

March 22, 2022

Page 1 of 12

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

BOARD OF TRUSTEES

REGULAR MEETING

March 22, 2022

7:00 P.M.

PRESENT

ABE SICKER, MAYOR (Mayor Sicker left at 8:00pm)

JEN EISENSTEIN, TRUSTEE

ADAM REICH, TRUSTEE (ZOOM)

MOSHE SCHULGASSER, TRUSTEE

SHALOM MINTZ, DEPUTY MAYOR

ABSENT

ALSO PRESENT

BRUCE MINSKY, VILLAGE ATTORNEY

ALLISON WEINRAUB, VILLAGE CLERK TREASURER (ZOOM)

EILEEN SAMMARONE, DEPUTY VILLAGE CLERK TREASURER

ZACK KAMM, VILLAGE ENGINEER (ZOOM)

GLENN MCCREEDY, VILLAGE ENGINEER

JOHN LANGE, VILLAGE PLANNER (ZOOM)

TERRY RICE, ATTORNEY

PLEDGE OF ALLEGIANCE

ROLL CALL

OPEN FLOOR – PUBLIC PARTICIPATION

Merriet Million, 566 Union Rd.

There is construction going on by her house that she thought she would get certified mailing across Naomi Ln.

The Mayor explained that you would only get notice if a Public Hearing is needed for the project.

A gentleman from the public had an issue with the steep hill by Grandview Ave. and Union Rd. for more than a Stop Sign. Would like the village to work with the county to come up with a solutions.

The Village has attempted to work with them on this in the past but will try again to see if there is a feasible solution.

Stewart Weider, 38 Brockton Rd.

People have been leaving their trash and recycling bins at the curb the entire week.

The Mayor will have someone look into this.

March 22, 2022

Page 2 of 12

Gisele Simmons, 759 N Main St.

Has issue with the Traffic that builds up on RT-45 from Pomona. Lives across New Square where there are parties every night. It becomes impossible for her to get into her driveway. The Town of Ramapo has done a traffic Study but nothing was done.

The Mayor will look into the report.

Terri Dickerson, 5 Greenridge Way

Also has issue with the traffic. Also has issue with the garbage that blows across the street into our neighborhood.

Mayor Sicker is going to look into this to see if there is anything that can be done.

Carla Candel, 40 Shady ridge Ln

Has issue with the traffic. If zoning is going to change a traffic study must be done.

Mayor Sicker will go out with the village engineer on Sunday to look into these issues

APPROVAL OF ABSTRACT OF AUDITED VOUCHERS 2022-3

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

Resolution # BOT 2022-22

Resolved, that abstract of Audited Vouchers 2022-3, #19948-19990 in the amount of \$50,554.26 is hereby approved. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE 2022 STORMWATER EDUCATION AGREEMENT

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

Resolution # BOT 2022-23

Resolved, that the village board of the village of New Hempstead hereby authorize the Mayor to sign the 2022 Stormwater Education Agreement. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

DISCUSSION: WINTER PARKING REGULATIONS

The mayor explained he has been contacted by a bunch of people regarding the winter parking regulations. People have issue with No Parking overnight if they have a couple of extra cars or guests. He discusses with the Board about considering a No Parking during Snow Storms and when the plows are out. The Mayor wants the board and attorney to think about it and place this on for the next agenda.

DISCUSSION: TEMPORARY SPEED HUMPS BY FESSLER DR.

March 22, 2022

Page 3 of 12

The village has been contacted by a bunch of residence in that area about speeding. It is a very windy road that people use as a cut thru. Particularly in front of 45 Fessler. The village is contemplating putting the temporary speed humps in that area for about 4 months.

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

Resolution # BOT 2022-24

Resolved, that the village board of the village of New Hempstead hereby approve the placement of the temporary speed humps on Fessler Dr. by 45 Fessler Dr. Mayor Sicker called for a vote. The Vote was 4-0. The resolution was adopted.

