

SAVAD | CHURGIN
ATTORNEYS AT LAW

Paul Savad (1941-2020)
Joseph A. Churgin

Of Counsel:
Susan Cooper
Donna Sobel

55 OLD TURNPIKE ROAD – SUITE 209
(Rt. 59 & THRUWAY EXIT 14)
NANUET, NEW YORK 10954

mail@savadchurgin.com
(845) 624-3820
Fax: (845) 624-3821

January 3, 2025

Members of the Planning Board
Village of New Hempstead
108 Old Schoolhouse Road
New City, New York 10956

Re: Amended Site Plan Approval (Permanent Classroom Building and Bus
Parking)
Applicant: Bais Malka HASC, LLC
Premises: 48 Grandview Avenue, New Hempstead, NY 10977
Tax Map Designation: Sec. 41.20 Block 2 Lot 41

Dear Members of the Board:

We represent Bais Malka HASC, LLC, the owner of the above school premises.

Enclosed please find 20 copies of our client's Application, including a Narrative dated January 3, 2025, and Plan prepared by Anthony Celentano PE, last dated December 31, 2024.

The Applicant is seeking amended site plan approval for a permanent classroom building (currently a "temporary" building) and a bus parking area.

Also enclosed are full-size copies of the Plan.

Our client will hand deliver payment for any fees due.

Please advise the date and time of the meeting which we are required to attend.

Very truly yours,



JOSEPH A. CHURGIN

JAC/mc

encs

cc: Anthony Celentano, PE
Bais Malka HASC, LLC

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January 3, 2025

Members of the Planning Board
Village of New Hempstead
108 Old Schoolhouse Road
New City, NY 10956

NARRATIVE

PERMANENT CLASSROOM BUILDING/BUS PARKING – REVISED SITE PLAN

Re: Bais Malka HASC, LLC (Applicant/Owner)
Premises: 48 (f/k/a 40) Grandview Avenue, New Hempstead, NY
Tax Map Designation: Sec. 41.20 Block 2 Lot 41

Bais Malka HASC, LLC is the owner of the property.

The Applicant now returns to the Planning Board in connection with its application seeking approval of its revised site plan to permit a permanent classroom building, which building is currently on site as a temporary classroom building, and the bus parking/storage lot.

Included herewith is the amended Site Plan prepared by Anthony Celentano, PE, last dated for final approval on **December 31, 2024**. The Plan has been updated to show the following:

- 1) New Construction
- 2) Lights Taken Down from Pool Area
- 3) Note Added No Mechanical Work on Buses
- 4) Curb Area More Defined Around Bus Area Parking

Permanent Classroom Building

On July 11, 2017, the Planning Board approved the application seeking revised site plan approval for the installation of a temporary prefabricated classroom building on the site, to be used during construction of a permanent classroom building (Resolution # P.B. BOT 2017- 49. The classroom building is on a concrete foundation, and is in accordance with applicable codes.

The dimensions of the classroom building are 166 s.f. x 66 s.f. The specifications of the classroom building are submitted herewith.

The classroom building sits on 0.25 acres located in the southern portion of the property behind the existing school building. The lot upon which the entire School is located has a site area of 15.9 acres.

The site will be used in the exact same manner it was used since the subject building was installed as a temporary building in November of 2017! It has served exactly the same purpose and was used in exactly the same manner as it will be used with no parking issues for that entire time. Changing the word “temporary” to the word “permanent” has no physical effects.

The Applicant is a tenant occupying 68% of the school facilities, pursuant to a signed lease agreement. The balance of the property is occupied by Hebrew Academy for Special Children, Inc., pursuant to a separate lease, which educates special needs children.

The use of the permanent classroom building will be exclusively for religious/educational purposes for 160 female students ranging in age from 3 to 6 years.

The hours of operation of the permanent classroom building will be during the Applicant’s regular school hours: Monday through Thursday 8:15 am to 4:20 pm; Friday 9:00 am to 12:30 pm; Sunday 9:00 am to 3:30 pm. The Applicant’s school is closed on Saturdays.

The permanent classroom building will permit the Applicant to provide 12 additional classrooms to better serve the students. The Applicant’s prior facility was too small to meet its educational needs.

Approved Variances

Applicant recently appeared before the Zoning Board of Appeals and received approvals for variances in connection with a bus parking/storage lot and the impervious surface area in the parking lot area.

Bus Parking

On August 30, 2023, the ZBA granted a variance from Local Law No. 1 of 2014, Article 4, Section 4.4.18 permitting a portion of the above property to be designated exclusively for school bus parking/storage. In order to construct an area for the buses to park, a variance relating to impervious surface area was also needed and was granted.

An 11,690 s.f. portion of the 15.9-acre lot is designated exclusively for school bus parking/storage, located across the macadam drive from the existing school parking lot on an easterly corner portion of the property in the front of the existing school building.

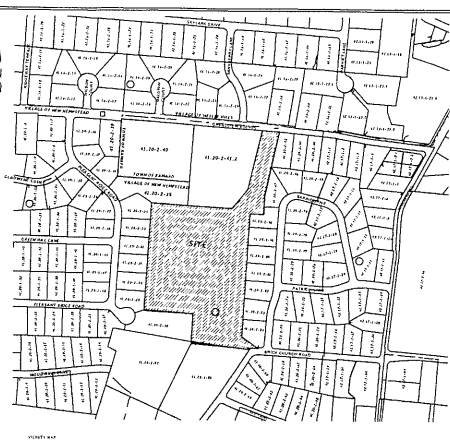
Twelve (12) parking spaces in the designated area will be exclusively used for school bus parking/storage.

The school buses shall be parked overnight in the designated area. The property is more than large enough to accommodate the designated area exclusive to school bus parking/storage.

Applicable Law

New York State and Federal law requires a municipality to be flexible in the application of its zoning code to educational and religious uses. See *Cornell v. Bagnardi*, 68 N.Y.2d 583 (1986), and RLUIPA (42 USC § 2000cc *et seq.*).

