

March 18, 2021

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

BOARD OF TRUSTEES

REGULAR MEETING

Wednesday, March 18, 2021
7:30 P.M. – ZOOM

PRESENT

ABE SICKER, MAYOR
SHALOM MINTZ, DEPUTY MAYOR
JEN EISENSTEIN, TRUSTEE
MOSHE SCHULGASSER, TRUSTEE (ZOOM)
ADAM REICH, TRUSTEE (arrived 9:00pm)

ABSENT

ALSO PRESENT

ALLISON WEINRAUB, VILLAGE CLERK-TREASURER
BRUCE MINSKY, VILLAGE ATTORNEY (ZOOM)
GLENN MCCREEDY, VILLAGE ENGINEER (ZOOM)
JOHN LANGE, VILLAGE PLANNER (ZOOM)
EILEEN SAMMARONE, DEPUTY VILLAGE CLERK-TREASURER (ZOOM)

PLEDGE OF ALLEGIANCE

ROLL CALL

OPEN FLOOR – PUBLIC PARTICIPATION

APPROVAL OF ABSTRACT OF AUDITED VOUCHERS 2021-3

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

Resolution # BOT 2021-15

Resolved, that abstract of Audited Vouchers 2021-3, #19434-19474 in the amount of \$63,589.49 is hereby approved. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

APPROVAL OF MINUTES: 2/23/2021

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

Resolution # BOT 2021-16

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Resolved, that the minutes of the regular meeting of 2/23/2021 are hereby approved and the reading of said minutes is waived. Mayor Sicker called for a vote. The vote was 3-0. Trustee Schulgasser was not at the meeting of 2/23/2021. The resolution was adopted.

CONTINUATION OF THE PUBLIC HEARING ON RESOLUTION AMENDING THE VILLAGE OF NEW HEMPSTEAD ZONING MAP TO REFLECT WHAT WAS ADOPTED IN THE VILLAGE OF NEW HEMPSTEAD COMPREHENSIVE PLAN

The Mayor explained this is a continuation of the Public Hearing for a Resolution to Amend the Village of New Hempstead Zoning Map to reflect what was adopted in the Comprehensive Plan.

Before we open it to the Public the Mayor understands there is concerns with the property at the corner of Pomona Rd. and RT. 45. He does not know if it is or isn't designated as park land, but at this point its not that it is irrelevant but it should not hold up this approval because even if we Do/Don't designate this as a PUD tonight and it actually is designated as open space/parkland what we do tonight has no effect and still won't be able to be developed. If someone comes in for that property that is something that is going to be addressed and focused on and come to a legal conclusion one way or another.

Comments read into the Record:

Village of Pomona dated January 14, 2021

Village of Wesley dated February 22, 2021

RC Sewer District dated February 18, 2021

RC Planning Dept. dated February 21, 2021

Village Response to V of Pomona February 9, 2021

Mr. Geis, 7 Kingston, Comments dated February 28, 2021

Village Proposed Zoning Changes

Robert Fonte, March 18, 2021

Debra Munitz, March 18, 2021

Mrs. Weinraub stated it appeared in the Rockland Journal News Feb. 10, 2021 Affidavits were timely.

Mayor Sicker stated that each person should raise their hand and he will call on each person. They will have 2 minutes each.

Robert Fonte, 970 Rt. 45. Views of Pomona, HOA President

Goes over the letter that was presented to the village for this evening. The residence at the views of Pomona are against the zone change for the property at the corner of Pomona Rd. and Rt. 45. It would affect the View of their property. The Residents were made to believe the lot would remain as open space by the Town of Ramapo when their project was being approved.

Mayor Sicker reiterated this is a very packed meeting and we have to stick to the two minute time limit.

Bruce Strupp, Views of Pomona

Is against the zone change at Pomona Rd. and Rt. 45. This would drastically effect our lives at the Views of Pomona. We are the residence of the surrounding area. Our condo was only allowed in the LO zone by special permit by the town board. There is nothing for any retail in the Town of Ramapo code. If you want to listen to the community we are the community. We don't want our lives to drastically change for something the Town of Ramapo does not allow.