PUBLIC HEARING ON- A LOCAL LAW REPEALING AND AMENDING LOCAL LAW 3 OF 2021 A LOCAL LAW TO AMEND THE VILLAGE OF NEW HEMPSTEAD ZONING CODE TO INCLUDE PROPOSED ZONING CHANGES AND ADDITIONS/AMENDMENTS/MODIFICATIONS TO VILLAGE ZONING LAW BASED UPON ADOPTION OF NEW ZONING MAP FOR THE VILLAGE OF NEW HEMPSTEAD, NEW YORK.

Mayor Sicker explained we have been in the process of updating our comprehensive plan and village zoning for about 3 years. There was a lot of public participation and comments taken into consideration when the plan was drafted. This Local Law that was drafted was passed last year based on the public charrette. The Mayor explained for a lot of the new zoning the village will require dedicated green and open space. All of the information is posted on the website. If there is issue finding it on the website please email concerns@newhempstead.org for instructions. There will be plenty of time to comment on this item. Tonight we want to hear everyone's comments. There was an article 78 filed because of this which is frivolous, but instead of going on a 5 year back and forth legal battle we are choosing to try and answer the open questions even though the village is not required to. When we started the comp plan a postcard went out to every resident informing them of the public charrettes and inviting them to participate and join the village mailing list. It is costly to do these types of mailers and we are not required to but because of the article 78 one of the items we are addressing in the repeal is the notification. We are currently working on a new postcard to simply say please join the email list that will be going out. Tonight is strictly to gather any information that people have regarding this. There is a 2 min timer per person. You can also email comments to concerns@newhempstead.org.

Mayor Sicker introduced Terry Rice the attorney assisting the village with this Local Law.

The Public was encouraged to go on the website to view a copy of the Local Law. This process is going to be ongoing. There will be additional studies done. This is just the beginning of the process.

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

Resolution # BOT 2022-25

Resolved, that the village board of the village of New Hempstead hereby open the Public Hearing on - A Local Law Repealing and Amending Local Law 3 Of 2021 A Local Law To Amend The Village Of New Hempstead Zoning Code To Include Proposed Zoning Changes and Additions/Amendments/Modifications To Village Zoning Law Based Upon Adoption Of New Zoning Map For The Village Of New Hempstead, New York. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

March 22, 2022

Page 4 of 12

Deborah Munitz, 5 Rosehill Rd., Montebello, ROSA for Rockland

Thanks the board for redoing the Local Law. Did not see notice in the journal news. Would like to give the public adequate time to comment.

Merriet Million, 566 Union Rd.

Attended meetings at the village before COVID but this is the first notification received about a zoom link. Would like to know how she can stay informed.

Eliakim Koenigsberg, 14 Brockton Rd

Would like to know what the zoning changes are.

The Mayor requested he email him and he will send over a link to the website with the Local Law.

Send in comments over the next two weeks for the board to review for the April 26 meeting.

If you email updates@newhempstead.org you will be added to the village email list and receive information on village information and upcoming meetings.

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

Resolution # BOT 2022-26

Resolved, that the village board of the village of New Hempstead hereby adjourns the Public Hearing on - A Local Law Repealing and Amending Local Law 3 Of 2021 A Local Law To Amend The Village Of New Hempstead Zoning Code To Include Proposed Zoning Changes and Additions/Amendments/Modifications To Village Zoning Law Based Upon Adoption Of New Zoning Map For The Village Of New Hempstead, New York to April 26. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

CONTINUATION OF THE PUBLIC HEARING ON A LOCAL LAW REGARDING TREE REMOVAL

This Public hearing will continue to the next meeting April 26, 2022

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

Resolution # BOT 2022-27

Resolved, that the Village Board of The Village of New Hempstead hereby adjourn the Public hearing on a Local Law regarding Tree Removal to April 26, 2022. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted

