

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

Tuesday, April 9, 2024,
7:30PM
Village Hall

PRESENT

MEL POLIAKOFF, CHAIRMAN
BARBARA GREENWALD
DAVID WEISS
AKIVA KRAUS

ABSENT

MARK GILDEN

ALSO PRESENT

BRUCE MINSKY, VILLAGE ATTORNEY
GLENN MCCREEDY, VILLAGE ENGINEER
ALLISON WEINRUAB, VILLAGE CLERK-TREASURER

Open meeting

Roll Call

The Chairman confirmed with the board that the new Day for planning board is the first Tuesday of the month. The next planning board will take place on May 7.

APPROVAL OF PLANNING BOARD MINUTES DECEMBER 12, 2023& March 12, 2024

The March 12th minutes will be a hold over.

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

Resolution 2024-2

Resolved, that the minutes of the regular meeting of the Planning Board, held on December 12, 2024 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.

DISCUSSION: JIEM EDUCATION INITIATIVE FOUNDATION, 667 NEW HEMPSTEAD RD. – SEEKING REVISED SITE PLAN APPROVAL TO PERMIT THE CONSTRUCTION MAINTENANCE AND USE OF AN INDOOR PLAY AREA ADDITION. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF NEW HEMPSTEAD RD. 700 FT. +/- FROM THE INTERSECTION OF BRIDLE RD. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 42.13 BLOCK 2 LOT 40 IN A 1R-40 ZONING DISTRICT.

Paul Baum Representing the applicant

Understands that is on for discussion but Public hearing notices did go out and were posted. Seeing as this is a type 2 action is not subject to SEQR, the applicant would like to request that the board open the public hearing. Once the board declares this a type 2 action the SEQR review is done.

The board and attorney were satisfied with that

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

Resolution 2024-3

VILLAGE OF NEW HEMPSTEAD PLANNING BOARD RESOLUTION 2024-3

WHEREAS, the Village of New Hempstead Planning Board (the “Planning Board”) received an application for site plan approval from JIEM Education Initiative Foundation to permit the construction, maintenance and use of an indoor play arear addition. The project is located on the south side of New Hempstead Road approximately 700 ± feet south of the intersection with Bridle Road, in the Village of New Hempstead, County of Rockland (the “Project Site”) and is further designated on the Town of Ramapo Tax Map as Section 42.13, Block2, Lot 40 and is located within a 1R-40 zoning district; and

WHEREAS, the Project Sponsor submitted an Environmental Assessment Form (“EAF”), in accordance with Article 8 of the Environmental Conservation Law and the regulations adopted thereto at 6 N.Y.C.R.R. Part 617 (collectively referred to as the “State Environmental Quality Review Act” or “SEQRA”); and

WHEREAS, the Project Sponsor submitted to the Planning Board an analysis of the potential environmental, visual and traffic impacts related to the Project; and

WHEREAS, all required notices were forwarded to all involved agencies and any property affected by the application pursuant to the appropriate notification requirements; and

WHEREAS, the Planning Board held a public hearings on April 9, 2024 where input from all involved and interested agencies and from the public that addressed the Planning Board in connection with the Project

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF NEW HEMPSTEAD PLANNING BOARD AS FOLLOWS:

Upon thorough review and due consideration by the Planning Board of all information, the comments and input provided by the involved and interested agencies and the public, as well as the reports, studies, and analyses provided by the Project Sponsor and the Planning Board consultants and professional staff, the Planning Board makes the following findings:

1. The Planning Board has considered the Project pursuant to the parameters and criteria set forth in 6 N.Y.C.R.R. §§ 617.2(b) and 617.3(g).

2. The Planning Board classifies its review and approval of the Project as a “Type II” action pursuant to 6 N.Y.C.R.R. §617.5.

3. The Planning Board has carefully reviewed the project, the criteria set forth in 6 N.Y.C.R.R. §617.7(c), the comments and input provided by the involved and interested agencies and the public, as well as the technical information and analyses provided by the Project Sponsor and the Planning Board’s consultants, with regards to the Project. Based on the foregoing analyses and information, the Planning Board has thoroughly reviewed the potential relevant areas of

environmental concern and finds that the Project will not result in a potential significant adverse impact on the environment for the following reasons:

(a) The Project will not have a significant potential adverse impact on land. The Project will not affect any unique or unusual land formations.