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Stew Schwartz, 189 Summit Pk. Rd

Neighbor has a tree from Matterhorn Property that is going to fall and is very dangerous. I have sent them 3 certified letters. I just want the tree removed.

Mayor Sicker will make a phone call to see what can be done.

Aron Saperstein, 4 Pennington Way

Looking at the map Optimized Clusters Overlay. Can the camp for the Blind be left as Single Family?

Mayor Sicker will respond to all the comments at the end.

Deborah Munitz, COUPON

Status of Environmental Assessment forms?

Relying on email for such a big notification is not good. Doesn't believe the residence of New Hempstead fully understand the impact and extensiveness of this. Does not necessarily think it is bad but feels it's important that everyone understand what is being proposed and have all the necessary information. Wants to make sure all DGIS procedures are followed. Would be happy to assist

Robert Trusel, 45 S. Mountain Rd. Town of Ramapo

Has issue with the Matterhorn Property. Allowing for 100 cluster units is totally inappropriate.

Believes it is over building on that property. Believes it should only be used for single family in conjunction with the rest of the neighborhood.

Nana Koch, 45 S. Mountain Rd.

Doesn't know how the board can say the decisions made tonight are irrelevant in regards to the property at Rt. 45 and Pomona Rd. this land was not alienated. Feels the board should hold off on designating the site until they understand what a possible use is.

Charles Frankel, 15 Woodwind Ln

Served on the Planning Board for 32 years. Is very familiar with all of the original zoning and recently changed zoning. In response to the views of Pomona. They are misinformed. The property at Pomona Rd and Rt. 45 was acquired by the Town of Ramapo as part of the purchase to build the stadium. After that the Supervisor of the Town of Ramapo, Christopher St. Lawrence proposed a hotel, ice skating rink, commercial property, multifamily and everything else possible. The town would have been able to proceed without the Zoning permission from the Village, but it never came too. It was always in the intent at the time of the purchase to accommodate a ballpark and it would be developed in a manner to satisfy The Ramapo local development community. That being said he opposes a hotel at this time because it is not needed. What Ramapo could have done under their ownership is far greater than what is being proposed here.

Suzan Shapiro, 75 North Middletown Rd. Nanuet

Disagrees with Mr. Frankel. The Village board must consider and determine the Parkland issue before it is changed. The Village cannot allow for a use that is prohibited by the existing zone. It would be improper. It was her understanding the land was purchased with public funds and open space funds that is dedicated as open space unless it is alienated. If the Board approves this Zone Change and it is dedicated as open space then the developer can come and sue the village.

Robert Steele, Views of Pomona, HOA Board Member

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Has lived at the views for the last 10 years. His wife was at the dedication. She was told by St. Lawrence that we will have a view for eternity because the land across the street was dedicated as green lands open space. Spoke with someone who is in the Medical Park Drive area and he has not received notification of this. Does not know why this is so rushed and believes it should be postponed. The board should consider all environments issues.

Martin Kolt, 88 Southgate

Find it entertaining and hypocritical of the Views of Pomona Residence against this application. There is a shortage of affordable housing and there is a need for it. Has Children that defiantly need apartments and housing. The Views of Pomona were granted that zoning when they needed it and it is completely unfair that they are coming out against this change.

Justin Schwartz, Hillcrest Fire Department

Would like to make sure we have an EIS study on the impact. We are a volunteer fire department and would like the board to consider the impact on equipment and water supply.

Maureen Kalahert, Views at Pomona

We are senior citizens. We bought here because we thought it was quite and we were safe. Concerned about the traffic. The impact it will have. Concerned about the value of our property. Upset about notification. Disappointed in the government.