CONTINUATION OF THE PUBLIC HEARING: TO CONSIDER THE PETITION OF PENNINGTON LOTS, LLC, 120-150 MCNAMARA RD. NEW HEMPSTEAD, NY 10977. THE APPLICANTS ARE PETITIONING THE BOARD OF TRUSTEES FOR A ZONE CHANGE TO AN OPTIMIZED SINGLE FAMILY CLUSTER ZONE PER THE REQUIREMENTS OF SECTION 3 LOCAL LAW 3 OF 2021 THE SUBJECT PROPERTSY IS LOCATED ON THE EAST SIDE OF MCNAMARA RD, 250 FT. FROM THE INTERSECTION OF WILLOW TREE RD. AND ON THE WEST SIDE OF PENNINGTON WAY 246 FT. +/- FROM THE INTERSECTION OF SANDY BROOK DRIVE. THE PROPERTIES ARE DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 42.09 BLOCK 2 LOT 1 AND SECTION 42.05 BLOCK 2 LOT 14 IN A 1R-25 ZONING DISTRICT.

March 22, 2022

Page 5 of 12

Attorney Minsky went through the history of this project. It was listed as an unlisted action under SEQR. No environmental impact statement was needed. The applicant went through the necessary studies and at the February meeting the board issued a Neg Dec and as a response to the Neg Dec the board approved the petition. Subsequent to that the applicant was contacted by the Rockland County Dept. of Health the application should've been a type 1. It ends up being a technical issue. We now must go back and redo the SEQR identification to type 1 instead of unlisted action.

The Village engineer explained even though this was deemed an unlisted action initially it was still treated as a type 1 action. NYS does not require this type of project as a type 1 but Rockland County Health Dept. does.

The override was done at the previous meeting.

3 Pennington Way

Is concerned about mosquitos near the pond.

Glenn explained once that portion is completed they can register it with the County health dept. for mosquito treatment.

If you have issues with buffering that would be presented at the Planning Board. You can be in contact with the developers to see if you can come to an agreement.

There will be a Bond imposed to be sure the work gets completed.

Deborah Munitz, 5 Rosehill Rd., Montebello

Talks about concerns with the SEQR evaluation that was done.

The attorney explains that the applicant went through an intense study and the property was evaluated as is and how it is going to be.

Sarah Saperstein, 4 Pennington Way

Would like to know what went into the traffic study?

The board informed the public they can call the village for more information on what goes into something like a traffic study.

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

Resolution # BOT 2022-28

Resolved, that the Village Board of The Village of New Hempstead hereby close the Public Hearing on an application for a zone change to an optimized single-family cluster zone for the project known as Pennington Lots LLC under the Village of New Hempstead's Local Law #3 of 2021 zoning standards, located on the east side of McNamara Road in the Village of New Hempstead, County of Rockland [Section 42.09 Block – 2, Lot – 1; and Section - 42.05, Block – 2, Lot – 14]. Deputy Mayor Mintz called for a vote. The vote was 4-0. The resolution was adopted.

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

**VILLAGE OF NEW HEMPSTEAD VILLAGE BOARD OF TRUSTEES RESOLUTION
22-29**

WHEREAS, the Village of New Hempstead Village Board of Trustees (the “Village Board”) received an application for a zone change to an optimized single-family cluster zone for the project known as Pennington Lots LLC under the Village of New Hempstead’s Local Law #3 of 2021 zoning standards, located on the east side of McNamara Road in the Village of New Hempstead, County of Rockland [Section 42.09 Block – 2, Lot – 1; and Section - 42.05, Block – 2, Lot – 14] (the “Project”); and

WHEREAS, the Project would involve actions by other agencies, including but not limited to, subdivision review by the Village Planning Board and realty subdivision approval by the Rockland County Department of Health (“RCDOH”); and

WHEREAS, the Village Board has considered all activities, steps and/or approvals required for the Project as part of the action in its review pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Project Sponsor submitted a Full Environmental Assessment Form (“FEAF”), in accordance with Article 8 of the Environmental Conservation Law and the regulations adopted thereto at 6 N.Y.C.R.R. Part 617 (i.e., SEQRA); and

WHEREAS, the Village Board adopted a resolution pursuant to 6 N.Y.C.R.R. §617.6 on November 23, 2021, declaring itself lead agency for the purpose of conducting a coordinated review of the Project pursuant to SEQRA; and