(b) The Project will not have a significant potential adverse impact on water. The project will not affect any protected water body. The Project Sponsor shall comply with applicable permit requirements set forth in NYSDEC's Phase II SPDES General and Individual Permits for Stormwater Discharges from Construction and Industrial Activities and the Village of New Hempstead's laws regarding stormwater discharges. The Project will not have any impacts on federal or state wetlands. There will be no significant potential adverse impact to any non-protected water body and will not result in a potential significant adverse impact to the water quality or quantity within the area. There will be no significant potential adverse impact to surface or groundwater quality and quantity. The Project will not alter drainage flow or patterns, or surface water runoff. All activities at the Project Site shall be subject to applicable NYSDEC stormwater permitting requirements. Appropriate erosion measures shall be implemented as part of the Stormwater Pollution Prevention Plan required by NYSDEC and the Village of New Hempstead for all construction activities.

(c) The Project will not affect air quality.

(d) The Project will not result in a potential significant adverse impact on plants and animals. There are no threatened or endangered species of animal or plant life present on the Project site. The Project will not substantially or adversely impact any non-threatened or non-endangered habitat.

(e) The Project will not result in a potential significant adverse impact on agricultural resources land resources.

(f) The Project will not have a potential significant adverse impact on aesthetic resources. Visual simulations of the Project at various view points demonstrate that the Project will not have a potential significant adverse impact on the aesthetic and character of area where the project is proposed.

(g) The Project will not result in a potential significant adverse impact to historic or archaeological resources. All construction and operational activities at the Project Site shall be conducted in conformance with the requirements of the NYS Office of Parks, Recreation and Historic Preservation, as necessary.

(h) The Project will not have a potential significant adverse impact on existing open space and recreation.

(i) The Project will not have a potential significant adverse impact on a Critical Environmental Area as designated pursuant to 6 N.Y.C.R.R. § 617.14(g) of the SEQRA regulations.

(j) The Project will not have a potential significant adverse impact on transportation or the existing traffic patterns and flow. Based on the analysis provided by the Project Sponsor and John Collins Engineering, the Project will not have a significant adverse impact on transportation operations within the Project area. Queue analysis provided for traffic entering the Project Site using existing left and right turn lanes demonstrated that the existing turn lanes are more than adequate for the projected traffic generated by the Project. Analysis of traffic peak hours adjusted for seasonal factors, potential trip distributions, and background growth rate adjustments at the Project Site's access points demonstrate that the overall traffic intersection levels of operations will remain at acceptable levels. On-site amenities and circulation are adequate, as well as the proposed parking options available for potential guests and visitors to the Project Site.

(k) The Project will not have a potential significant adverse impact on energy.

(l) The Project will not have a potential significant adverse related to objectionable noise and odor.

(m) The Project will not have a potential significant adverse impact on public health or safety.

(n) The Project will not have a potential significant adverse impact on growth and character of the community and neighborhood. The Project's proposed use and density is consistent with the goals and purposes of the applicable zoning ordinance and the comprehensive zoning plans of the Village of New Hempstead. The ambulance and fire departments have determined that an adequate capacity of services is available to handle any additional service demands presented by the Project.

4. Based on the foregoing, the Planning Board finds that the Project will not have a potential significant adverse environmental impact on the environment in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and, in particular, pursuant to the criteria set forth at 6 N.Y.C.R.R. § 617.7(b) of the SEQRA regulations. The Planning Board thus issues a Negative Declaration pursuant to SEQRA.

5. A Notice of Negative Declaration shall be filed and/or published to the extent required by the SEQRA regulations, and as the Planning Board may deem advisable. The findings and conclusions relating to the determination of significance contained within the Notice of Negative Declaration are hereby adopted and incorporated by reference into this Resolution as applicable.

6. This Resolution has been prepared in accordance with Article 8 of the New York Environmental Conservation Act by the Planning Board, with offices located at Village Hall, 108 Old Schoolhouse Road, New City, New York 10956.

