

June 4, 2024

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

Tuesday, June 4th, 2024,
7:30PM
Village Hall

PRESENT

MEL POLIAKOFF, CHAIRMAN
BARBARA GREENWALD
DAVID WEISS
AKIVA KRAUS
MOISHIE FARKAS

ABSENT

MARK GILDEN

ALSO PRESENT

BRUCE MINSKY, VILLAGE ATTORNEY
ALAK SHAW, VILLAGE ATTORNEY (FOR 103 BRICK CHURCH LLC)
JOHN LOCKMAN, VILLAGE PLANNER
AMANDA BETTELLO, DEPUTY VILLAGE CLERK-TREASURER

Open meeting

Roll Call

APPROVAL OF PLANNING BOARD MINUTES APRIL 9, 2024 AND MAY 7, 2024

The May 7th, 2024 minutes will be a hold over.

Akiva Kraus made the following motion, which was seconded by Barbara Greenwald

Resolution 2024-21

Resolved, that the minutes of the regular meeting of the Planning Board, held on April 9, 2024 are hereby approved as submitted and that the reading of said minutes be waived. Chairman Poliakoff called for a vote. The vote was 5-0. The resolution was adopted.

DISCUSSION: 103 BRICK CHURCH LLC, PETITION REFERAL FROM BOT_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.

Steve Marino, Principal, Tim Miller and Associates

Stated they were referred to the Planning Board from the Village Board of Trustees to discuss the possibility the potential rezoning of the property at 103 Brick Church Road. The board is currently preparing for a scoping session for the DEIS which the applicant is willingly participating in, in a positive declaration to have a DEIS written for the proposed zoning. The board has been referred from the village Board of Trustees for initial comments on the proposed zoning. On June 25th there'll be a scoping session to discover the details of the scoping document for that DEIS address scope has already been prepared

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and the villages consultants have looked at it and they are now here to see what the board has to say tonight and add any information they can.

Alak Shaw, Village Attorney (For 103 Brick Church LLC)

After the May 23 2024 TAC meeting that was had, Jonathan Lachman, the Village Planner as well as Alak Shaw, the Village Attorney for 103 Brick Church LLC, worked together to prepare a memo that they thought reflected the concerns that were voiced. The memo, they believe would satisfy the planning board's obligation to report back onto the village code while also voicing the problems that the planning board has as far as the layout and the proposed zoning and potential density. It specifically highlights that the planning board would want alternative study such as like larger lot sizes, perhaps 15,000 square feet. It would also suggest studying an alternative mixed residential use such as the inclusion of duplexes and townhouses as well as single family homes and it would also allow the opportunity to be heard at various stages throughout the process, including the scoping hearing, when DEIS is actually prepared, as well as when the actual project site plan is presented to for approval, and the SEQR process that would be involved as far as the actual project is concerned.

David Weiss, Planning Board Member

Expressed concern over the proposed Zoning change to a 1R-10 and feels that it would be setting a detrimental precedent in the Village of New Hempstead.

John Lockman, Village Planner

Referenced the memo that was prepared.

Barbara Greenwald, Planning Board member

Agreed with Mr. Weiss in expressing concern that it will impact the Village significantly.

Mel Poliakoff, Chairman for the Planning Board

Expressed his opposition as he feels it is too crowded and offered some suggestions for other development other than what is being proposed.

Ann Cutignola, Planner for the applicant

Voiced that she does feel it is important to not only protect the Village but also take into consideration the views of the Planning Board as well as the Board of Trustees. Stated that her understanding is that it is now the responsibility of this board to formulate their opinion and respond to the Board of Trustees with their opinion of the proposed zoning.

John Lockman, Village Planner

Read from the memo: "The Planning Board shall report to the Board of Trustees regarding the form and the advisability of the proposed amendment. Its report shall analyze the proposed amendment and shall state the board's reasons for its recommendation describing any conditions which it believes make the amendment advisable or not, and specifically stating whether the amendment would or would not be in accordance with a comprehensive plan. And in furtherance of the purposes of this chapter."

So that that's, that's what the code says you should do when the Village Trustees give you a petition.

Bruce Minsky, Village Attorney

Stated that it seems the board as a whole seems to agree that they are against this sort of zoning change.

Steve Marino, Principal, Tim Miller and Associates

Explained that the Board of Trustees has referred for the Planning Boards initial reaction to the zoning petition on June 21. We're going to be having a scoping session where additional comments will come in

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from the public as well as the Planning Board and other boards regarding what they think should be in the EIS as we move forward with the 1R-10 Because that is what our petition is and that's what the Board of Trustees will be dealing with.

Alak Shaw, Village Attorney (For 103 Brick Church LLC)

Explained to the board that they are presenting a plan that is over expansive is because they have to consider its maximum capacity.

John Lockman, Village Planner

Explained to the board how they need to prepare their response to the Board of Trustees.

David Weiss made the following motion, which was seconded by Akiva Kraus

Resolution 2024-22

Resolved, that the Planning Board of the village of New Hempstead hereby disapprove the zone change application of the 1R-10 due to concerns of traffic, over development, change in nature and proportion of open space. Chairman Poliakoff called for a vote. The vote was 5-0. The resolution was adopted.

Motion to Adjourn

David Weiss made the following motion, which was seconded by Akiva Kraus

Resolution 2024-23

Resolved, that the Planning Board Meeting of June 4, 2024 is hereby adjourned. Chairman Poliakoff called for a vote. The vote was 5-0. The resolution was adopted.

Respectfully Submitted

Amanda Bettello,
Deputy Village Clerk-Treasurer