Terry Feid, Conservation association, protected land and water in Clarkstown and Ramapo

It is improper to plan anything for a property without knowing the status of the property. Legally without having the affirmation of the property it is totally inappropriate to designate it. It's very important to look into the water situation in the area. You are aware there isn't sufficient water for a lot of development in Rockland County and you know there were chemicals discovered in all of the wells in Rockland. Your assessment has to include both the quantity and quality of the water that will be used by this kind of development.

Susan Mitchel, 29 Spook Rock Rd. ROSA

We must advocate not only for the people who live in the vicinity but also for the land and water. I have to implore you to really think about the differences in impact in offices being built, in planned unit Developments being built, and the open space that currently exist. You have to look at the differences in impact to the environment and surrounding community based on all three variables. You have to perform an independent SEQR study that the developer will have to pay for. You can and insist they perform it. You must consider the DGIS. You must insist on it. You are working for the people who live in New Hempstead not the Developers. Really hopes you listen to the comments that came in.

Mr. Geis asked if the comments can be shared on the website

The mayor isn't sure if it's done that way but he will look into it.

Mayor Sicker explained when we started this process we hired a consultant team who put together a team of 7 members from throughout the Village and handled all the notification and mailings in 2018. We had public workshops and a few charrettes. All the notices in 2018 and in 2019 went out as they were supposed to. We went through everything with the residence to get an opinion thoroughly of what they are looking to have and what they are against having. We adopted the Comp Plan after those meetings. This was all pre-pandemic. We had planners and engineers at Village Hall with the Public maps spread out with everyone's opinion heard. This was motivated and driven by our residence. I believe we have put in a lot of thought and planning into this project. Regarding the property at the corner of Rt. 45 and Pomona

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Rd. Even if we designate some thing this evening every property that is designated Will have to Go through a very vigorous SQRA and environmental review when they come in for submission. We do not have apartment type of house here. Take Matterhorn for example. a 35 Acre property give or take. +/- 7 acres of wetlands and like 28 acres +/- of buildable land. In Certain areas not the village when you finish building you can come back in for more units. A lot of thought and planning went into this project. Our code will require open space dedication, eliminating street parking and only allowing for underground parking for two cars per unit are some examples. We want greenery. We want to maintain the suburban lifestyle that we have. If you go through each development designation there is a tremendous amount of open space required. There's a lot of restrictions in place if and when a project comes in. We had many workshops and public meetings with large groups in attendance since 2018. Everything will be done and taken into consideration in regards to the fire department. I cannot speak as to what Mr. St. Lawrence said when he was supervisor we can only speak on what's in front of us. If the applicant comes in this designation does not give them the go ahead to proceed. This was also on for Public Hearing and we pushed it off because we felt we needed more time to review the comments that came in. The Comp Plan was adopted four or five months ago. This was not rushed

Attorney Minsky reiterated that the villages designation for purposes of the zoning map does not override any open space designation if there is any done by the town and will have to resolve the parkland issue if and when the applicant submits to build. This process goes back posted in the journal news at the village and on the website in 2018 and the mailer went out to every resident of the village. It's unfortunate that there are some people who weren't aware of it but there were a number of meetings that the consultants that we hired even chose residents to present the plan to the board. There were workshops and meeting where we took input from residence and broke down into groups to go through reports and analysis. For anyone to say we didn't have the input of the public and that this was rushed is just flat out wrong. This went out for GML and went to all the necessary agencies

John Lange Village Planner

We are maintaining the predominantly single family characteristic. The only change is the Optimized cluster zone. There are two types of optimized Cluster zones. One for single family one for multi. The one for multi is only for the Matterhorn property. When you look at that property and our objective was to get dedicated open space to have the existing recourses maintained. To maintain the integrity of the wetlands. To focus the development in the higher area. To have a low impact development. The other areas of OCZ is single family. It's a 13 acre parcel. We went with the gross amount to make it simple. There is going to have to be a very detailed plan submitted for each of these lots if and when they come in to submit. We are not changing the nature of the development. Visions camp for the blind is not going anywhere, but if it does we have to be prepared. Same as the school bus property. It stays in the Plan when an applicant submits they will have to go through a thorough Environmental Review. There is a need for a hotel in the area. Where is the closest one? We need to provide those facilities. The lot is on a State and County Rd. it makes perfect sense for that location. The applicant will have to provide a full EAF and Traffic Study if and when they submit as is with each of the zones changes. We also checked who owned the property and according to the County Records it is privately owned.