GRANDVIEW AVENUE



FILE REQUIREMENTS		FORM: 10-21		SPECIAL PERMIT USE SCHOOL	
NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION
1	PERMIT	1	PERMIT	1	PERMIT
2	PLANS	2	PLANS	2	PLANS
3	FEES	3	FEES	3	FEES
4	CONTRACT	4	CONTRACT	4	CONTRACT
5	INSURANCE	5	INSURANCE	5	INSURANCE
6	AGREEMENTS	6	AGREEMENTS	6	AGREEMENTS
7	CONCURRENCES	7	CONCURRENCES	7	CONCURRENCES
8	REVISIONS	8	REVISIONS	8	REVISIONS
9	NOTES	9	NOTES	9	NOTES
10	OTHER	10	OTHER	10	OTHER

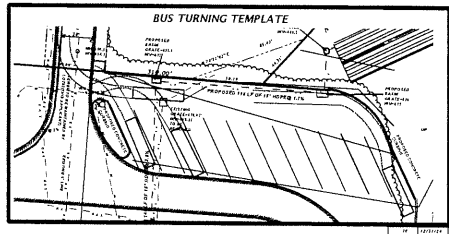
NOTE: NO MECHANICAL WORK TO BE PERFORMED ON BUSES ON SITE

THIS LOT NOT PART OF APPLICATION

- 1. 1" = 10' SCALE
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- 48. 1" = 10' SCALE
- 49. 1" = 10' SCALE
- 50. 1" = 10' SCALE

APPROVED FOR FILING: _____ DATE: _____
 OWNER: _____
 DATE PLAN APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE VILLAGE OF NEW HEMPSTAD: _____
 CHAIRMAN: _____ DATE: _____
 VILLAGE ENGINEER: _____ DATE: _____

FORMAL TEST PITS, PERMEABILITY AND PRECIPITATION TESTING IS REQUIRED AND MUST BE WITNESSED PRIOR TO FINAL APPROVAL. ALL PRECIPITATION TESTING TO BE PERFORMED AT THE PROPOSED DEPTH OF INFILTRATION.



11.20.14
 GRADING AND UTILITY PLAN FOR
 BAIS MALKA AND HASC

TOWN OF BAIS MALKA, ROCHESTER COUNTY
 VILLAGE OF NEW HEMPSTAD
 ANTHONY R. CELESTANO P.E.
 11.20.14

NO.	DESCRIPTION	DATE
1	PRELIMINARY	11.20.14
2	REVISED	11.20.14
3	REVISED	11.20.14
4	REVISED	11.20.14
5	REVISED	11.20.14
6	REVISED	11.20.14
7	REVISED	11.20.14
8	REVISED	11.20.14
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47	REVISED	11.20.14
48	REVISED	11.20.14
49	REVISED	11.20.14
50	REVISED	11.20.14

CASCADE SEPARATOR DESIGN NOTES

THE SEPARATOR CONSTRUCTION SHALL BE AS SHOWN, UNLESS OTHERWISE SPECIFIED. THE SEPARATOR SHALL BE CONSTRUCTED TO THE DIMENSIONS AND MATERIALS SHOWN.

CONFIGURATION DESCRIPTION

CASCADE SEPARATOR (SEE PLAN VIEW)

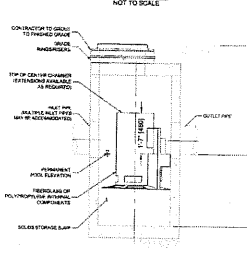
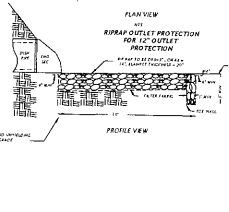
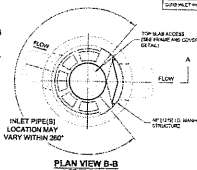
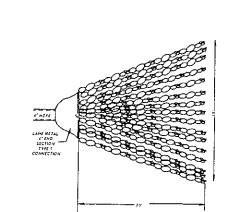
DESIGNED BY: [NAME]

DATE: [DATE]

SCALE: [SCALE]

SITE SPECIFIC DATA REQUIREMENTS

NO.	DESCRIPTION	UNIT	VALUE
1	INLET FLOW RATE	MGD	1.0
2	INLET SOLIDS CONCENTRATION	MG/L	100
3	INLET TEMPERATURE	°F	70
4	INLET PHOSPHORUS CONCENTRATION	MG/L	1.0
5	INLET NITROGEN CONCENTRATION	MG/L	1.0
6	INLET pH		7.0
7	INLET OIL & GREASE CONCENTRATION	MG/L	1.0
8	INLET CHLORINE CONCENTRATION	MG/L	1.0
9	INLET SULFIDE CONCENTRATION	MG/L	1.0
10	INLET TOXIC SUBSTANCES		



CONTECH
PRECAST CONSTRUCTION CO., INC.

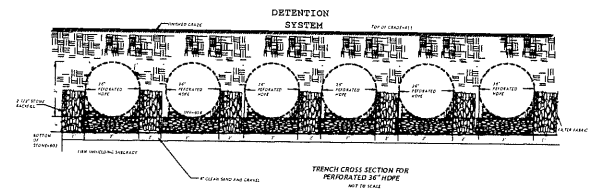
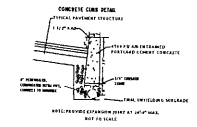


Figure 2-1
Standard Construction Notes

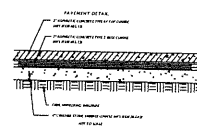
CONSTRUCTION NOTES

1. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE SPECIFIED.
2. ALL MATERIALS SHALL BE AS SPECIFIED UNLESS OTHERWISE SPECIFIED.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF SEWAGE TREATMENT PLANTS.
4. ALL STRUCTURES SHALL BE CONSTRUCTED TO THE DIMENSIONS AND MATERIALS SHOWN.
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Figure 2-2
Standard Construction Notes

CONSTRUCTION NOTES

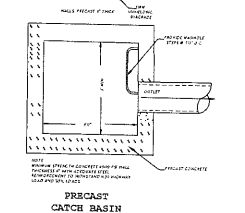
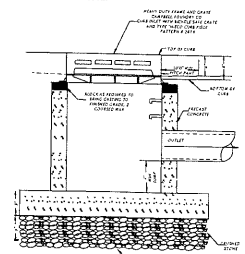
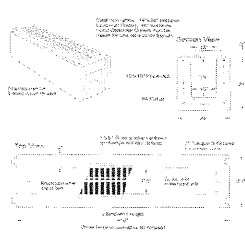
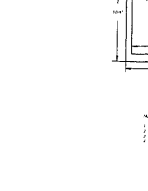
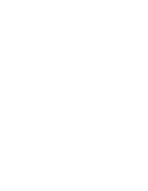
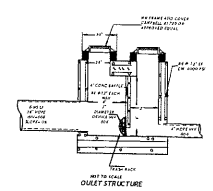
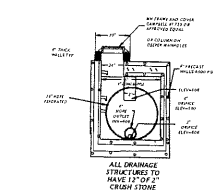
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STANDARD TRENCH NOTES

AN EROSION CONTROL SYSTEM SHALL BE UTILIZED BY THE OPERATOR TO MINIMIZE THE PRODUCTION OF SEDIMENT FROM THE SITE AND SHALL INCLUDE ONE OR MORE OF THE FOLLOWING, AS APPLICABLE:

1. TEMPORARY SEDIMENTATION ENTRAPMENT AREAS SHALL BE PROVIDED AT KEY LOCATIONS TO INTERCEPT AND TRAP SEDIMENT BEFORE IT REACHES THE SITE. THESE AREAS SHALL BE CONSTRUCTED TO THE DIMENSIONS AND MATERIALS SHOWN.
2. ALL SEDIMENTATION ENTRAPMENT AREAS SHALL BE CONSTRUCTED TO THE DIMENSIONS AND MATERIALS SHOWN.
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725 MAP DESIGNATION 41.30.141
DETAIL SHEET FOR
BAIS MALKA AND HASO

