicant to justify the size of the accessory structure. I am not against the application but it's up to the applicant to prove that it is warranted.

Attorney for the applicant states the lot is large enough that an exception won't set a precedent.

Mrs. Weinraub stated it appeared in the Journal News April 13, 2020 Affidavit of Notice was timely.

Comments Read into the Record:

RC Highway, March 12, 2020

RC Planning, March 20, 2020

RC Sewer District, April 14, 2020

After further discussion it was determined there are too many open questions and concerns. The applicant has to work on the application further before the board can consider approving anything. The submission must be in before May 13, 2020. They should provide photos of the inside and outside of the structure. The applicant should arrange with the village a time for the building inspector to go out there and inspect. This does need to be recirculated for GML, so it will need the 30 days for review.

Trustee Eisenstein offered the following motion, which was seconded by Deputy Mayor Mintz:

Resolution # BOT 2020-28

Resolved, that the Village Board of the Village of New Hempstead hereby adjourn the Public Hearing for Avrohom Spitzer for the Special use Permit to May 26, 2020. The subject property is located at 8 Red Oak Ave. New Hempstead NY. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

PUBLIC HEARING ON COMMUNITY DEVELOPMENT BLOCK GRANT PARTICIPATION

After some discussion between the Board and Village Attorney it was determined it would be in the best interest of the Village to opt out of the Community Block Grant Participation.

Trustee Eisenstein offered the following motion, which was seconded by Deputy Mayor Mintz:

Resolution # BOT 2020-29

Resolved, that the Village of New Hempstead hereby opt out of participation in the Community Development Block Grant. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

ADJOURN TO May 26, 2020 CONTINUATION PUBLIC HEARING FOR BAIK MALKA- THE APPLICANTS ARE SEEKING Special Permit APPROVAL TO PERMIT THE CONSTRUCTION, MAINTENANCE AND USE OF A PERMANENT CLASSROOM BUILDING. THE SUBJECT PROPERTY IS LOCATED AT 46-48 GRANDVIEW AVE ON THE WEST SIDE OF GRANDVIEW AVE 900 FEET WEST OF PLEASANT RIDGE RD. DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 41.20 BLOCK 2 LOT 41 IN A 1R-25 ZONING DISTRICT

The Applicant has requested to adjourn until May 26, 2020

Trustee Eisenstein offered the following motion, which was seconded by Deputy Mayor Mintz:

Resolution # BOT 2020-30

Resolved, that the Village Board of the Village of New Hempstead hereby adjourn the Public Hearing for Baik Malka for the Special use Permit to May 26, 2020. The subject property is located at 46-48 Grandview Ave. New Hempstead NY. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

MAYORS REPORT-Since our last meeting the village suffered a great loss. We would like to send our deepest condolences to the Pollack Family. Adam Pollack served on the Village Zoning Board for many years. He will be missed. Everyone please stay safe, healthy and reach out if there is anything the Village can do in these trying times.

DEPUTY MAYORS REPORT – Stay safe.

TRUSTEES REPORT-None

MOTION TO ADJOURN

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

Resolution # BOT 2020-31

Resolved, that the meeting on April 28, 2020 of the Board of Trustees is hereby adjourned. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Respectfully submitted,
Allison Weinraub, Deputy Village Clerk-Treasurer