7. This Resolution shall take effect immediately upon adoption.

Chairman Poliakoff called for a vote on the Resolution which was as follows: Ms. Greenwald, AYE, Mr. Weiss, AYE, Mr. Kraus, AYE, and Chairman Poliakoff, AYE. The Resolution was adopted by a vote of 4-0.

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Mrs. Weinraub stated it ran in the Rockland Journal News on March 26, 2024. Affidavits of Notice and Postings were timely.

Comments referenced into the record:

Rockland County Health 3.26.2023

Rockland County Planning 3.25.2024

Rockland County Sewer 3.23.24

Rockland County Highway 2.26.2024

Town of Ramapo DPW 3.7.2024

The applicant's attorney went over the plans with Avi Weinberg, the applicants Engineer and Stanley Mayerfeld, the applicants Architect.

The applicant is looking to expand an area in the preschool wing. They have some resource rooms that are located right outside the classrooms. They are not in a good location, so they want to move them down to the end of the wing, where they currently have an indoor play area. So the plan here is just to go out and build this 1934 square foot addition. It's really just going to enclose the outside play area and bring it inside. There will not be an increase in enrollment. The applicant tried to relocate the addition but this seems to be the only area that can accommodate it. The applicant did reach out to Veolia through certified mail and has not heard back at this time.

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

Resolution 2024-4

Resolved, that the village Planning Board hereby open the public hearing for JEIM, 667 New Hempstead Rd. for revised site plan approval. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted

Moshe Farkus, 7 Wishers Ln
In support of this project.

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

Resolution 2024-5

VILLAGE OF NEW HEMPSTEAD PLANNING BOARD RESOLUTION 2024-5

WHEREAS, the Village of New Hempstead Planning Board (the "Planning Board") received an application for site plan approval from JEIM Education Initiative Foundation to permit the construction, maintenance and use of an indoor play arear addition. The project is located on the south side of New Hempstead Road approximately 700 ± feet south of the intersection with Bridle Road, in the Village of New Hempstead, County of Rockland (the "Project Site") and is further designated on the Town of Ramapo Tax Map as Section 42.13, Block2, Lot 40 and is located within a 1R-40 zoning district; and

WHERAS, said application requires review, discussion and approval of certain parts from the Village of New Hempstead Zoning Board of Appeals;

NOW WHEREFORE, it is hereby

RESOLVED that The Village of New Hempstead Planning Board hereby refers the application of JEIM Education Initiative Foundation to the Zoning Board of Appeals for the

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Village of New Hempstead for further review and issuance of any required variances or permits the Zoning Board of Appeals feels necessary and proper.

Chairman Poliakoff called for a vote on the Resolution which was as follows: Ms. Greenwald, AYE, Mr. Weiss, AYE, Mr. Kraus, AYE, and Chairman Poliakoff, AYE. The Resolution was adopted by a vote of 4-0.

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

Resolution 2024-6

Resolved, that the village Planning Board hereby adjourn the public hearing for JEIM, 667 New Hempstead Rd. for revised site plan approval to May 7, 2024. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted

DISCUSSION: UNION RD. TOWNHOMES, 618 UNION RD. ALSO DESIGNATED AS 103 BRICK CHURCH RD., NEW HEMPSTEAD NY 10977. THE APPLICANT IS REQUESTING SITE PLAN APPROVAL PER SECTION 290-57 FROM THE VILLAGE OF NEW HEMPSTEAD ZONING CODE; TO DEVELOP THE PROPERTY AS AN ACTIVE ADULT RESIDENTIAL COMMUNITY. THE SUBJECT PROPERTY IS LOCATED ON EAST SIDE OF UNION RD. 30 FT. +/- FROM THE INTERSECTION OF GLORIA DR. DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 50.5 BLOCK 1 LOT 11.2 IN A 1R-40 ZONING DISTRICT.

Paul Baum, Attorney for the applicant

Applicants seek approval for active adult residential community, with revisions to concept plan. The applicant is working on those revisions. This has been referred to the planning board by the Board of Trustees to declare intent to be Lead Agency. This is an unlisted actiond

The village did receive an email from Neighbors that expressed concerns about proposed development, including sidewalks and traffic. The planning board will be requiring most of the improvements requested and provided a copy of the email to the applicant's attorney.