ANTHONY R. CELENTANO, P.E.
REGISTERED PROFESSIONAL ENGINEER
STATE OF NEW JERSEY
NO. 12121
EXPIRES 12/31/2024

DATE: 11/15/24
SCALE: 1" = 12"

PROJECT: [PROJECT NAME]

CLIENT: [CLIENT NAME]

DESIGNER: [DESIGNER NAME]

DATE: 11/15/24

THE VILLAGE OF NEW HEMPSTEAD
108 OLD SCHOOLHOUSE ROAD
NEW CITY, NY 10956
(845)354-8100

SITE DEVELOPMENT PLAN- APPLICATION CHECKLIST

1. 16 COPIES OF SITE DEVELOPMENT PLAN APPLICATION (FORM PB-4)
 - A. IF A SPECIAL USE PERMIT IS REQUIRED CHECK APPROPRIATE BOX.
 - B. AFFIDAVIT OF OWNERSHIP ATTACHED TO APPLICATION
 - C. LETTER FROM APPLICANTS DESIGN PROFESSIONAL PROVIDING NARRATIVE SUMMERY, ETC.
2. 16 COPIES OF NARRATIVE SUMMARY
3. 1 COPY OF FORM BC-5 (NOTIFICATION)
4. 1 COPY OF FORM BC-2 (809 AFFIDAVIT)
5. 1 COPY OF FORM PB-11 (OWNER'S CONSENT AFFIDAVIT)
6. LETTER FROM THE BUILDING INSPECTOR STATING WHETHER OR NOT VIOALTIONS EXIST ON THE PROPERTY
7. 4 COPIES OF DRAINAGE DATA (SEE R-376-605 .B.2-S0PRR)
8. 16 COPIES OF SITE DEVELOPMENT PLAN
9. 3 COPIES OF ENVIRONMENTAL ASSESSMENT FORM PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)
10. COPIES OF ALL REQUIRED STATE AND COUNTY PERMITS (NYS DOT, NYS DEC, ROCKLAND COUNTY HIGHWAY, ROCKLAND COUNTY HEALTH DEPARTMENT, ETC.)
11. CERTIFIED CHECK PAYABLE TO THE VILLAGE OF NEW HEMPSTEAD. IN ACCORDANCE WITH THE STANDARD SCHEDULE OF FEES AND CHARGES.

*PLEASE NOTE:
IT IS THE APPLICANT'S RESPONSIBILITY TO OBTAIN A LIST OF NEIGHBORS WITHIN 500 FEET OF THE PROPERTY ADDRESS. EACH NEIGHBOR MUST BE MAILED OUT VIA US POSTAL SERVICE BY CERTIFIED AND RETURN RECEIPT. PROOF OF THIS MAILING MUST BY FURNISHED TO THE VILLAGE CLERK. BE SURE TO LIST THESE ADDRESSES ON YOUR AFFIDAVIT.

THE VILLAGE OF NEW HEMPSTEAD
108 OLD SCHOOLHOUSE ROAD
NEW CITY, NY 10956
(845)354-8100

APPLICATION FOR:

DATE: 9/4/2024

() SPECIAL USE PERMIT APPROVAL

() SITE DEVELOPMENT PLAN APPROVAL

(X) REVISED SITE DEVELOPMENT PLAN APPROVAL

1. Name of Project Bais Malka / Betz Girls School
2. Name of Applicant Bais Malka HASC LLC
Address 48 Grandview Ave. Spring Valley NY 10977
(Street Name & no.) (City) (State) (Zip Code)
3. Owner of Record Bais Malka HASC LLC Phone 845-352-9500
Address 48 Grandview Ave. Spring Valley NY 10977
(Street Name & no.) (City) (State) (Zip Code)
4. Name of Person Preparing Plan Anthony Cilentano Phone 845-429-5290
Address 31 Rosman Rd. Thelss NY 10984
(Street Name & no.) (City) (State) (Zip Code)
5. Attorney Joseph Chugin Phone 845-624-3820
Address 55 Old Turnpike Rd. Ste 209 Nanuet NY 10954
(Street Name & no.) (City) (State) (Zip Code)
6. Location: On the south side of Grandview Avenue
(Street)
900 feet west
(Direction)
of Pleasant Valley Road
(Street)
7. Acreage of parcel 15.9
8. Zoning District 1 R - 25
9. Tax map designation: Section 41.20 Lot(s) 41
10. Is this application for final approval? yes

1. Has the Zoning Board of Appeals granted any variances of special permit concerning this property?
If so, list case no. and name _____

2. List all contiguous holdings in the same ownership

Section _____ Lot(s) _____

3. Attached hereto is a narrative summary prepared by the applicant's design professional stating the nature of the use; compliance with the Zoning Law; compliance with the Site Development Plan Rules and Regulations; any requested waiver or modification.

At the time of any additional submissions, a similar narrative summary shall be submitted indicating how the revised submission has been modified to comply with the Planning Board resolution and/or Community Design Review Committee Report, or the rationale for deviation from compliance.

4. Attached hereto is an affidavit of ownership indicating the dates the respective holding of land were acquired, together with the liber and page of each conveyance to the present owner as recorded in the Rockland County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed. IN THE EVENT OF CORPORATE OWNERSHIP: a list of all directors, officers, and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached

STATE OF NEW YORK)
COUNTY OF ROCKLAND) ss.:
VILLAGE OF NEW HEMPSTEAD)

I, Adam Grossman, hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

x Adam Grossman

Mailing address 46 Grandview Ave

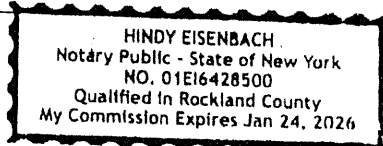
Spine Valley NY 10977

Affirmed

~~sworn~~ to before me this

4 day of September, 2024

Hindy Eisenbach
Notary Public



VILLAGE OF NEW HEMPSTEAD
BUILDING & ZONING
108 OLD SCHOOLHOUSE ROAD
NEW CITY, NY 10956
(845)354-8100 FAX: (845)354-7121

OWNER'S CONSENT AFFIDAVIT

1. NAME OF PROJECT Boris Malka / Betz Girls School
2. NAME OF FEE OWNER Boris Malka Hase LLC PHONE 845-352-9500
ADDRESS 48 Grandview Ave - Spring Valley NY 10977
(Street No. & Name) (Post Office) (State) (Zip Code)
3. NAME OF APPLICANT Boris Malka Hase LLC PHONE 845-352-9500
ADDRESS 48 Grandview Ave - Spring Valley NY 10977
(Street No. & Name) (Post Office) (State) (Zip Code)

