

November 5th, 2024

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

Tuesday, November 5th, 2024,
7:30PM
Village Hall

PRESENT

MEL POLIAKOFF, CHAIRMAN
BARBARA GREENWALD
MARK GILDEN
MOSHE FARKUS
SANTIAGO SOTO

ABSENT

AKIVA KRAUS
DAVID WEISS

ALSO PRESENT

ALENA GUCKIAN, VILLAGE ENGINEER
JOHN LOCKMAN, VILLAGE PLANNER
AMANDA BETTELLO, DEPUTY VILLAGE CLERK-TREASURER

Open meeting

Roll Call

APPROVAL OF PLANNING BOARD MINUTES October 1st, 2024

Barbara Greenwald made the following motion, which was seconded by Mark Gilden

Resolution 2024-47

Resolved, that the minutes of the regular meeting of the Planning Board, held on October 1st, 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.

PUBLIC HEARING: ST. GEORGE CENTER OF ROCKLAND CO., LOCATED AT 580 NEW HEMPSTEAD RD., NEW HEMPSTEAD, NY 10977. THE APPLICANTS ARE SEEKING APPROVAL TO PERMIT THE CONSTRUCTION, MAINTENANCE, AND USE OF A SIGN. THE SUBJECT PROPERTY IS LOCATED ON THE NORTH SIDE OF NEW HEMPSTEAD RD. 400 FT. +/- FROM THE INTERSECTION OF OAKWOOD TERR. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 42.14-1-24 IN A 1R-35 ZONING DISTRICT.

Donald Thomas, Signarama- representing the applicant

Explained that they are trying to determine the correct location for the sign on the property. He stated that the County has advised, the sign must be placed 18 feet from the road. However, after further review, the Town has required the sign to be positioned 50 feet beyond that, bringing the total required distance to 68 feet from the road. He proposed placing the sign 18 feet back from the County line. He asked for guidance on how to move forward.

John Lockman, Village Planner

Referenced the comment from the County citing code 290-118 stating that all signs shall comply with the yard requirements for principal buildings of the district in which they are located. Therefor they will need to be referred to the Zoning Board of Appeals for a variance. Also stated that he and the Village Attorney may consider working on an amendment that exempts these type of building signs from being set back the same distance as a building.

Mel Poliakoff, Planning Board Chairman

Explained that the Planning Board is unable to override the code and therefor this application will need to go in front of the Zoning Board of Appeals.

Bruce Minsky, Village Attorney

Advised the board that they may notify the Zoning Board of Appeals that they have reviewed this application and that without the setback requirements this is something they would approve.

CONT. PUBLIC HEARING: SUMMIT PATIO HOMES, 29 SUMMIT PK, RD., NEW HEMPSTEAD NY 10977. APPLICANTS ARE SEEKING REVISED SITE PLAN APPROVAL TO PERMIT THE CONSTRUCTION, MAINTENANCE AND USE OF A POOL AND PATIO ADJACENT TO THEIR COMMUNITY CENTER FOR THEIR ACTIVE ADULT RECREATIONAL COMMUNITY. THE SUBJECT PROPERTIES ARE LOCATED ON THE WEST SIDE OF SUMMIT PARK ROAD 60 +/- FEET FROM RODMAN PL. THE PROPERTIES ARE DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 42.10 BLOCK 1 LOT 45 IN A ARC ZONING DISTRICT.

Steve Sparaco, Engineer for the applicant

Explained to the board that this applicant got approvals back in 2010 to build this Adult 55+ community with 60 homes and a community center. They are now coming back seeking approvals for a pool with a patio and a walkway to gain access to the area. The pool will be for use by the residents and their families.

It was explained to the applicant that The Village Planning Board and professionals never received the updated plans.

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Ms. Bettello stated it ran in the Rockland Journal News on September 17th, 2024. Affidavits of Notice and Postings were timely.

Comments referenced into the record:

Rockland County Health 8.7.24

Rockland County Sewer 8.9.24

Village Planner 8.19.24

Town of Ramapo DPW 8.13.24

Rockland County Planning 9.17.24

Applicants Response to Town of Ramapo DPW 9.24.24

Barbara Greenwald made the following motion, which was seconded by Moshe Farkus.

Resolution 2024-48

Resolved, that the village Planning Board hereby open the public hearing for Summit Patio Homes, 29 Summit Pk. Rd., for revised site plan approval. Chairman Poliakoff called for a vote. The vote was 5-0. The resolution was adopted

Miriam Barber, 44 Dessau Cir.

Spoke in favor of the project and feels it would be good for all of the resident's health and overall wellbeing.

Moshe Schulgasser, 3 Flamingo Ln.

Feels that for a 55 and over community there seems to be large families there regularly and it is not peaceful how one would expect it to be. Is worried the pool will be used by the children and grandchildren of the residents and is concerned with parking.

Davide Reiss, 19 Oakwood Terr.

Voiced concerns over the turning lane that was added on Summit Park Road that makes it difficult to see oncoming traffic. Feels this seems to be attracting people other than those that are 55 and over.