The board has some discussion on if they should adjourn for two weeks but decide not to because we have been working on this for the last three years.

Trustee Schulgasser added that there were definitely many public meetings that took place regarding this. The board's main concern was for the residence of the village. He can recall each time any developer came to the meetings they would leave upset. The Board is definitely not in favor of overdevelopment. I understand the Views of Pomona's frustrations about the development but we can't lock in something and prevents a potential project from going forward without the land dedication.

Mayor Sicker added the plan gives an incentive for single family development.

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

Resolution # BOT 2021-17

Resolved, that the village board hereby close the public hearing for resolution amending the village of Hew Hempstead zoning map to reflect what was adopted in the village of new Hempstead comprehensive plan. Mayor sicker called for a vote. The vote was 5-0 the resolution was adopted.

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

RESOLUTION NO. B.O.T. 2021-18

WHEREAS, for the past few years, the Village of New Hempstead Board of Trustees had examined the current zoning based upon the demographics and needs of the Village and its residents; and

WHEREAS, the Village Board began the process of updated the Village of New Hempstead's Comprehensive plan to update the zoning code and requirements to better achieve the needs of the Village and its residents; and

WHEREAS, after a long and thorough review, the Village Board of Trustees adopted the "Village of New Hempstead Comprehensive with Inventory Plan & Analysis" (the Comprehensive Plan") on October 27, 2020; and

WHEREAS, the current Zoning Map maintained by the Village of New Hempstead needs to be updated to reflect the zoning amendments contained in the Comprehensive Plan.

NOW WHEREFORE, IT IS HEREBY

RESOLVED, the Village Board of the Village of New Hempstead amends the Village of New Hempstead Zoning Map to reflect the changes to the various zoning districts previously approved by the Village Board in the Comprehensive Plan; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to take those steps necessary to implement the intent of this Resolution including having the Zoning Map of the Village of New Hempstead reprinted to conform to the Comprehensive Plan.

Trustee Reich moved the Resolution and Trustee Schulgasser seconded. All were in favor and the Resolution carried unanimously. Mayor Sicker declared the Resolution carried and directed the Village Clerk to file same.

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RESOLUTION AUTHORIZING THE SPEED HUMPS INSTALL BY PLEASANT RIDGE RD AND ASH LAWN AVE.

The mayor explained we have been going back and forth with the community over there and we do have a tentative plan made up of the locations but would like to have another meeting with the community to determine the areas. We would need a resolution for after that meeting for 1 speed hump and 1 stop sign on Ashlawn and 2 speed humps on Pleasant Ridge Rd.

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

Resolution # BOT 2021-19

Resolved, that the Village Board hereby approve the install of One (1) speed Hump and One (1) Stop Sign on Ashlawn Ave. and the Install of Two (2) Speed Humps on Pleasant Ridge Rd. based on the Plan provided by the Village Engineer subject to his approval. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

MAYORS REPORT- has been working with the town of Ramapo on the Park that is in the comp plan, Fairway Oval Park. Mayor Sicker presented the potential plan with a walking path, basketball court, volley ball court, open fields, and play ground.

DEPUTY MAYORS REPORT-

TRUSTEES REPORT

MOTION TO ADJOURN

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

Resolution # BOT 2021-20

Resolved, that the meeting on March 18, 2021 of the Board of Trustees is hereby adjourned. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

Respectfully submitted,

Allison Weinraub,
Village Clerk-Treasurer