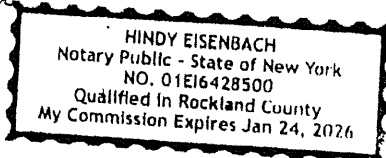
STATE OF NEW YORK)
COUNTY OF ROCKLAND) SS:
VILLAGE OF NEW HEMPSTEAD)

Avram Grossman affirms
BEING DULY SWORN, DEPOSES AND SAYS THAT
He works at 48 Grandview Ave - Spring Valley manager
HE RESIDES AT 48 Grandview Ave - Spring Valley
IN THE COUNTY OF Rockland IN THE STATE OF NY THAT HE IS THE

OWNER IN FEE OF ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE VILLAGE
OF NEW HEMPSTEAD AFORESAID AND DESIGNATED AS LOT NO. 41 IN SECTION 41.2 OF THE RAMAPO TAX
MAP AND THAT HE HEREBY AUTHORIZES THE WITHIN APPLICATION IN HIS BEHALF AND THAT THE STATEMENTS OF
FACT CONTAINED IN SAID APPLICATION ARE TRUE, AND AGREES TO BE BOUND BY THE DETERMINATION OF THE
BOARD.

affirms
SWORN TO BEFORE ME THIS
4 DAY OF September, 2024
Hindy Eisenbach

NOTARY PUBLIC
COUNTY OF ROCKLAND



Avram Grossman
(OWNER)
48 Grandview Ave.
Spring Valley NY 10977
(MAILING ADDRESS)

AFFIDAVIT PURSUANT TO SECTION 809 OF THE GENERAL MUNICIPAL LAW

VILLAGE OF NEW HEMPSTEAD
108 OLD SCHOOLHOUSE ROAD
NEW CITY, NEW YORK 10956
(845) 354-8100

STATE OF NEW YORK)
COUNTY OF ROCKLAND) ss:
VILLAGE OF NEW HEMPSTEAD)

affirming I, Arnon Grossman, Manager of Basis Malka HASC LLC,
~~being duly sworn~~, hereby depose and say that all the following statements and the statements contained
in the papers submitted herewith are true and that the nature and extent of any interests set forth are
disclosed to the extent that they are known to the applicant.

1. Print or type full name and Post Office Address

46-48 Grandview Avenue, Monsey NY 10952

certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building
described in this application and if not the owner that he has been duly and properly authorized to
make this application and to assume responsibility for the owner in connection with this application
for the relief below set forth;

2. To the Planning Board of the
(Board, Commission or Agency)

VILLAGE OF NEW HEMPSTEAD

Application, petition or request is hereby submitted for

- () Variance or modification from the requirements of Section _____
- () Special Permit per the requirements of Section _____
- () Review and approval of proposed subdivision plat;
- () Exemption from a plat or official map;
- () An order to issue a Certificate, Permit or License;
- () An amendment to the Zoning Ordinance or Map or change thereof;
- Other (explain) Amend / Revise Site Plan

To permit the construction, maintenance and use of a parking
lot exclusively for school bus parking/storage

3. Premises affected on in a 1R-25 (zone) and from the Ramapo Tax Map the property is known as Section 41.2 Lot 41
4. There is no state officer, Rockland County Officer or employee of NEW HEMPSTEAD officer or employee nor his or her spouse, brother, sister, parent, child, or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition to request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation if its stocks is listed on the New York or American Stock Exchanges; or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such Town officer or employee not any member of his family in any of the foregoing classes is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for services rendered, which is dependent or contingent upon the favorable approval of this application, petition, or request.
5. That to the extent that the same is known to you applicant, and to the owner of the subject premises there is disclosed herewith the interest of the following officer or employee of the State of New York or the County of Rockland or VILLAGE OF NEW HEMPSTEAD in the petition, request or application or in the property or subject matter to which it relates; (if none, so state)

NONE

- a. Name and Address of officer or employee _____
- b. Nature of Interest _____
- c. If Stockholders, number of shares _____
- d. If officer or partner, nature of office and name or partnership _____
- e. If a spouse or brother, sister, parents, child, grandchild, or the spouse of any of these blood relatives of such State, County or NEW HEMPSTEAD officer or employee, state name and address of such relative and nature of relationship to officer and employee and nature and extent of office, interest or participation in the ownership or any person, partnership or association having an interest in such ownership or in any business entity sharing in such ownership.
- f. IN THE EVENT OF CORPORATE OWNERSHIP A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, is any of these are officers or employees of the State of New York, or the County of Rockland, or the VILLAGE OF NEW HEMPSTEAD.

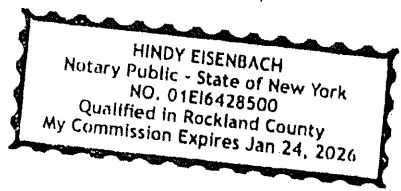
I, Aron Grossman
do hereby depose and say that all the above statements and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section if guilty of a misdemeanor.

[Signature]

Mailing Address 48 Grandview Ave.

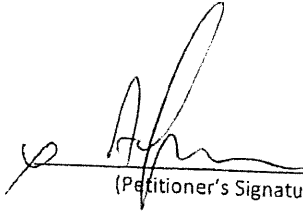
Spring Valley NY 10977

Affirmed
Subscribed before me this
4 Day of September 2024
Hindy Eisenbach
Notary Public



Affidavit

This affidavit is made in connection with such Application No. _____ for review before the New Hempstead Planning Board, knowing full well that the office of the Planning Board relies on the representations herein made.

