

**RESOLUTION**

A meeting of the Village Board of Trustees of the Village of New Hempstead was convened on \_\_\_\_\_, 2023, at \_\_\_\_ p.m.

The following Resolution was duly offered and seconded to wit:

**RESOLUTION TO DIRECT THE VILLAGE PLANNER AND ENGINEER TO PREPARE AND PROVIDE AN UPDATED DRAFT COMPREHENSIVE PLAN, WITH AN UPDATED LOCAL LAW IMPLEMENTING THE ZONING CHANGES, AND AN UPDATED ZONING MAP; TO DETERMINE THE COMBINED ACTION TO BE A TYPE 1 ACTION PURSUANT TO SEQRA; AND TO DIRECT THE PLANNER TO PREPARE A FULL ENVIRONMENTAL ASSESSMENT FORM**

**WHEREAS**, the Village Board of Trustees of the Village of New Hempstead (“Village Board”) is responsible for the preparation and adoption of a Village of New Hempstead Comprehensive Plan, pursuant to Section 7-722 of the New York State Village Law; and

**WHEREAS**, the Village Board previously adopted a Comprehensive Plan together with a corresponding update to the Village Zoning Law and Zoning Map (collectively, “2020 Comp. Plan”); and

**WHEREAS**, the Village’s previously approved and adopted Comprehensive Plan has been challenged by way of a Supreme Court, Rockland County, litigation captioned “Hillcrest Fire Company 1, et al. v. Village of New Hempstead, et al.”, Rockland County Index Number 030128/2022 (“Litigation”); and

**WHEREAS**, the Litigation challenges the procedures followed by the Village in adopting its 2020 Comp. Plan; and

**WHEREAS**, the Village Board desires at this time to take the actions necessary to ensure its Comprehensive Plan is not subject to such a challenge such that the Village and its residents and taxpayers can move forward with a firmly establish Comprehensive Plan for the betterment of all; and

**WHEREAS**, since it has been a couple of years since the 2020 Comp. Plan was adopted, the Village Board would also like to take this opportunity to make any updates necessary to its Comprehensive Plan, as well as the corresponding local law to implement the zoning changes and the Zoning Map; and

**WHEREAS**, pursuant to the New York State Environmental Quality Review Act (“SEQRA”), the adoption of a Comprehensive Plan and corresponding Zoning Amendments are classified to be a Type I action, which is an action likely to require an environmental impact statement (“EIS”); and

**WHEREAS**, a Type I action requires the preparation of a Full Environmental Assessment Form (“EAF”) Parts 1, 2, and 3 for the proposed action.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board of the Village of New Hempstead as follows:

**Section 1.** All “**WHEREAS**” paragraphs are incorporated herein by reference.

**Section 2.** The Village Board hereby directs the Village Planner to prepare and provide an updated Draft Comprehensive Plan, with an updated Local Law implementing the Zoning Changes and hereby directs the Village Engineer to provide an updated Zoning Map reflecting the changes in the Local Law prepared by the Planner.

**Section 3.** The Village Board hereby determines, pursuant to SEQRA, the aforementioned action to be a combined Type 1 action, which is an action likely to require an environmental impact statement.

**Section 4.** The Village Board hereby directs the Village Planner to prepare a Full Environmental Assessment Form Part I.

**Section 5.** The Village Mayor and/or his authorized designee be and hereby is authorized to take any and all actions necessary and convenient to give full effect to this Resolution.

**Section 6.** This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	Yea	Nay	Abstain	Absent	Mtn	Second
Abe Sicker, Mayor	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
Shalom Mintz, Deputy Mayor	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
Adam Reich, Trustee	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
Moshe Schulgasser, Trustee	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
Jennifer Eisenstein, Trustee	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]

The Resolution was thereupon duly adopted.