WHEREAS, the Village Board notified all involved agencies on at least 30 days’ notice that the Village Board intended to act as lead agency pursuant to SEQRA, and no objection to the Village Board assuming such status was made; and

WHEREAS, the Village Board held public hearings on November 23, 2021, December 21, 2021, February 3, 2022 and February 22, 2022 where input from all involved and interested agencies, including but not limited to the Village Planning Board, Rockland County Department of Planning, RCDOH, Rockland County Department of Highways, Town of Ramapo and others and heard and considered all input from the public, as well as from the Village’s consultants/professional staff [Engineer/Planner], that addressed the Village Board in connection with the Project; and

WHEREAS, following the close of the Public Hearing, the Village Board, after duly considering the criteria for significance pursuant to 6 N.Y.C.R.R. § 617.7, adopted a Negative Declaration at its February 22, 2022 Meeting; and

WHEREAS, following its adoption of a Negative Declaration on February 22, 2022, the Board became aware that the RCDOH takes the position that any project involving a “realty subdivision” is a Type 1 action under SEQRA pursuant to regulations adopted by the New York State Department of Health (“State DOH”); and

WHEREAS, although the Board is not entirely convinced of the RCDOH’s position, including because the regulations it appears to rely on for its position relate only to the State DOH,

in an excess of caution, the Board is now considering the Project as a Type 1 Action under SEQRA; and

WHEREAS, although the SEQRA regulations indicate that generally Type 1 actions are more likely to require the preparation of an environmental impact than unlisted actions, as the New York State Department of Environmental Conservation, the agency primarily responsible for SEQRA's implementation, makes clear in its guidance to SEQRA (the "SEQR Handbook"), an environmental impact statement is not automatically required for Type 1 actions, rather, the lead agency must determine the environmental significance of all Type 1 and unlisted actions on a case-by-case basis; and

WHEREAS, in response to an FEAF Part 2 issued for the Project, the Project Sponsor, through its environmental consultants, has further submitted to the Village Board an expanded FEAF Part 3 analysis and associated documentation, which considered in detail the Project's potential impacts on areas including construction, wetlands, groundwater, flooding, historic resources, and traffic, which the Village Board has duly considered;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF NEW HEMPSTEAD VILLAGE BOARD AS FOLLOWS:

Upon thorough review and due consideration by the Village Board of all information, the comments and input provided by the involved and interested agencies and the public, as well as the reports, studies, visual simulations, and analyses provided by the Project Sponsor and the Village Board consultants and professional staff, the Village Board makes the following findings:

1. The Village Board has considered the entire action comprising the Project pursuant to the parameters and criteria set forth in 6 N.Y.C.R.R. §§ 617.2(b) and 617.3(g).

2. The Village Board now classifies its review and approval of the Project as a Type I action pursuant to 6 N.Y.C.R.R. §617.4 and 10 N.Y.C.R.R. § 97.14.

3. The Village Board has carefully reviewed the project, the criteria set forth in 6 N.Y.C.R.R. §617.7(c), the comments and input provided by the involved and interested agencies and the public, as well as the technical information and analyses provided by the Project Sponsor and the Village Board's consultants, with regards to the Project. Based on the foregoing analyses and information, the Village Board has thoroughly reviewed the potentially relevant areas of environmental concern and finds that the Project will not result in a potential significant adverse impact on the environment for the following reasons:

(a) The Project will not have a significant potential adverse impact on land, since the Project Site will be developed in accordance with the plans provided to the Village Board by the Project Sponsor's experts and consultants. The Project Site is comprised of 13.55± acres and will be utilized as single-family residences. The Project will not affect any unique or unusual land formations.