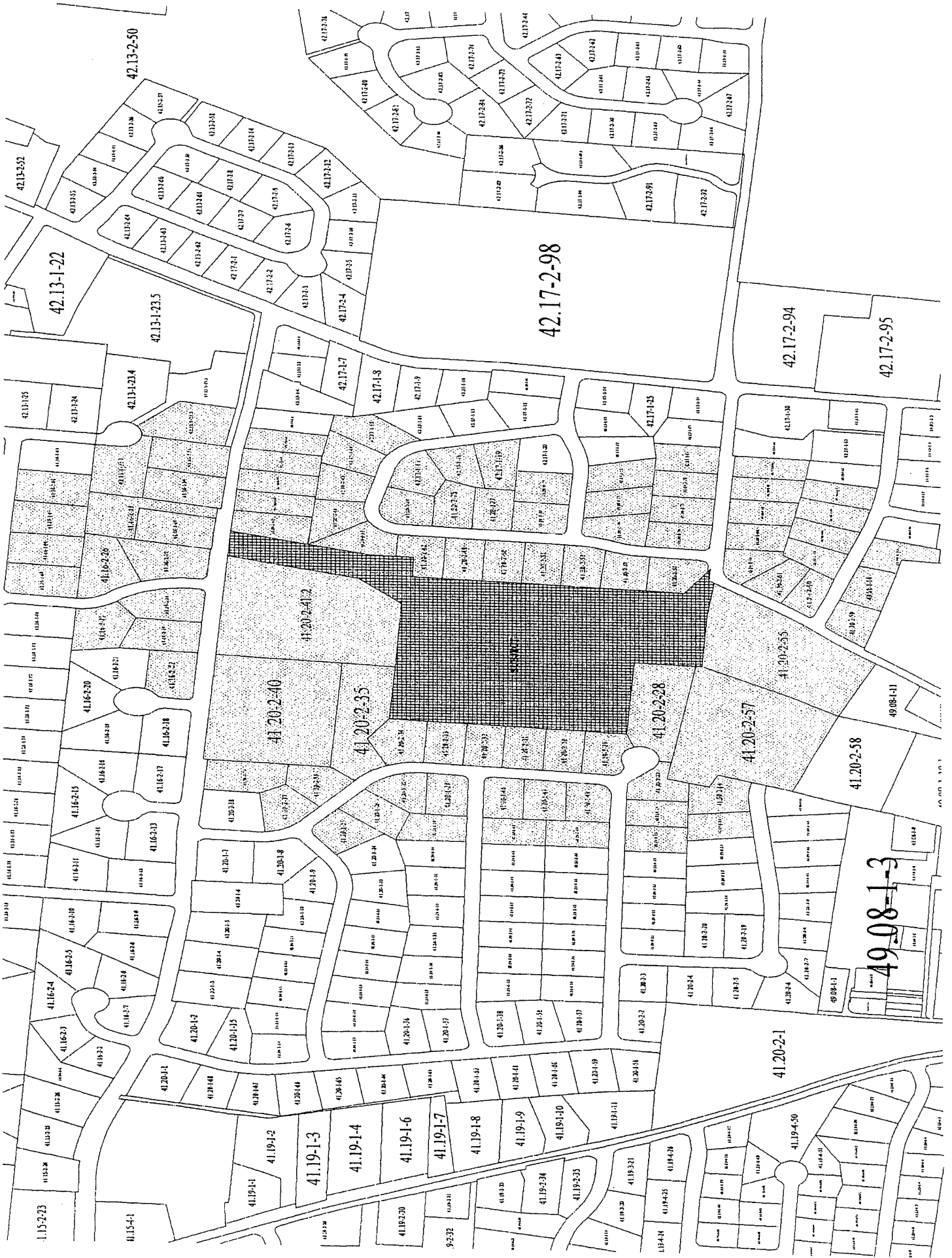


(Petitioner's Signature)

affirmed
sworn to before me this
4 Day of September 2024

Hindy Eisenbach
(Notary Public)

HINDY EISENBACH
Notary Public - State of New York
NO. 01E16428500
Qualified in Rockland County
My Commission Expires Jan 24, 2026



13/41.20-2-49
KAHANA SHRAGE & EVA
11 BARRIE LA
SPRING VALLEY, NY 10977

13/49.08-1-15
SINYOR STACY
29 IVY LN
SPRING VALLEY, NY 10977

13/49.08-1-14
LEVITZ JUSTIN M &
ELIZABETH
33 IVY LA
SPRING VALLEY, NY 10977

13/41.20-2-59
KOSOWSKY JAY & ESTHER
39 IVY LA
SPRING VALLEY, NY 10977

13/41.20-2-65
ADLER AVRAHAM & ANITA
JEAN
20 IVY LA
SPRING VALLEY, NY 10977

13/41.20-2-64
FRIED SHIRLEY ANN
IRREVOCABLE INCOME ONLY T
24 IVY LA
SPRING VALLEY, NY 10977

13/41.20-2-63
RUBIN AVROHOM D & MIRIAM
B
28 IVY LA
SPRING VALLEY, NY 10977

13/41.20-2-62
RATH DAVID
32 IVY LA
SPRING VALLEY, NY 10977

13/41.20-2-60
ARONS EDWARD & MELISSA
40 IVY LA
NEW HEMPSTEAD, NY 10977

13/41.20-2-61
KATZENSTEIN NATHAN &
ADELLE
143 BRICK CHURCH RD
SPRING VALLEY, NY 10977

13/42.17-1-29
CHOPP SHLOMO
123 BRICK CHURCH ROAD
NEW HEMPSTEAD, NY 10977

13/41.20-2-66
ROTH JACOB
127 BRICK CHURCH RD
NEW HEMPSTEAD, NY 10977

13/41.20-2-67
MARRUS PETER H & SARAH
131 BRICK CHURCH RD
SPRING VALLEY, NY 10977

13/41.20-2-68
BRICK CHURCH REALTY LLC
1 SPRING ROCK PLACE
SPRING VALLEY, NY 10977

13/41.20-2-69
SCHWARTZ NAFTALI &
WEBER BLIMA Z
139 BRICK CHURCH RD
NEW HEMPSTEAD, NY 10977

13/41.20-2-55
GE GST EXEMPT TRUST
ERICKSON JACQUELINE &
RANDALL TRUST
92 WASHINGTON AVE
SUFFERN, NY 10901

13/41.20-2-14
BRAUN AHARON
16 WOODWIND LA
SPRING VALLEY, NY 10977

13/41.20-2-15
FEUER MENACHEM & ZAHAVA
14 WOODWIND LA
SPRING VALLEY, NY 10977

13/41.20-2-57
BRICK CHURCH ROAD 192 LLC
C/O PHILLIPSON BENT
22 PLEASANT RIDGE ROAD
SPRING VALLEY, NY 10977

13/42.17-1-28
LEITNER ROBERTA F
114 BRICK CHURCH RD
SPRING VALLEY, NY 10977

13/41.20-2-72
WOLFSET JERROLD + SHEILA
116 BRICK CHURCH RD
SPRING VALLEY, NY 10977

13/41.20-2-71
ELLER JOSHUA & SANDY
118 BRICK CHURCH RD
SPRING VALLEY, NY 10977

13/41.20-2-54
MICHALOWITZ M S FEIVISH
1 BARRIE DR
NEW HEMPSTEAD, NY 10977

13/41.20-2-70
HOLLANDER BRUCE & MARA
2 BARRIE DR
SPRING VALLEY, NY 10977

13/41.20-2-27
SHELY DARLENE
24 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/41.20-2-28
CREDIT SHELTER TRUST
22 PLEASANT RIDGE ROAD
SPRING VALLEY, NY 10977

13/41.20-2-26
SCHLISSELFELD ELI &
CHERYL
26 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/41.20-2-25
CHAKOFF IRREVOCABLE TRUST
AGREEMENT OF 2018
28 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/41.20-2-53
CURLAND ISRAEL
3 BARRIE DR
NEW HEMPSTEAD, NY 10977

13/42.17-1-21
GROSSMAN ALAN
6 PATRICIA LA
SPRING VALLEY, NY 10977

13/41.20-2-73
EISENBERGER STEVEN &
SANDRA
4 PATRICIA LA
SPRING VALLEY, NY 10977

13/41.20-1-48
COHNEN LEGACY TRUST
17 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/41.20-2-30
GRYNHEIM MICHAEL &
TAMARA
18 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/41.20-2-76
FIREMAN ARI YOSEF &
ESTHER
3 PATRICIA LA
SPRING VALLEY, NY 10977

