

June 13, 2023

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

Tuesday, June 13th, 2023
7:30PM
Village Hall

PRESENT

MEL POLIAKOFF, CHAIRMAN
BARBARA GREENWALD
AKIVA KRAUS
DAVID WEISS
SANTIAGO SOTO JR.

ABSENT

MARK GILDEN

ALSO PRESENT

BRUCE MINSKY, VILLAGE ATTORNEY
ZACK KAMM, CIVIL DESIGN WORKS
ALLISON WEINRAUB, VILLAGE CLERK TREASURER

Open meeting

Roll Call

APPROVAL OF PLANNING BOARD MINUTES MARCH 21, 2023

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

Resolution 2023-21

Resolved, that the minutes of the regular meeting of the Planning Board, held on March 21, 2023 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.

PUBLIC HEARING-ANTHONY DIFURIA, 16 ARON CT, NEW HEMPSTEAD, NY. THE APPLICANTS ARE SEEKING A WETLANDS PERMIT TO PERMIT THE CONSTRUCTION MAINTENANCE AND USE OF AN ADDITION TO THEIR SINGLE FAMILY RESIDENCE. THE SUBJECT PROPERTY IS LOCATED ON THE WEST SIDE OF ARON CT. 300 FEET FROM UNION RD. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 42.14 BLOCK 1 LOT 54 IN A 1R-35 ZONING DISTRICT.

Mrs. Weinraub stated it ran in the Rockland Journal News on June 1, 2023 affidavits were timely.

Comments referenced into the record:

Rockland County Highway 5-19-2023

Rockland County Health 5-30-2023

Hillcrest Fire 6-1-2023

Rockland County Planning 6-5-2023

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Rockland County Sewer 6-12-2023

Anthony Difuria, Applicant

Is looking to do an addition on his house to add a garage extension and a bedroom for his older daughter who is moving back in with them because she is facing hardships. The project falls within the 100ft buffer of the wetlands so this wetlands permit is needed.

The village engineer explained the entire property falls within the 100 ft buffer of the wetlands so this permit requirement is triggered anytime site work is requested on this property when they apply for a building permit. The issuance of the wetlands permit does not grant them the ability to build it just grants the ability to apply to build. If this permit gets approved tonight there will need to be a condition for the filing of the building permit.

Chairman Poliakoff asked if the new Supreme Court ruling on wetlands effect this application.

Attorney Minsky does not believe so because they are not actually touching the wetlands.

Attorney Minsky went through the comments that came in from the GML The applicant did not request any overrides. If any approvals are granted it will be conditioned to the comments from the GML.

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

Resolution 2023-22

Resolved, that the Planning Board of the Village of New Hempstead hereby opens the Public Hearing for Anthony Difuria, 16 Aron Ct, New Hempstead, NY. The applicants are seeking a wetlands permit to permit the construction maintenance and use of an addition to their single family residence. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted.

There was no one from the public that wished to speak.

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

Resolution 2023-23

Resolved, that the Planning Board of the Village of New Hempstead hereby close the Public Hearing for Anthony Difuria, 16 Aron Ct, New Hempstead, NY. The applicants are seeking a wetlands permit to permit the construction maintenance and use of an addition to their single family residence. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted.

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

Resolution 2023-24

**PLANNING BOARD OF THE VILLAGE OF
NEW HEMPSTEAD, NEW YORK**

WHEREAS, Anthony Difuria, 16 Aron Court, New Hempstead, New York 10977 seeks a permit pursuant to the provisions of Chapter 159 of the Zoning Code of the Village of New Hempstead to permit the construction, maintenance and use of an addition to a single-family residence located at 16 Aron Court, New Hempstead, New York. The subject property is located on the West side of Aron Court 300 ± feet from Union Road and is further designated on the Town of Ramapo Tax map as Section 42.14, Block 1, Lot 54 and is located within a 1R-35 zoning district; and

WHEREAS, the applicant completed and filed the necessary documentary required pursuant to §159-7 of the Zoning Code of the Village of New Hempstead for consideration of the permit application; and

WHEREAS, the Planning Board of the Village of New Hempstead held a public hearing on the application on June 13, 2023 where all input was received from the public and all interested municipalities; and

WHEREAS, the Planning Board of the Village of New Hempstead considered the standards outlined in §159-8 of the Zoning Code of the Village of New Hempstead for consideration of the permit application;

NOW THEREFORE BE IT RESOLVED the Planning Board hereby approves a wetlands permit to permit the construction, maintenance and use of an addition to a single-family residence located at 16 Aron Court, New Hempstead, New York subject to the following conditions:

1. The filing and approval of a building permit;
2. A satisfactory plot plan review by the Village of New Hempstead Planning Board;
3. The comments made by Rockland County Highway Department dated May 19, 2023;
4. The comments made by Rockland County Department of health dated May 30, 2023;
5. The comments made by Rockland County Planning Department dated June 5, 2023; and
6. The comments made by Rockland County Sewer District #1 dated June 12, 2023.

Chairman Poliakoff called for a vote. The vote was 4-0 in favor of the granting the permit and Chairman Poliakoff declared the Resolution adopted.

ADJOURN TO JULY 11, 2023- CONTINUATION OF THE PUBLIC HEARING- YEDEI CHESED- 21 FESSLER DR- THE APPLICANTS ARE SEEKING REVISED SITE PLAN APPROVAL TO PERMIT THE CONSTRUCTION, MAINTENANCE, AND USE OF A NEW BUILDING APPROXIMATELY 8,100 SF FOOTPRINT FOR ADDITIONAL RESPITE SERVICES. EXISTING RESIDENCE AND DRIVEWAY TO BE REMOVED AND THE TWO LOTS WILL BE MERGED INTO ONE. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF FESSLER DR. 0 FEET FROM THE INTERSECTION OF RT 306. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 49.8 BLOCK 1 LOT 64 + 65 IN A 1R-40 ZONING DISTRICT.

At the request of the applicant this item is being adjourned to August 8, 2023

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

Resolution 2023-25

Resolved, that the Planning Board of the Village of New Hempstead hereby adjourn the public hearing for Yedei Chesed- 21 Fessler Dr. to August 8, 2023. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted.

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Motion to Adjourn

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

Resolution 2023-26

Resolved, that the Planning Board Meeting of June 13, 2023 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