(b) The Project will not have a significant potential adverse impact on water or surface water quality or quantity. The Project will not affect any protected water body. The Project Sponsor shall comply with applicable permit requirements set forth in NYSDEC's Phase II SPDES General and Individual Permits for Stormwater Discharges from Construction and Industrial Activities and the Village of New Hempstead's laws regarding stormwater discharges. The Project

would impact less than a tenth of an acre of wetlands. Accordingly, it would be covered by ACOE Nationwide Permit 29 for single-family housing. Nationwide Permits are issued by ACOE pursuant to Section 404 of the Clean Water Act on a class-wide (“General Permit”) basis pursuant to a determination that the category of activities that they cover “will cause only minimal adverse environmental effects when performed separately, and will have only minimal cumulative adverse effect on the environment.” See 33 U.S.C. §§ 1344(a) & (e). As such, the level of wetland impacts proposed in connection with the Project presumptively will have minimal adverse environmental impacts. See id. The Project’s minimal impact on wetland would also fulfill the intent of the Village’s Freshwater Wetlands Law, including by preserving the Site’s wetlands in an undisturbed and natural condition. See Village Code § 159-2. The Village Wetlands Law regulates certain activities within 100 feet of wetlands boundaries for the purpose of protecting wetlands. See Village Code § 159-5. The Project proposes activities within the regulated area, and will implement the Freshwater Wetlands Law’s goal of protecting the actual wetlands themselves by placing stakes, 18 inches high, at regular intervals around the wetlands boundaries, which shall state that they mark the boundaries of wetlands and that disturbance beyond these points is prohibited. This signage will protect the Site’s wetlands by ensuring that future homeowners are aware and remain cognizant that draining, dredging, excavation of material (other than debris or refuse), depositing materials (such as soil, rock, debris, garbage), and the erection of any buildings or structures are prohibited in the wetlands. The Project sponsor’s wetland consultant, Tim Miller Associates, has confirmed using the New York State Department of Environmental Conservation (“DEC”) Environmental Resource Mapper that the stream on the Site is classified as a Class C stream under the DEC’s Protection of Waters regulations, see Exhibit “B,” and, therefore, is not regulated by DEC as a “protected stream” under Article 15 of the New York Environmental Conservation Law. (See 6 N.Y.C.R.R. §§ 608.1(aa) & 608.2). As such, no DEC permits would be necessary to cross it or otherwise alter it. As such, the proposed impacts on the stream on the Site presumptively will have minimal adverse environmental impacts. See id. There will be no significant potential adverse impact to surface or groundwater quality and quantity including because as part of the coverage under the DEC State Pollutant Discharge Elimination System (“SPDES”) General Permit for Stormwater Discharges from Construction Activity, the Project is required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP), which must be in accordance with the requirements included in the General Permit for Stormwater Discharges from Construction Activity and include detailed Soil Erosion and Sediment Control Plan, specifically designed to avoid adverse impacts during construction. As set forth in the Preliminary Drainage Analysis prepared by Brooker Engineering, PLLC, dated February 11, 2022, which was submitted as part of the Project Sponsor’s EAF Part 3, an underground stormwater infiltration system will be constructed on the Site near Pennington Way and the new cul-de-sac. The stormwater detention system has been sized and designed to reduce peak discharge from the Project, providing a net decrease in peak discharges from the Property. Specifically, the Project provides a net decrease in the peak discharges from the 1-, 2-, 10-, 25- and 100-year storm events. The Project also includes significant drainage system improvements that will alleviate a known drainage issue of flooding in the backyards of the existing dwellings along Pennington Way. As such, the Project will not alter drainage flow or patterns, or surface water runoff. All activities at the Project Site shall be subject to applicable NYSDEC stormwater permitting requirements. Appropriate erosion measures shall be implemented as part of the Stormwater Pollution Prevention Plan required by NYSDEC and the Village of New Hempstead for all construction activities.

- (c) The Project will not affect air quality.

(d) The Project will not result in a potential significant adverse impact on plants and animals. There are no threatened or endangered species of animal or plant life present on the Project site. The Project will not substantially or adversely impact any non-threatened or non-endangered habitat. Approximately 6.265 acres of the Project site would be left undisturbed.

(e) The Project will not result in a potential significant adverse impact on agricultural resources land resources.