13/41.20-1-46
BENNET EZRA A & ALANNA
2 GREENHILL LA
SPRING VALLEY, NY 10977

13/42.17-1-19
BERKOWITZ SHUMEL & TZURTY
18 BARRIE DR
NEW HEMPSTEAD, NY 10977

13/41.20-2-79
OBERLANDER EFRAIM MEIR
& PERRY
12 BARRIE DRIVE
SPRING VALLEY, NY 10977

13/41.20-2-78
MANN CHANA
10 BARRIE DR
NEW HEMPSTEAD, NY 10977

13/41.20-2-33
KOLE GAIL 2022 REVOCABLE
TRUST
12 PLEASANT RIDGE RD
NEW HEMPSTEAD, NY 10977

13/42.17-1-17
WEISS DAVID & MALKA
14 BARRIE DR
SPRING VALLEY, NY 10977

13/41.20-2-74
BRUNO PETER + ANNA
4 BARRIE DR
SPRING VALLEY, NY 10977

13/41.20-2-52
ROSENTHAL P LEGACY TRUST
5 BARRIE DRIVE
SPRING VALLEY, NY 10977

13/41.20-1-47
15 PLEASANT RIDGE LLC
15 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/41.20-2-75
SHUCHT URI & RUTH
1 PATRICIA LA
SPRING VALLEY, NY 10977

13/41.20-1-45
SCHOENFELD JOYCE &
ABRAHAM
4 GREEN HILL LA
SPRING VALLEY, NY 10977

13/41.20-2-77
HARTMAN ISRAEL & SHERYL
8 BARRIE DR
SPRING VALLEY, NY 10977

13/41.20-2-34
GOLDSCHIEDER HILLEL & LORI
10 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/41.20-1-28
AMSEL NAFTALI & CHAYA R
6 PLEASANT RIDGE RD
NEW HEMPSTEAD, NY 10977

13/41.20-2-48
FRIEDBAUM IRREVOCABLE
TRUST
13 BARRIE DR
SPRING VALLEY, NY 10977

13/41.20-1-26
WEISSMANDL MOSHE DAVID &
ROSENBERG RIVKA
4 SOUTH PARKER DR
MONSEY, NY 10952

13/41.20-2-29
SCHMERHOLD LEON & RIVKA
20 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/41.20-1-49
TAUB SAUL & LISA
19 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/41.20-2-51
CONG KNESSET ISRAEL
698 UNION RD
SPRING VALLEY, NY 10977

13/41.20-2-31
FRIEDMAN JACK &
KAPLAN SARA
16 PLEASANT RIDGE RD
NEW HEMPSTEAD, NY 10977

13/41.20-2-50
JURAVEL ZEV & HANNAH M
9 BARRIE DR
SPRING VALLEY, NY 10977-662

13/41.20-2-32
PETLIN JOEL M & BARBARA S
14 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/41.20-1-27
BERKOVITS SUSAN
9 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/42.17-1-18
CIMENT NACHMEN
12 MAPLE LEAF ROAD
MONSEY, NY 10952

13/41.20-1-29
COLEMAN MARTIN & SHERI
3 GREEN HILL LA
SPRING VALLEY, NY 10977

13/41.20-2-35
FUERST LEGACY TRUST
8 PLEASANT RIDGE RD
SPRING VALLEY, NY 10977

13/42.17-1-15
 NUTOVICS CHAIM & HAIDY
 15 S RIGAUD ROAD
 SPRING VALLEY, NY 10977

13/41.20-1-25
 MEISELS CHESKEL
 5 PLEASANT RIDGE RD
 SPRING VALLEY, NY 10977

13/41.20-2-36
 BERKOVIC JOSEPH & ITA
 6 PLEASANT RIDGE RD
 SPRING VALLEY, NY 10977

13/42.17-1-1
 4 KAKIAT LLC
 C/O KRITZLER SHRAGA
 1 MIDDLETON ST APT 3L
 BROOKLYN, NY 11206

13/41.20-2-42
 WEINSTOCK ZISHA
 38 JILL LANE
 MONSEY, NY 10952

89/41.20-2-40
 CONG RADIN DEVELOPMENT
 INC
 20 KIRYAS DRIVE
 SPRING VALLEY, NY 10977

11/41.16-2-30
 GRANDVIEW HOUSE SV BSD LL
 48 SOMERS AVENUE
 BEGENFIELD, NJ 07621

11/41.16-2-23
 MOSKOWITZ SHALOM
 53 GRANDVIEW AV
 SPRING VALLEY, NY 10977

11/42.13-1-23.1
 ALEXANDER ROSELYND
 9 HARRIET LA
 SPRING VALLEY, NY 10977

11/41.16-2-25
 OSTREICHER YAKOV J
 3 SANSBERRY LA
 SPRING VALLEY, NY 10977

13/42.17-1-16
 GLUCK SE LEGACY TRUST
 21 BARRIE DR
 NEW HEMPSTEAD, NY 10977

13/41.20-2-47
 PERES MICHAEL R
 15 BARRIE DR
 SPRING VALLEY, NY 10977

13/41.20-2-37
 STAUBER ESTHER TRUST
 OF
 4 PLEASANT RIDGE RD
 SPRING VALLEY, NY 10977

13/41.20-2-44
 MEIR BRODY
 1481 READ PL
 LAKEWOOD, NJ 08701

13/41.20-2-41
 BAIS MALKA HASC LLC
 55 OLD TURNPIKE RD STE 209
 NANUET, NY 10954

11/41.16-2-31
 SWERDLOFF YITZCHOCK
 35 GRANDVIEW AV
 SPRING VALLEY, NY 10977

11/42.13-1-23.2
 KOEGEL DAVID ARI & DEBBIE
 F
 16 HARRIET LA
 SPRING VALLEY, NY 10977

11/41.16-2-24
 FREUNDLICH SHARON M
 1 SANSBERRY LA
 SPRING VALLEY, NY 10977

11/41.16-2-29
 BREUER SAMUEL
 31 SKYLARK DR
 SPRING VALLEY, NY 10977

11/41.16-1-66
 VOGEL DANIEL & FLORENCE
 4 SKYLARK DR
 SPRING VALLEY, NY 10977

13/41.20-2-45
 KOLINSKY SALLY & ROBERT
 19 BARRIE DR
 SPRING VALLEY, NY 10977

13/41.20-2-46
 LIPSCHITZ SIDNEY & MINDY
 REVOCABLE TRUST
 17 BARRIE DR
 SPRING VALLEY, NY 10977

13/42.17-1-2
 CHRISTERER FRANZ & DORIS
 22 GRANDVIEW AV
 SPRING VALLEY, NY 10977

13/41.20-2-43
 KATZ MOSES & DEVORAH
 5TH FLOOR
 436 FLUSHING AVE
 BROOKLYN, NY 11205

13/41.20-2-39
 SOLOMON ELIYAHU
 60 GRANDVIEW AVE
 SPRING VALLEY, NY 10977

11/41.16-2-22
 BERKOWITZ SAMUEL NACHMAN
 2 BALDWIN CT
 SPRING VALLEY, NY 10977

11/41.16-2-28
 BONANNO JOHN L & MAUREEN
 41 GRANDVIEW AVE
 SPRING VALLEY, NY 10977

11/41.16-2-27
 JACOBS YOEL & ROCHEL M
 2 SANSBERRY LA
 NEW HEMPSTEAD, NY 10977

11/41.16-2-26
 MILLER ABRAHAM & ETTTEL
 4 SANSBERRY LA
 SPRING VALLEY, NY 10977

11/41.16-1-67
 WOLF CHAIM M & SARAH S
 6 SKYLARK DR
 SPRING VALLEY, NY 10977

Staples.