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

Resolution 2024-7

RESOLUTION PLANNING BOARD 2024-7

WHEREAS, Union Road Townhomes, 618 Union Road (also designated as 103 Brick Church Road) has submitted an application seeking site plan approval of a potential active adult residential community pursuant to Village of New Hempstead Zoning Code §290-57. The subject property is located on the east side of Union Road approximately thirty (30) feet from the intersection of Gloria Drive and is further designated on the Town of Ramapo Tax Map as Section 50.5, Block 1, Lot 11.2 and is situated in a 1R-40 zoning district; and

WHEREAS, pursuant to the terms of the New York State Environmental Quality Review Act "SEQRA") contained in the Environmental Law a lead agency must be designated for all covered projects;

NOW WHEEFORE, IT IS HEREBY RESOLVED, that the Village of New Hempstead Planning Board designates itself as lead agency for all purposes under the State Environmental Quality Review Act; and it is further

RESOLVED, that as lead agency, the application of Union Road Townhomes is declared as an “unlisted action” for purposes of SEQRA; and it is further

RESOLVED that the Planning Board Clerk is directed to notify all involved agencies and interested persons of the declaration made herein to allow any input on the declarations made by the Planning Board.

Chairman Poliakoff called for a Vote which was as follows: Ms. Greenwald, AYE, Mr. Weiss, AYE, Mr. Kraus, AYE and Chairman Poliakoff, AYE. The resolution was adopted by a 4-0 vote.

The village engineer says a real traffic study is necessary for this project.

DISCUSSION: BAIS MALKA HASC, LLC, 48 GRANDVIEW AVE, MONSEY NY 10952, SEEKING REVISED SITE PLAN APPROVAL TO PERMIT THE CONSTRUCTION, MAINTENANCE, AND USE OF AN ADDITION FOR ADDITIONAL CLASSROOM SPACE. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF GRANDVIEW AVE. 900 FEET FROM THE INTERSECTION OF PLEASANT RIDGE RD. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 41.20 BLOCK 2 LOT 41 IN A 1R-25 ZONING DISTRICT.

Joe Churgin, Attorney for the applicant

The applicant has submitted to add two classrooms to the permanent building that’s currently there. Variances will not be needed for this project. The applicant is looking for a declaration of intent and since notices and posters went out and applicant is looking to have this adjourned to the next meeting to satisfy that requirement.

Mrs. Weinraub stated it ran in the Rockland Journal News on March 25, 2024. Affidavits of Notice and Postings were timely.

Comments referenced into the record:

Rockland County Health 4/8/2024

Rockland County Planning 4/1/2024

Rockland County Sewer 4.8.24

Rockland County Highway 3.19.2024

Village of Spring Valley, 3/7/2024

Town of Ramapo DPW 3.28.2024

Hillcrest FD 3.17.24

NYS DOT 3.11.24

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

RESOLUTION PLANNING BOARD 2024-8

WHEREAS, Bais Malka HASC, LLC of 48 Grandview Avenue, Monsey, New York 10952 has submitted an application seeking site revised plan approval of a school to allow for an addition for additional classroom space. The subject property is located on the south side of Grandview Avenue, approximately 900 feet from the intersection of Pleasant Ridge Road and is further designated on the Town of Ramapo Tax Map as Section 41.20, Block 2, Lot 41 and is situated within a 1R-25 zoning district; and

WHEREAS, pursuant to the terms of the New York State Environmental Quality Review Act contained in the Environmental Law a lead agency must be designated for all covered projects;

NOW WHEEFORE, IT IS HEREBY RESOLVED, that the Village of New Hempstead Planning Board designates itself as lead agency for all purposes under the State Environmental Quality Review Act.

Chairman Poliakoff called for a Vote which was as follows: Ms. Greenwald, AYE, Mr. Weiss, AYE, Mr. Kraus, AYE and Chairman Poliakoff, AYE. The resolution was adopted by a 4-0 vote.

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

Resolution 2024-9

Resolved, that the village Planning Board hereby adjourn the Public Hearing on the application of Bais Malka, 48 Grandview Ave to May 7, 2024. Chairman Poliakoff called for a vote. The vote was 4-0 the resolution was adopted.

Motion to Adjourn

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

Resolution 2024-10

Resolved, that the Planning Board Meeting of April 9, 2024 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