

VILLAGE OF NEW HEMPSTEAD
108 OLD SCHOOLHOUSE RD.
NEW CITY, N.Y. 10956
PLANNING BOARD
Regular Meeting

Tuesday September 14, 2021
7:30PM
IN PERSON & ZOOM

PRESENT

MEL POLIAKOFF, CHAIRMAN
AKIVA KRAUS
DAVID WEISS
BARBRA GREENWALD
SANTIAGO SOTO JR. (AD HOC)

ABSENT

HILLEL KURZMANN

ALSO PRESENT

BRUCE MINSKY, VILLAGE ATTORNEY
JOHN LANGE, VILLAGE PLANNER
ZACK KAMM, VILLAGE ENGINEER
ALLISON WEINRAUB, VILLAGE CLERK-TREASURER

Open meeting

Roll Call

Public Hearing for Suez water NY, 653 New Hempstead Rd. The applicants are seeking site plan approval to permit the construction maintenance and use of a Water Treatment Building. The subject property is located on the South Side of New Hempstead Rd 300 ft. +/- from Adele Blvd. The property is designated on the Town of Ramapo Tax Map as section 42.13-2-41 in a 1R-40 Zoning District.

John Kirkpatrick, Attorney for the Applicant

This building is for additional required water treatment. It's on the existing site and we are just looking to add a building with a water treatment facility inside. With us tonight we have Maria Stephanova from Suez Water, and Gary Stuart from CDM Smith. Gary will present and then we would like to answer any questions you may have.

Chairman Poliakoff requested the applicant goes through their response letter from the GML when they answer questions.

Gary Stuart, CDM Smith

This is a new water treatment facility at the existing site. The sites are New Hempstead well site 18 & 24. The project is to treat PFAS required by the NYS Environmental Health. The site is located at 653 New Hempstead Rd. there are currently two buildings at the site and we are looking to add another for the PFAS Treatment Facility. We will be taking out the existing access road and removing a couple trees for the new facility.

Board Member Soto asked if there are wet lands and where are they in relation to the new Building

Gary Stuart

There are wetlands but we will be staying outside the buffer. We did not need any wetlands permit from DEC or Army Corp of Engineers. We will be extending the chain link fence around the new building and a small amount of grading will need to take place. Instead of the well deration building and out the system now it will go to the deration system into the water treatment building. The site has 4 filtration systems. There are two chemicals that are currently stored at the site and will continue to be. Chloride for disinfection and a corrosion inhibitor. We are not increasing the storage capacity at the site.

Maria Stephanova, Suez Water NY

We will not be adding new chemicals these are already stored on the site.

Chairman Poliakoff asked if there is a plan in place if any tank ruptures or leaks.

Stuart responded yes we have a secondary containment tanks.

Comments read into the Record:

Rockland County Health 8.23.2021

Rockland County Highway 8.19.2021

Village Fire Inspector 8.27.2021

Hillcrest Fire Dept. 8.26.2021

Suez Water 8.19.2021

Town of Ramapo DPW 8.25.2021

Rockland County Planning 8.25.2021

Response from Applicant, CDM Smith, 9.13.2021

It appeared in the Rockland Journal News September 2, 2021 affidavit of Notice and Posting were timely.

The applicant went through his review letter:

Response to the Village Fire inspector and Hillcrest FD asking about the chemicals- there will be Sodium hypochlorite will continue to be stored in a 100-gallon tank, and corrosion inhibitor (Seaquest) will continue to be stored in a 50-gallon tank. Both are already stored on site.

Response to Rockland County Health they had no comments but did want to mention that the NYS Health Department is reviewing this.

Response to the Rockland County Highway- We understand that a permit from County Highway is a requirement and will obtain a permit before construction.

Response to Rockland County Planning- We will obtain a permit from the Rockland County Highway Dept., There is no encroachment into the Federal wetlands for this proposed action. We did do a Wetlands delineation by specialist and DEC came back and said we did not need one., Rockland County Department of Health completed a review of this proposed action. Letter from Rockland County Department of Health dated August 23, 2021. There is no connection to either a sanitary or storm sewer as part of this project.

