

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

ZONING BOARD OF APPEALS

REGULAR MEETING
WEDNESDAY, August 28, 2019
7:30 P.M. – VILLAGE HALL

PRESENT

SOLOMON FUERST, DEPUTY CHAIRMAN
RICK ELL
ARYEH TAUB
MEIR ROTHMAN
LEONARD GREENBERG *ad hoc*

ABSENT

ADAM POLLACK, CHAIRMAN

ALSO PRESENT

BRUCE MINSKY, VILLAGE ATTORNEY
ALLISON WEINRAUB, DEPUTY CLERK TREASURER

Open Meeting

Roll Call

Approval of Minutes of August 7 2018 and May 22, 2019

Minutes of August 7, 2018 are held over.

Mr. Greenberg offered the following motion, which was seconded by Mr. Taub:

Resolution # ZBA 2019-8

Resolved, that the Zoning Board of Appeals hereby approves the minutes of the ZBA meeting held on May 22, 2019. Deputy Chairman Fuerst called for a vote. The vote was 3-0. Mr. Rothman, & Deputy Chairman Fuerst were not in attendance at that meeting. The resolution was adopted.

PUBLIC HEARING ON THE APPLICATION OF CHAIM CIMENT, 6 GRANDVIEW AVE. RD, SPRING VALLEY NY 10977. THE APPLICANT IS REQUESTING VARIANCES FROM SECTION 5.2 OF THE ZONING LAW OF THE VILLAGE OF NEW HEMPSTEAD. (I) HAVING A SIDE YARD OF 13' INSTEAD OF THE MINIMUM REQUIRED 20', AND (II) HAVING AN IMPERVIOUS SURFACE OF 30% INSTEAD OF THE MAXIMUM PERMITTED 25%. The subject property is located on the South side of Grandview Ave. 0 feet from the intersection of Union Rd. The property is designated on the Town of Ramapo Tax Map as section 42.17 Block 1 lot 5.2 in a 1R-25 zoning district.

Kevin Conway, Attorney Representing the applicant

This is an application for a proposed addition by the homeowner, who has been residing there with his four children and wife, for the past two years. The family has outgrown the original home which was a one story brick frame dwelling. The property is located at the corner of Union Rd. and Grandview Ave. the proposed addition would stay within the height requirements of the Village Zoning Code. This house will be used as a single family dwelling. For religious purposes the applicant is requesting the installation of a Mikvah and Passover Kitchen. There will be no changes to ingress and egress to the site.

Anthony Celentano, Representing the applicant

This lot was in front of the Zoning Board when it went through the subdivision in 1992. The Variances for the impervious frontage of the shed were all granted. If you look at the original file the area where we are proposing the addition had an in ground pool and Patio. They have removed the pool and would like to do an expanded addition to include a private mikvah and Passover kitchen. The plan was approved in 1994 for this lot but because there is a new addition being proposed so the applicant had to return to this board. The architect is stating the total living space with the proposed addition would be 4,448 Sq. ft. It's one story in the front and two story in the rear. There is an unfinished basement with the mikvah;

on the first floor there will be a new master bedroom, guest room laundry room and a Dining/Livingroom.

Deputy Chair Solomon

Has the applicant tried to shifting the proposed L shape of the house down to the right to not encroach on the neighbor?

Attorney Conway

Aesthetically this is what the applicant prefers but we can see what the applicant can do.

Correspondence Read into the Record

RC Highway dated July 31, 2019

Village Engineer dated August 15, 2019

Hillcrest Fire dated August 21, 2019

RC Sewer District dated August 15, 2019

RC Planning August 26, 2019

Kevin Conway, Response to County dated August 27, 2019

Mrs. Weinraub stated it was published in the Rockland Journal News August 12, 2019. Affidavit of notice and postings will be delivered.

Deputy Chairman requested that the applicant submit a narrative responding to the questions from the GML.

Mr. Ell offered the following motion, which was seconded by Mr. Greenberg:

Resolution # ZBA 2019-9

Resolved, that the Zoning Board of Appeals hereby opens the public hearing of Chaim Ciment, 6 Grandview Ave, New Hempstead. Deputy Chair Fuerst called for a vote. The vote was 5-0. The resolution was adopted.

Dennis Plassart, 10 Grandview Ave

Lives next door to the applicant, did the original subdivision, would like to be a good neighbor. When we did the subdivision made sure the house was whatever the requirements allow. Now coming in 13ft that's right below my bedroom window. The Patio is also really close at 5ft. There is also a concern about the big hill at the bottom of the driveway.

Mr. Ell offered the following motion, which was seconded by Mr. Rothman:

Resolution # ZBA 2019-10

Resolved, that the Zoning Board of Appeals hereby adjourns the public hearing of Chaim Ciment, 6 Grandview Ave, New Hempstead to September 25, 2019. Deputy Chair Fuerst called for a vote. The vote was 5-0. The resolution was adopted.

SCHEDULE A PUBLIC HEARING ON THE APPLICATION OF SHIV RASTOGI, 3 HIGHRIDGE RD. NEW HEMPSTEAD NY 10977 THE APPLICANT IS REQUESTING VARIANCES FROM SECTION 5.2 OF THE ZONING LAW OF THE VILLAGE OF NEW HEMPSTEAD. (I) HAVING AN IMPERVIOUS SURFACE OF 0.337 INSTEAD OF THE MAXIMUM PERMITTED .25.

Deputy Chairman Fuerst offered the following motion, which was seconded by Mr. Taub:

Resolution # ZBA 2019-11

Resolved, that the Zoning Board of Appeals hereby schedules the Public Hearing for Shiv Rastogi, 3 Highridge Rd. New Hempstead NY for September 25, 2019. Deputy Chair Fuerst called for a vote. The vote was 5-0. The resolution was adopted.

Motion to Adjourn

Mr. Greenberg offered the following motion, which was seconded by Mr. Rothman:

Resolution #ZBA 2019-12

Resolved, that the meeting held by the Zoning Board of Appeals on August 28, 2019
Is hereby adjourned. Deputy Chairman Fuerst called for a vote. The vote was 5-0. The resolution was
adopted.

Respectfully submitted,

Allison Weinraub, Deputy Village Clerk- Treasurer
Planning and Zoning Secretary