label size 1" x 2-5/8" compatible with Avery® 5160/8160

04A-U1

11/41.16-1-68
APTER NAFTALI Z & ELAINE
8 SKYLARK DR
SPRING VALLEY, NY 10977

11/41.16-1-69
SPIELMAN CHAIM & BEVERLY
6 SANSBERRY LA
SPRING VALLEY, NY 10977

13/41.20-2-41.2
EAST RAMAPO CENTRAL SCHL
DISTRICT 45-302
105 SO MADISON AV
SPRING VALLEY, NY 10977

Staples.

label size 1" x 2-5/8" compatible with Avery® 5160/8160

04A-U1

VILLAGE OF NEW HEMPSTEAD
108 OLD SCHOOLHOUSE ROAD
NEW CITY, NY 10956
(845)354-8100

TO: ADMINISTRATIVE ASSISTANT TO BOARDS AND COMMISSIONS

RE: Application of Bais Malka HASC LLC
Section 41.20 Lot 41

To The

Architectural Review Board


Village Board

Community Development committee

Zoning Board of Appeals

Planning Board
(Other)

I wish that all correspondence, meeting notices, decisions, etc. from your office relative to the above application be sent to: (only one person to be listed).


Aron Grossman

Aron Grossman
Bais Malka HASC LLC
48 Grandview Ave.
Spring Valley, NY 10977
Applicant's Signature

Date.. 9/4/2024

Note to applicant: it will be the responsibility of the one person designated on this form to notify all other interested parties (for example, attorney, architect, engineer, surveyor, applicant etc.)

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

Tuesday, December 13, 2022
7:30PM
Village Hall

PRESENT

MEL POLIAKOFF, CHAIRMAN
AKIVA KRAUS
DAVID WEISS
MARK GILDEN (AD HOC)

ABSENT

BARBARA GREENWALD

ALSO PRESENT

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

Open meeting

Roll Call

APPROVAL OF PLANNING BOARD MINUTES NOVEMBER 15, 2022

There were not enough members to vote. These minutes will be held over until the next meeting.

PUBLIC HEARING- BAIS MALKA HASC, LLC, 48 GRANDVIEW AVE, MONSEY NY 10952. THE APPLICANTS ARE SEEKING REVISED SITE PLAN APPROVAL TO PERMIT THE CONSTRUCTION, MAINTENANCE, AND USE OF A PERMANENT PREFABRICATED CLASSROOM BUILDING, BUS PARKING, AND SECURITY LIGHTS AROUND THE SWIMMING POOL. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF GRANDVIEW AVE. 900 FEET FROM THE INTERSECTION OF PLEASANT RIDGE RD.

Joseph Churgin, Attorney for the applicant

We're here for amended site plan approval. With me is Anthony Celentano. The project's engineer will answer any technical questions that you have. We're here seeking three different things tonight. One of which is really just a paper kind of change and that's on the site plan. We're looking to essentially change the nomenclature of the building that has been added from a temporary to a permanent building. We're not going to do anything physical with it at all. The way it was constructed was on a foundation so it's essentially a permanent building the way it is now and we're just asking for a nomenclature change. We're also seeking to allow for bus parking on this site.

The applicant's attorney requested the engineer, Mr. Celentano show where the parking is being requested. It will be by a circular area where it goes around the corner basically next to nothing is where the applicant wants to park the buses. 12 Busses are shown here. There are no houses in this area. They screened at least through as nice buffer. The third thing that we're looking to do is that we have this pool that was put in two summers ago. And what we're seeking to do is security lights so that in the event that something occurs at night that there'll be lights that, you know can be there essentially for safety

December 13, 2022

Page 2 of 10

purposes. We've positioned the lights in such a way where it's not going to affect the neighboring properties or we're going to try to minimize the effect of the lights on the neighboring properties.

Board member Kraus asked what the reason for the busses being parked there are.

The applicant responded for overnight parking.

The board and attorneys discussed what the applicant would need for the bus parking and it was determined since there is a local ordinance prohibiting the storage of boats busses and recreational vehicles the applicant will have to seek a variance to allow for the use.

The village attorney brought up the point at the initial approval they were not supposed to use the pool at night.

The applicant's attorney responded the pool is not going to be used at night.

The board asked why the lights would be needed then.

The applicant's attorney stated the pool is not going to be utilized at night by children like they are during the day. In the summertime the only time the pool will be used is occasionally at night will be for a family, you know, a small group of people that might be staying there at night.

Attorney Minsky said it was a blanket statement that the pool was not going to be used at night so there were no needs for lights.

The board said there is no need for safety lights if the pool shouldn't be used at night.

The Chairman pointed out that one of the things the Village planner wanted were some aesthetic changes.

The applicant's attorney and engineer believe the architect responded to those comments but will follow up with them on that.

Chairman Poliakoff asked if the Board approves the Special Use Permit, will all the busses be idling at the same time. Does not want to disturb the neighbors

The applicant responded that they are in discussions for electric plugin to get it started. The area that was chosen is because it's far enough from properties that it would not affect them.

Deputy Village Clerk Treasurer stated it ran in the Rockland Journal News 10/24/22. Affidavits of notice and postings were timely.

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

Resolution 2022-36

Resolved, that the Planning Board of the Village of New Hempstead hereby opens the Public Hearing for Bais Malka, 46-48 Grandview Ave. for Site Plan approval to permit the construction maintenance and use of a permanent prefabricated classroom building, Bus Parking, and Security Lights around the Swimming Pool. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted.

Jacob Goldrunner, 4 Tracy Ct.

Is here about the accident that took place on Southgate.

December 13, 2022

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He was informed that this is not the meeting for that, but the board of trustees meeting will take place on December 27 at 7:30pm.

Aryeh Shmerild, 20 Pleasant Ridge Rd.