Mel Poliakoff, Chairman

Stated that the HOA is responsible for setting the rules for people coming in and out of the facility. While Mr. Tauber could raise concerns with the HOA, they cannot stop the construction of the homes. The HOA holds the authority in these matters.

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There was conversation had back and forth whether Moshe Farkus should recuse himself being that his parents are residents of this community. The Village Attorney did not feel it was necessary but he will do the necessary research and let the board know if Mr. Farkus will need to recuse himself once it is time to vote on the project.

Michael Tauber, Applicant

Stated the HOA is still in control of the sponsor but the hope is once the pool is built the rules would be for it to only be used by the residents of the community as it is not large enough for use otherwise. Explained that once control is given to the residents in the future he cannot speak to what the rules will be. He suggested to the board that maybe they should have some conditions put into place to avoid what the concerns are. He also acknowledged that the County did not want sidewalks as some of the residents were concerned over that and that he did not have any control over the work that was done on Summit Park Road.

John Lockman, Village Planner

Stated that, as a procedural matter, the discussion should focus on the current application for the pool and improvements, rather than revisiting past decisions related to the original subdivision approval. He emphasized that the current issue is not about what happened seven or eight years ago or what the County approved at that time, but rather the application before them for the pool construction.

Robin Hoch, 4 Flamingo Ln.

Stated that the decks and landscaping have not remained as originally promised.

Malka Farkus, 42 Dessau Cir.

Stated that the pool and clubhouse will be located next to their unit and are expected to only be used by the residents themselves. Also acknowledged the concerns about visitors but said that very often the kids running around throughout the property tend to be from the surrounding neighborhood and not from within. She is happy with the turning lane that was added to Summit Park Road as she finds the visibility has become better for her.

Joseph Farkus, 42 Dessau Cir.

Expressed that, as a resident of the 55+ community, he understands concerns about the pool and the presence of children. He acknowledged that while the community is meant for elderly residents, sometimes children do visit, which is common in 55+ communities. He also shared his experience of living in a quiet neighborhood in Montreal, where the construction of a synagogue led to noise from children playing. Despite the inconvenience, he benefited financially from the increase in property value. He emphasized that things change, and that though noise does happen at times from surrounding properties and such he understands that it is part of life. He

understands that sometimes things change and agrees that the pool should be used for the residents only.

Aron Feuerstein, 21 Oakwood Terr.

Also complained about the road in front of the property being unsafe now with the added turning lane.

Moshe Farkus made the following motion, which was seconded by Barbara Greenwald.

Resolution 2024-49

Resolved, that the Village Planning Board hereby adjourn the Public Hearing for Summit Patio Homes, 29 Summit Pk. Rd., for revised site plan approval. Chairman Poliakoff called for a vote. The vote was 5-0 the resolution was adopted.

Moshe Farkus made the following motion, which was seconded by Barbara Greenwald.

Resolution 2024-50

WHEREAS, the Village of New Hempstead Planning Board (“Planning Board”) has received an application for revised site plan approval from Summit Carriage Homes for construction, maintenance and use of a pool and patio adjacent to their community center located on Summit Park Road. The subject property is situated on the west side of Summit Park Road approximately 700 feet north from its intersection of New Hempstead Road, in a previously approved Active Adult Recreational Community. and

WHEREAS, the Planning Board previously issued a declaration intending to act as lead agency for purposes of review of the application under New York State Environmental Quality Review Act and forwarded its intent to all other involved and interested agencies; and

WHEREAS, the application currently before the Planning Board is subject to review under New York State Environmental Quality Review Act;

NOW THEREFORE BE IT RESOLVED the Planning Board determines that it shall act as lead agency to conduct all environmental reviews under the New York State Environmental Quality Review Act in connection with the application for revised site plan approval for Summit Carriage Homes; and it is further.

RESOLVED that Village Clerk shall provide a copy of this Resolution to any involved agencies or adjoining municipalities.

Chairman Poliakoff called for a vote which was as follows: Ms. Greenwald, AYE, Mr. Gilden, AYE, Mr. Farkus, AYE, Mr. Soto, AYE and Chairman Poliakoff, AYE. The Resolution was approved by a vote of 5-0.

ADJOURN TO DECEMBER- CONT. OF THE PUBLIC HEARING: SITE PLAN APPLICATION OF UNION RD. TOWNHOMES, 618 UNION 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.

ADJOURN TO DECEMBER- CONT. OF THE PUBLIC HEARING: ILLINOIS PROPERTIES 26, LLC, 775 N. MAIN ST., NEW HEMPSTEAD, NY 10977. SITE PLAN APPROVAL TO PERMIT THE CONSTRUCTION MAINTENANCE AND USE OF A TWO STORY ADDITION TO THE WESTERN END OF THE EXISTING OFFICE BUILDING. THE SUBJECT PROPERTY IS LOCATED ON THE WEST SIDE OF MAIN ST., 265 FT. +/- FROM THE INTERSECTION OF RENSSALAER DR. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 42.18-2-24 IN A NCD (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT.

Motion to Adjourn

Barbara Greenwald made the following motion, which was seconded by Mark Gilden.

Resolution 2024-51

Resolved, that the Planning Board Meeting of November 5th, 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