

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

BOARD OF TRUSTEES

REGULAR MEETING
May 21, 2024
7:00 P.M.

PRESENT

SHALOM MINTZ, DEPUTY MAYOR
MOSHE SCHULGASSER, TRUSTEE
SHIMON LEVI, TRUSTEE
MARC SCHIFFMAN, TRUSTEE

ABSENT

ABE SICKER, MAYOR

ALSO PRESENT

ALLISON WEINRAUB, VILLAGE CLERK TREASURER
BRUCE MINSKY, VILLAGE ATTORNEY

Pledge Allegiance

Roll Call

Open Floor

Stew Schwartz, Summit Pk Rd.

Is very upset with the condition of Summit Pk Rd. and would like something done about it. The wooded area by his property has trash accumulation and flooding and it only started happening in the last few years. Something has to be done.

Deputy Mayor Mintz is going to have someone look into this to see if there is anything the village can do.

Bayla Solomon, 4 Fisher Ct

Was asking about the Union Rd Sidewalk.

The village explained it just went out to bid and the process has started, but it does take time.

Nancy Jacobs, 9 Dorothy

Feels the neighborhood has really done downhill. Has neighbors who have broken down cars stocked in their driveways. She also has a noise complaint from the Ice Cream Trucks during the day when the kids are in School.

The village Clerk requested that Mrs. Jacobs either email the addresses or call them in to have our inspector look into the issue. The village is limited on what they can do but if she'd like she can contact the Police Department, but not sure there is much that can be done.

Chasida Sherman, 22 Fessler Dr.

Is there anything the village can do about the increase in accidents on Union Rd.?

Deputy Mayor requested the village Clerk FOIL the reports from the Town and will look into a solution.

APPROVAL OF MINUTES: April 16, 2024_ April 5, 2024 (Hold Over)

The minutes of April 5, 2024 are being held over.

Trustee Schulgasser offered the following motion, which was seconded by Trustee Schiffman:

Resolution # BOT 2024-39

Resolved, that the minutes of the regular meeting of April 16, 2024 are hereby approved and the reading of said minutes is waived. Deputy Mayor Mintz called for a vote. The vote was 3-0. The resolution was adopted.

APPROVAL OF AUDITED VOUCHERS 2024- 5

Trustee Schiffman offered the following motion, which was seconded by Trustee Levi:

Resolution # BOT 2024-40

Resolved, that abstract of Audited Vouchers 2024-5, #21212-21273 in the amount of \$ 137145.78 are hereby approved. Deputy Mayor Mintz for a vote for a vote. The vote was 3-0. The resolution was adopted.

RESOLUTION AUTHORIZING THE CHANGE IN THE COURT CLERK HOURS TO FULL TIME EMPLOYMENT.

Trustee Schulgasser offered the following motion, which was seconded by Trustee Schiffman:

Resolution # BOT 2024-41

Resolved, that the village Board of the Village of New Hempstead hereby authorize the additional hours for the Justice Clerk to Full time changing to an annual salary of 52,000.00. Deputy Mayor Mintz called for a vote. The vote was 4-0. The resolution was adopted.

RESOLUTION AUTHORIZING VILLAGE HALL TO BE CLOSED JULY 5, 2024

Trustee Schulgasser offered the following motion, which was seconded by Trustee Schiffman:

Resolution # BOT 2024-42

Resolved, that the village Board of the Village of New Hempstead hereby authorize the closure of village hall on July 5, 2024. Deputy Mayor Mintz called for a vote. The vote was 4-0. The resolution was adopted.

DISCUSSION:- 103 BRICK CHURCH RD. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF BRICK CHURCH RD, 500 +/- FEET FROM UNION RD. IN THE VILLAGE OF NEW HEMPSTEAD: DESIGNATED ON THE TOWN OF RAMAPO TAX MAPS AS SECTION 50.05, BLOCK1 LOT 11.1. CONCEPT PLAN

Attorney Minsky went through the step that will be happening this evening
Accept the EAF part one and the draft scoping document that was submitted.
Intent to declare lead agency
Determine that the first amended petition that's going to be a type one action
Pass a resolution to approve an extension for their review time.
Schedule a Scoping Session for 6/25/24 at 6:30pm.

Ira Emanuel, attorney for the applicant

Would like to make it clear for the record that the applicant has agreed to the extension time. He explained that the purpose of the scoping session is to bring up issues.

Trustee Schiffman offered the following motion, which was seconded by Trustee Levi:

RESOLUTION

A meeting of the Village Board of Trustees of the Village of New Hempstead was convened on May 21, 2024, at 7:00 p.m.