Therefore, the comment regarding a review from the Rockland County sewer District is not applicable. Comment related to the New

York State Standards for Urban Erosion and Sediment Control are noted; prior to the start of construction or grading, all soil and erosion control measures will be in place, and the measures will meet the latest edition. There is no increase in the peak rate discharge from the site as a result of this project. Although the Rockland County Highway Department and Rockland County Department of Planning have responded already, the FEAF will be revised to include them As County agencies that require approvals. However, as noted above, Rockland County Sewer District No. 1 approval is not applicable as there is no sewer connection proposed for this project. The EAF Mapper Application is not always accurate at this scale. Detailed mapping has shown that there are no wetlands or waterbodies on or within permit distance of the project site. Comment regarding overridden are noted. Comment related to report is filed with the County Commissioner of Planning is noted. The full date will be provided on the site plan if required by the Village Planning Board.

Suez had no comments regarding this project.

Response to Town of Ramapo DPW- There are no proposed sanitary sewer (or storm sewer) connections for this project; therefore, a sanitary sewer review is not applicable. There are no existing or proposed sanitary or storm sewer connections. The narrative mentions backwashing but it does not reference the need for a sewer connection. As stated previously, the project does not require a sewer connection. Backwash water will be containerized and disposed of off-site at an approved location. There are no existing or proposed sanitary or storm sewer connections; therefore, a sewer study is not applicable. There are no proposed sanitary or storm sewer connections for this project; therefore, sewer details are not applicable.

Village Engineer has recused from this application and Village Planner has no specific questions at this time.

Mr. Weiss made the following motion, which was seconded by Mr. Soto;

Resolution 2021-26

Resolved, that the Planning Board of the Village of New Hempstead hereby open the Public Hearing for Suez Water NY 653 New Hempstead Rd. Chairman Poliakoff called for a vote. The vote was 5-0 the resolution was adopted.

Sara Krakowski, 649 New Hempstead Rd.

Biggest concern is some type of privacy screening because the trees you're talking about removing. They do provide screening at least in the summer and if they are removed we would like some type of privacy barrier.

Mr. Kirkpatrick explained they will not be removing the whole line of trees only the trees marked on the plan.

Mrs. Krakowski asked if it does become an issue can some type of screening be put in place.

The applicant responded it can certainly be considered but does not believe it will be an issue.

Mrs. Krakowski also had questions regarding the wetlands and mosquitos if there is anything the applicant can do and they responded they wouldn't even be allowed to if they wanted because they are Wetlands and cannot be touched.

Ezra Lazarus, 1 Anchor Rd.

How much of the property will be cleared?

The applicant explained from Anchor Rd. almost no clearing will be taking place.

Mr. Lazarus also wants to know about the backflow and Rain water. Also, how high will the structure be.

The applicant explained the Rain will be absorbed by the ground with the minimal clearing that is taking place and no water will be pumped into the brook. The structure will be 32.5 ft. the height is dictated by the vessels going inside them and cannot be changed.

Joe Sierra, 647 New Hempstead Rd.

Directly behind the property and would like to see where the new building is on the site in relation to his property.

The applicant showed on the plans where the structure is going to be.

Mr. Sierra has no objections to the project.

Ken Isaacs, 689 New Hempstead Rd.

Will the plans be at village hall for viewing? Had questions regarding the Chlorine stored on site. Will the new system be a noise concern for neighbors?

Mrs. Weinraub, Village Clerk-Treasurer

A set of plans are at village hall for viewing.

The applicant explained no change in the type of chemicals and the volume of chemicals being stored on site. They will just be relocating them to the new building.

Chairman Poliakoff explained this new facility is a requirement from NYS Health Department as a Federal Government mandate.

The applicant explained the substance going inside is Granulated Activated Carbon. It's similar to what is inside your Brita Filter just industrial sized. There will be no noise created except minimal for construction.