(f) The Project will not have a potential significant adverse impact on aesthetic resources. The Project will create a single-family residential neighborhood, which will be consistent with the prevailing community character, and will not have a potential significant adverse impact on the aesthetic and character of area where the project is proposed.

(g) The Project will not result in a potential significant adverse impact to historic or archaeological resources. All construction and operational activities at the Project Site shall be conducted in conformance with the requirements of the NYS Office of Parks, Recreation and Historic Preservation, as necessary.

(h) The Project will not have a potential significant adverse impact on existing open space and recreation. In fact, the Project provides for substantial dedicated open spaces, totaling approximately 4.28 acres, and is designed to preserve steep slopes towards the back of the Property along McNamara Road and provide significant separation between the proposed homes and wetlands on the Property.

(i) The Project will not have a potential significant adverse impact on a Critical Environmental Area as designated pursuant to 6 N.Y.C.R.R. § 617.14(g) of the SEQRA regulations.

(j) The Project will not have a potential significant adverse impact on transportation or the existing traffic patterns and flow. Based on the analysis provided by the Project Sponsor, the Project will not have a significant adverse impact on transportation operations within the Project area. On-site pedestrian amenities and circulation are adequate, as well as the proposed parking options available for potential guests and visitors to the Project Site.

(k) The Project will not have a potential significant adverse impact on energy.

(l) The Project will not have a potential significant adverse related to objectionable noise and odor.

(m) The Project will not have a potential significant adverse impact on public health or safety.

(n) The Project will not have a potential significant adverse impact on growth and character of the community and neighborhood. The Project's proposed use and density is consistent with the goals and purposes of the ordinance and the comprehensive zoning plans of the Village of New Hempstead. The ambulance and fire departments have determined that an adequate capacity of services is available to manage any additional service demands presented by the Project.

(o) The Project would be consistent with the Village’s current plans or goals as officially adopted, the Comprehensive Plan specifically identifies the Property as a target site for the Village’s Optimized Single Family Cluster Overlay (“OSFC”) Zoning. See Comprehensive Plan at 153.

4. Based on the foregoing, the Village Board finds that the Project will not have a potential significant adverse environmental impact on the environment in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and, in particular, pursuant to the criteria set forth at 6 N.Y.C.R.R. § 617.7(b) of the SEQRA regulations. The Village Board thus issues a Negative Declaration pursuant to SEQRA.

5. A Notice of Negative Declaration shall be filed and/or published to the extent required by the SEQRA regulations, and as the Village Board may deem advisable. The findings and conclusions relating to the determination of significance contained within the Notice of Negative Declaration are hereby adopted and incorporated by reference into this Resolution as applicable.

6. This Resolution has been prepared in accordance with Article 8 of the New York Environmental Conservation Act by the Village Board, with offices located at Village Hall, 108 Old Schoolhouse Road, New City, New York 10956.

7. This Resolution shall take effect immediately upon adoption.

Deputy Mayor Mintz called for a vote which was as follows:

Trustee Eisenstein, Aye

Trustee Reich, Aye

Trustee Schulgasser, Aye

Resolution # BOT 2022-30

Resolved, that the Village Board of The Village of New Hempstead hereby override comments 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, and 17 from the Rockland County Planning letter dated 11/19/2021 for The Petition Of Pennington Lots, LLC, 120-150 McNamara Rd. New Hempstead, NY 10977 The Applicants Are Petitioning The Board Of Trustees For A Zone Change To An Optimized Single Family Cluster Zone Per The Requirements Of Section 3 Local Law 3 Of 2021. Deputy Mayor called for a vote. The vote was 4-0. The resolution was adopted.