The following Resolution was duly offered and seconded to wit:

**RESOLUTION TO GRANT PLANNING BOARD ADDITIONAL 45 DAYS;
DECLARE LEAD AGENCY;
CLASSIFY ACTION AS TYPE I ACTION;
ISSUE POSITIVE DECLARATION OF POTENTIAL ADVERSE IMPACT;
ISSUE NOTICE OF INTENT TO PREPARE DEIS; AND
SCHEDULE PUBLIC SCOPING SESSION ON 6/25/24 AT OR AFTER 7PM**

RESOLUTION NO. 43

WHEREAS, the Village Board of Trustees of the Village of New Hempstead (“Village Board”) is responsible for the preparation and adoption and maintenance of, as well as any subsequent revisions to, the Village of New Hempstead’s Zoning Code; and

WHEREAS, the Village Board is in receipt of a First Amended Petition from 103 Brick Church LLC (“Applicant”) seeking to amend the Village’s Zoning Code to allow single-family dwelling son lot having a minimum lot area of 10,000 square feet and to map the new zoning district, 1R-10, to the New York Country Club property at 103 Brick Church Road; and

WHEREAS, the Village Board previously resolved to: [1] refer the First Amended Petition pursuant to Village Code §290-133, together with all supporting materials, to the Village Planning Board, Village Attorney, Village Engineer, Village Building Inspector and Code Inspector, for review and report and [2] declare the proposed action as a SEQRA Type I action and circulated its Notice of Intent to serve as Lead Agency (Resolution No.); and

WHEREAS, the Village Planning Board has requested an additional 45 days to review and provide its report; and

WHEREAS, the Village Board has not received any notice from any other involved or interested agencies expressing a desire to serve as lead agency or for a coordinated review; and

WHEREAS, the Applicant previously submitted together with the First Amended Petition a Draft Scoping Document and an Environmental Assessment Form (“EAF”) Part I; and

WHEREAS, the Village Board has dutifully reviewed the EAF Part I, the Draft Scoping Document and had the same reviewed by the Village Planner.

NOW, THEREFORE, BE IT RESOLVED, that this Board hereby grants the Village Planning Board an additional 45 days to conduct its review and provide its report regarding the First Amended Petition; and

BE IT FURTHER RESOLVED that this Board declares itself as Lead Agency pursuant to the 6 NYCRR 617 State Environmental Quality Review (“SEQR”) for this action; and

BE IT FURTHER RESOLVED that this Board has reviewed the proposed action as described in the First Amended Petition, the EAF Part I, the Draft Scoping Document, the draft zoning amendment, maps, and other accompanying material and hereby classifies the action as a Type I action pursuant to 6 N.Y.C.R.R. § 617.4(b)(1)); and

BE IT FURTHER RESOLVED that this Board has further reviewed the proposed action and hereby makes a determination of significance pursuant to 6 N.Y.C.R.R. § 617.7.

BE IT FURTHER RESOLVED that this Board, as Lead Agency under SEQRA, for the reasons set forth in the Positive Declaration, Notice of Intent to Prepare a Draft EIS, attached hereto and made a part hereof, hereby determines that the proposed action may have a significant impact on the environment and that a Draft Environmental Impact Statement (“DEIS”) shall be prepared for the proposed action; and

BE IT FURTHER RESOLVED, that, in order to facilitate public scoping pursuant to 6 NYCRR 617.8, this Board will hold a public scoping session in order to solicit input by involved and interested agencies and the public, that such scoping hearing will be held on **June 25, 2024 at or after 6:30PM**, and that the form and venue of such public hearing shall tentatively be in person at Village Hall, 108 Old Schoolhouse Road, New City, New York 10956.

BE IT FURTHER RESOLVED, that this Board authorizes the Village Planner to coordinate the printing of adequate copies of the appropriate SEQR forms, draft scope, public scoping session notice, application and such other materials as is necessary to comply with SEQR, and for the Village Planner to direct the Village Clerk on the mailing of such materials to all involved and interested agencies, and further direct the Village Clerk on publication of the notices of the positive declaration in the Environmental Notice Bulletin and the in the newspaper of record no later than 14 days in advance of the public hearing as required by 6 NYCRR 617.12.

BE IT FURTHER RESOLVED, that 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	[]	[]	[]	[x]	[]	[]
Shalom Mintz, Deputy Mayor	[x]	[]	[]	[]	[]	[]
Shimon Levi, Trustee	[x]	[]	[]	[]	[]	[]
Moshe Schulgasser, Trustee	[x]	[]	[]	[]	[]	[]
Marc Schiffman, Trustee	[x]	[]	[]	[]	[]	[]

The Resolution was thereupon duly adopted.