John Lange, Village Planner

This is a necessary facility. They have taken great care in keeping the facility to the minimum size required. The Environmental Impact to recommend a negative declaration and if the board is willing to move the village planner approves.

Mr. Weiss made the following motion, which was seconded by Mr. Kraus;

Resolution 2021-27

Resolved, that the Planning Board of the Village of New Hempstead hereby closes the Public Hearing for Suez Water NY 653 New Hempstead Rd. Chairman Poliakoff called for a vote. The vote was 5-0 the resolution was adopted.

Attorney Minsky explained the Village is in the planning phase of sidewalks in that area. We will be looking for land dedication for this site for that to take place. Believes its 8.5 Ft.

The applicant agreed.

Attorney Minsky stated if there is no objection we will make the approvals subject to the meets and bounds on an 8.5 ft dedication. No override is needed because the response letter answers everything so we will do it subject to the Response letter from CDM Smith letter dated 9/13/21 and if clearing becomes more than what was submitted a privacy buffer will be required.

Mr. Weiss made the following motion, which was seconded by Chairman Poliakoff;

**RESOLUTION 2021-28
OF PLANNING BOARD OF THE VILLAGE OF
NEW HEMPSTEAD, NEW YORK**

WHEREAS, the Village of New Hempstead Planning Board is lead agency for the application for site plan approval submitted by Suez Water New York for the construction, maintenance and use of a water treatment building. The proposed structure is located on the South side of New Hempstead Road, approximately 300 feet ± from Adele Boulevard. The property is designated on the Town of Ramapo Tax map as 42.13-2-41 and located in a 1R-40 zoning district; and

WHEREAS, the Planning Board conducted an initial public hearing on September 14, 2021, and

WHEREAS, the application currently before the Planning Board is subject to review under New York State Environmental Quality Review Act; and

WHEREAS, as lead agency, the Village of New Hempstead Planning Board studied all environmental factors required to be examined under the New York State Environmental Quality Review Act;

NOW WHEEFORE, IT IS HEREBY RESOLVED, that the Village of New Hempstead Planning Board declares a negative declaration for purposes of the New York State Environmental Quality Review Act for the application of Suez Water New York.

Chairman Poliakoff called for a vote which was unanimously adopted by the Planning Board by a vote of 5-0.

The Village planner will prepare the necessary documents.

Mr. Weiss made the following motion, which was seconded by Mr. Kraus;

**RESOLUTION 2021-29
OF PLANNING BOARD OF THE VILLAGE OF
NEW HEMPSTEAD, NEW YORK GRANTING SITE PLAN APPROVAL TO SUEZ
WATER NEW YORK**

WHEREAS, the Village of New Hempstead Planning Board (“Planning Board”) has received an application for site plan approval submitted by Suez Water New York for the construction, maintenance and use of a water treatment building. The proposed structure is located on the South side of New Hempstead Road, approximately 300 feet ± from Adele Boulevard. The property is designated on the Town of Ramapo Tax map as 42.13-2-41 and located in a 1R-40 zoning district; and

WHEREAS, the applicant submitted a site plan from CDM Smith Engineering dated May 2021 further identified as New Hempstead well site 18 and 24; and

WHEREAS, The Planning Board of the Village of New Hempstead heard comments from the public during public hearings held on September 14, 2021, and further considered correspondence submitted to the Planning Board from other involved agencies and municipalities,

NOW THEREORE BE IT RESOLVED that the Planning Board of the Village of New Hempstead grants final approval to Suez Water New York, and the map submitted from CDM Smith Engineering dated May 2021 further identified as New Hempstead well site 18 and 24, is hereby approved subject to the following conditions:

- (1) a meets and bounds description and dedication of an 8.5-foot strip of land to be included in the Village of New Hempstead’s sidewalk expansion project;

- (2) the applicant complying with the agreed-upon conditions in the Letter from CDM Smith dated September 13, 2021; and
- (3) the installation of a possible privacy buffer if the proposed clearing of land becomes greater than the proposal submitted.