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

WHEREAS, the Village of New Hempstead Village Board of Trustees (the “Village Board”) received an application for a zone change to an optimized single-family cluster zone for the project known as Pennington Lots LLC under the Village of New Hempstead’s Local Law #3 of 2021 zoning standards, located on the east side of McNamara Road in the Village of New Hempstead, County of Rockland [Section 42.09 Block – 2, Lot – 1; and Section - 42.05, Block – 2, Lot – 14] (the “Project”); and

WHEREAS, the Village Board, being the lead agency, held public hearings on November 23, 2021, December 21, 2021, February 3, 2022 and February 22, 2022 where input from all involved and interested agencies, including but not limited to the Village Planning Board, Rockland County Department of Planning, RCDOH, Rockland County Department of Highways, Town of Ramapo and others and heard and considered all input from the public, as well as from the Village’s consultants/professional staff [Engineer/Planner], that addressed the Village Board in connection with the Project; and

WHEREAS, following the close of the Public Hearing, the Village Board, after duly considering the criteria for significance pursuant to 6 N.Y.C.R.R. § 617.7, adopted a Negative Declaration at its February 22, 2022 Meeting and thereafter approved the zone change to an optimized single-family cluster zone for the Project

WHEREAS, following its adoption of a Negative Declaration and Project approval on February 22, 2022, the Board became aware that the RCDOH takes the position that any project involving a “realty subdivision” is a Type 1 action under SEQRA pursuant to regulations adopted by the New York State Department of Health (“State DOH”), as opposed to the same being declared previously as an unlisted action;

WHEREAS, the Village Board has classified its review and approval of the Project as a Type I action pursuant to 6 N.Y.C.R.R. §617.4 and 10 N.Y.C.R.R. § 97.14. and has issued a Negative Declaration pursuant to SEQRA;

WHEREAS, the Village Board has acknowledged he need to review/reapprove the Project based on the issuance of the Negative Declaration of the now Type I;

NOW THEREORE BE IT RESOLVED that the Village Board, in having received previous input from all involved and interested agencies, including but not limited to the Village Planning Board, Rockland County Department of Planning, RCDOH, Rockland County Department of Highways, Town of Ramapo and others and heard and considered all input from the public, as well as from the Village’s consultants/professional staff [Engineer/Planner], that addressed the Village Board in connection with the Project; and, there being no change to the application from Project that was heard and approved before the Village Board on February 22, 2022:

GRANTS THE PETITION OF PENNINGTON LOTS, LLC, 120-150 FOR A ZONE CHANGE TO AN OPTIMIZED SINGLE FAMILY CLUSTER ZONE PER THE REQUIREMENTS OF SECTION 3 LOCAL LAW 3 OF 2021, THE SUBJECT PROPERTY BEING LOCATED ON THE EAST SIDE OF MCNAMARA RD, 250 FT. FROM THE INTERSECTION OF WILLOW TREE RD. AND ON THE WEST SIDE OF PENNINGTON WAY 246 FT. +/- FROM THE INTERSECTION OF SANDY BROOK DRIVE. THE PROPERTIES ARE

DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 42.09
BLOCK 2 LOT 1 AND SECTION 42.05 BLOCK 2 LOT 14 IN A 1R-25 ZONING
DISTRICT.

This Resolution shall take effect immediately upon adoption.

Deputy Mayor Mintz called for a vote which was as follows:

Trustee Eisenstein, Aye

Trustee Reich, Aye

Trustee Schulgasser, Aye

SCHEDULE VLLAGE OF NEW HEMPSTEAD REORGANIZATION MEETING

The Village Reorg meeting will take place April 4, 2022 at 7:30pm

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

Resolution # BOT 2022-32

Resolved, that the village board of the village of New Hempstead hereby schedule the Reorganization Meeting for Monday April 4, 2022 at 7:30pm. Mayor Sicker called for a vote. The vote was 4-0 the resolution was adopted.

MAYORS REPORT

DEPUTY MAYORS REPORT

TRUSTEEES REPORT- .

MOTION TO ADJOURN

Trustee Schulgasser offered the following motion, which was seconded Trustee Eisenstein:

Resolution # BOT 2022-33

Resolved, that the meeting on March 22, 2022 of the Board of Trustees is hereby adjourned. Deputy Mayor Mintz called for a vote. The vote was 4-0. The resolution was adopted.

Respectfully submitted,

Allison Weinraub,
Village Clerk-Treasurer