Adjourn to June 25, 2024- CONT. PUBLIC HEARING- SHMUEL BERKOWITZ, 755 UNION RD, NEW HEMPSTEAD NY 10977-. THE APPLICANT IS SEEKING A SPECIAL USE PERMIT FROM THE PROVISIONS OF SECTION 290-57.2 OF THE NEW HEMPSTEAD ZONING CODE FOR THE CONSTRUCTION, MAINTENANCE, AND USE OF AN ADDITION FOR A PLACE OF ASSEMBLY & MIKVAH/RITUAL BATH. THE SUBJECT PROPERTY IS LOCATED ON THE WEST SIDE OF UNION RD. 0 FEET FROM THE INTERSECTION OF PATRICIA LN THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 42.17 BLOCK 1 LOT 11 IN A 1R-25 ZONING DISTRICT.-

Trustee Schimman offered the following motion, which was seconded by Trustee Schulgasser:

Resolution # BOT 2024-44

Resolved, that the village Board of the Village of New Hempstead hereby adjourn the public hearing for Shmuel Berkowitz, 755 Union for Special Use Permit to June 25, 2024. Deputy Mayor Mintz called for a vote. The vote was 4-0 the resolution

DISCUSSION: FAVISH LANGSAM, INTERSECTION OF RT-45 AND NEW HEMPSTEAD RD, NEW HEMPSTEAD, NY 10977. THE APPLICANTS ARE PETITIONING THE BOARD OF TRUSTEES FOR A ZONE CHANGE FROM A 1R-35 TO AN NCD (NEIGHBORHOOD COMMERCIAL DISTRICT) PER THE REQUIREMENTS OF SECTION 290-36.1 TO PERMIT THE CONSTRUCTION MAINTENANCE AND USE OF A TWO STORY OFFICE BUILDING WITH ACCESSORY PARKING. THE SUBJECT PROPERTY IS LOCATED ON THE EAST SIDE OF RT-45 315 FT. +/- FROM THE INTERSECTION OF NEW HEMPSTEAD RD. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 42.15-1-1

Ira Emanuel, Attorney for the applicant

The property is the vacant property across the street from Village Hall. The reason it has been vacant is because of the Wetlands coverage, but not all of the property is considered wetlands. The applicant has been in contact with NYS DEC about the project in regards to the designated wetlands. The applicant is looking to do a two story office Building 13,500 square feet (6,750 square feet per floor) and accessory parking. There would be a one way entrance in and one way out.

The board went over the location of the parcel.

The applicant's attorney discussed that the property isn't zoned as residential but based on the current characteristic of the area an office building isn't out of character. There have been many times he attends meetings here and the area is very active by the church. The village has an NCD overlay zone. The NCD zone is an over lay zone that the applicant would like to petition the board to overlay for the office building. The NCD requires frontage on a major road and access to a collector Rd. The village code defines collector roads and Old Schoolhouse is not one of them. Therefore the applicant would like to amend the petition to include amending the zoning code to include Old Schoolhouse on the list of collector roads in the village. The street does meet the requirements for collector road under subdivision regulations. The ratio of the number of residential driveways that enter old schoolhouse road versus what you have just right off of old schoolhouse road. On for example, Stoneham Lane, there are far more residential driveways coming off a Stoneham Lane, which is intended that's the way it was designed. it's only this 100 feet or so that fall within the village. So if you name it a collective Road it's only two properties that would be affected.

Trustee Schulgasser offered the following motion, which was seconded by Trustee Levi:

Resolution # BOT 2024-45

Resolved, that the village Board of the Village of New Hempstead hereby declare intent to be lead agency. Deputy Mayor Mintz called for a vote the vote was 4-0. The resolution was adopted.

Trustee Schulgasser offered the following motion, which was seconded by Trustee Levi:

Resolution # BOT 2024-46

Resolved, that the village Board of the Village of New Hempstead hereby schedule the public hearing for Favish Langsam/Denton Acres. 870 Rt. 45 to June 25, 2024. Deputy Mayor Mintz called for a vote. The vote was 3-0. The resolution was adopted.

DEPUTY MAYORS REPORT:

TRUSTEES REPORT:

MOTION TO ADJOURN

Trustee Schulgasser offered the following motion, which was seconded by Trustee Schiffman:

Resolution # BOT 2024-47

Resolved, that the meeting on May 21, 2024 of the Board of Trustees is hereby adjourned. Deputy Mayor Mintz called for a vote. The vote was 3-0. The resolution was adopted.

Respectfully submitted,
Allison Weinraub,
Village Clerk-Treasurer