Chairman Poliakoff called for a vote and the vote was as follows: Mr. Kraus, AYE, Mr. Weiss, AYE, Ms. Greenwald, AYE, Mr. Soto, AYE and Chairman Poliakoff, AYE. The Resolution was adopted by a 5-0 vote.

Discussion- 613-615 & 619 Union Rd.- to consider the application of Benyamin Amona owner of Bet Miriam 613-615 & 619 Union Rd. The applicants are seeking Preliminary Subdivision Approval for a four lot subdivision on 613/615 & 619 Union Rd. The subject properties are located on the West side of Union Rd. 650 feet south of Michael St. The property is designated on the Town of Ramapo Tax Map as section 50.5 Block 1 lot 18 & 19 in a 2R-15 Zoning District.

Ryan Karben, Attorney for the applicant

This is a subdivision on Union. Updated from an original application to now include another lot and for a four lot subdivision. Each of the proposed lots is compliant with the minimum lot area requirement for the two family home. The four lots are served by private road as indicated on the plans. We are on for discussion for the board to decide if they would be the lead agency in regards to SEQR. We have submitted an EAF form as well as a drainage analysis. Still has not received any new comments from the Village engineer or Planner with respect to the adoption of the negative declaration. The only variance that is needed is for the road way for the private road. The village has approved private roadways in similar situations in the past so that would not be unprecedented. With respect to the site specific issues of drainage and design we are fundamentally compliant. There has been comments in regards to flag lots, but there is no way to develop the property without flag lot orientation. This does comply with the zero net runoff requirement. The relief sought from the Zoning Board of Appeals is minimal. There is nothing in this subdivision application that would prevent the board from adopting a negative declaration at this meeting if the board chooses to do so. This is a standard subdivision on compliant lots with a use permitted by right in the zoning district with very minimal relief required from any of the bulk regulations.

Mr. Kraus made the following motion, which was seconded by Mr. Weiss;

Resolution 2021-30

Resolved, that the Planning Board of the Village of New Hempstead hereby declare intent to be lead agency for the subdivision application for Bet Miriam 613-615 and 619 Union Rd. Chairman Poliakoff called for a vote. The vote was 5-0. The resolution was adopted.

The Public Hearing for the subdivision is scheduled for October 5, 2021. The applicant will receive the Village professional comments before that date. Comments will be read into the record at that point. No comments from the county will be provided because it does not get sent out for GML Review because it does not fall within the GML buffer.

Mr. Kraus made the following motion, which was seconded by Mr. Weiss;

Resolution 2021-31

Resolved, that the Planning Board of the Village of New Hempstead hereby schedule the Public Hearing for Benyamin Amona, Bet Miriam for the subdivision application at 613-615 & 619 Union Rd. for October 5, 2021 at 7:30 pm. Chairman Poliakoff called for a vote. The vote was 5-0 the resolution was adopted.

Approval of Planning Board Minutes 4/13/2021 & 8/3/2021.

Mrs. Greenwald made the following motion, which was seconded by Mr. Krauss;

Resolution 2021-32

Resolved, that the minutes of the regular meeting of the Planning Board, held on April 13, 2021, are hereby approved as submitted and that the reading of said minutes be waived. Chairman Poliakoff called for a vote. The vote was 3-0. The resolution was adopted.

Mr. Weiss made the following motion, which was seconded by Mr. Krauss;

Resolution 2021-33

Resolved, that the minutes of the regular meeting of the Planning Board, held on August 3, 2021, are hereby approved as submitted and that the reading of said minutes be waived. Chairman Poliakoff called for a vote. The vote was 3-0. The resolution was adopted

Motion to Adjourn

Mr. Weiss made the following motion, which was seconded by Mr. Krauss;

Resolution 2021-34

Resolved, that the Planning Board Meeting of August, 2021 is hereby adjourned. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted.

Respectfully Submitted

Allison Weinraub,
Village Clerk-Treasurer