Boarding the Swimming Pool. Has been to all of the meetings. The neighbors all told the board at the time that they did not want a camp full of noise and commotion. We were assured by the board that this was just for children in school and the Village does not have zoning for camps. All parties agreed there would be no need for lights by the pool because it was not going to be used at night. So those were the conditions under which the pool that was approved against the wishes of the neighbors. Maybe two years ago or so all of a sudden, light towers appeared. They have been retro actively asking for approval. So additionally, they have been conducted night swimming in there. It's not for security. They actually do against the other conditions that were agreed to. They have been conducted. Would ask the planning board to please revoke the permit for the pool itself since the since the conditions that they accepted and they didn't act in good faith and they actually put up lights against the guests. Also has issues with the megaphones and feels it reduces the character neighborhood.

The applicant's attorney does not feel the permit for the pool should be revoked. Does not think Bais Malka is trying to be an inappropriate neighbor and they have done everything they could to work with the neighbors. They have spent a lot of money for screening not just for the pool , but for the surrounding properties as well.

Attorney Minsky requested a response to the swimming at night and lights being erected.

The applicant responded that when we agreed to no night swimming it was in regards to the school, but we do allow, no different than any private pool in the area, a family such as mine or another member privately uses it.

Attorney Minsky reiterated that night swimming was witnessed by your neighbor when it was not supposed to be done.

The neighbor asked if night swimming is going to continue if it isn't allowed.

The applicant responded it is not being used for the school.

Chairman Poliakoff recalled there being a condition from the first approval that it was only going to be used for the school students and not at night. It was not approved as a camp and only used for the school. Would like to go with the village professionals to the site to make sure all of the items that were brought up at his last sight visit have been addressed.

The applicant's attorney asked for further explanation of the items he was not satisfied with at his last visit.

The chair explained the condition of the property with trash and roadway.

Zev Juravel, 9 Barrie Dr.

Would like the board to not ignore the other items that have been raised. The safety issues are all important, but the other issues are as well. Bais Malka has in many ways been a good neighbor but would like to read an email he submitted into the record. The board all has the letter that was read.

: We live on the east boundary of the Bais Malka property. I'm concerned to see that Bais Malka is adding lights to the swimming pool area.

During the summer afternoon swimming sessions there is near constant loudspeaker/megaphone cheering and announcing from their pool. We used to enjoy keeping the windows open when it wasn't too hot, relaxing in our backyard and eating supper outside. But during the past few years the noise from the

December 13, 2022

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loudspeakers/megaphones has made it difficult to even have a normal conversation outside on our property. Even inside, with the windows closed, the noise is audibly disturbing. Many neighbors along the school's boundary and even across the street have expressed their frustration but do not know where to turn. I'm hoping the village can do something real about this issue that has unjustly changed the nature of the quality of use of our properties. We are especially concerned that additional lighting will facilitate evening/night time swimming sessions. Whether that's the intent or not, I am requesting that some condition be appended to whatever approval is granted Bais Malka so that any loudspeakers or megaphones are only used for short safety announcements, but not as part of the entertainment and activity that occurs at the pool. And that there be some clearly stated repercussion if the condition is violated. For a family a megaphone is not necessary. We are hoping that the village can help restore the quality of living and use of our properties and that this issue can be resolved simply, reasonably and without fanfare. Please keep me apprised and/or advised of our options to bring this issue to a mutually satisfactory conclusion." Mr. Juravel feels it would be really irresponsible of the board to not to do something real to ensure the quality of living for the neighbors of the school. Would like to reiterate that the school has been a great neighbor except with regards to this matter.

Mordechai Braun, 6 Grandview Ave.

Feels the intersection at Grandview and Union is extremely dangerous and absolutely nothing commercial should be approved until that has been addressed.

The Chairman explained that is under the purview of the Board of Trustees, but hopes he would come back to that meeting to express his concerns.

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

Resolution 2022-37

Resolved, that the Planning Board of the Village of New Hempstead hereby declare lead agency for Bais Malka, 46-48 Grandview Ave. for Site Plan approval to permit the construction maintenance and use of a permanent prefabricated classroom building, Bus Parking, and Security Lights around the Swimming Pool. 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. Kraus;

Resolution 2022-38

Resolved, that the Planning Board of the Village of New Hempstead hereby adjourn the public hearing for Bais Malka, 46-48 Grandview Ave. for Site Plan approval to permit the construction maintenance and use of a permanent prefabricated classroom building, Bus Parking, and Security Lights around the Swimming Pool to February 14, 2023. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted.

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.

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Rachel Barese, Civil Tech, Representing the applicant

This application was in front of the board several years ago for the use to use the existing building on the property. and they have been functioning on this site for a number of years. And they are now looking for an amended site plan so that they can build an additional building. They would look to remove the house they've been using for the caretaker of residence and construct a new building that will aid in the ongoing respite services that they provide to the community. The existing building has like a big wide open room and so they kind of they have different areas where they're doing respite services and kind of therapies. This new building would have individual rooms so that they can actually provide more privacy to the services instead of being wide open that they would like to have the privacy aspect. The organization really does provide a lot of great services to the community, and they just need the extra space. They're not really looking to service uptime, so it's not a lot more room. It's just those two private rooms. We have changed the parking from behind the building now we're going to take that parking out and move all the parking closer to Fessler drive. There will be more green space and the back play area. Right now there's a playground, but this would move all the playgrounds and play space for this children away from the road.

Rachel confirmed with the Village Clerk that intent and GML went out.

Deputy Village Clerk Treasurer stated it ran in the Rockland Journal News 12/1/22. Affidavits of notice and postings were timely.

Chairman Poliakoff asked about the layout of the room.

The applicants engineer responded that the layout is still being worked on there are some options that they are deciding between, but each room would have their own bathroom and a room they can do therapy one on one.

Attorney Minsky went through the comments that come in from the GML

Comments Referenced into the Record:

Town of Ramapo DPW 12/6/22

Rockland County Sewer District 12/7/2022

Rockland County Planning 12/7/22

Hillcrest FD 11/21/22

Rockland County Health 11/23/22

NYS DEC No Date

Town of Ramapo DPW 9/10/14 received 11/29/22

The applicants engineer said they are working on the GML Comments. She does not feel they are that bad and will be able to comply with most of the comments. The applicant is going to make revisions to the plans and come back to the Planning Board addressing everything item by item.

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

Resolution 2022-39

Resolved, that the Planning Board of the Village of New Hempstead hereby opens the Public Hearing for Yedei Chesed, 21 Fessler Dr. for Site Plan approval to permit the construction maintenance and use of a new building for additional respite services. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted.

There was no one from the Public that had anything to say.

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

Resolution 2022-40

Resolved, that the Planning Board of the Village of New Hempstead hereby Lead Agency for Yedei Chesed, 21 Fessler Dr. for Site Plan approval to permit the construction maintenance and use of a new building for additional respite services to January 10, 2023. 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. Kraus;

Resolution 2022-41

Resolved, that the Planning Board of the Village of New Hempstead hereby adjourn the Public Hearing for Yedei Chesed, 21 Fessler Dr. for Site Plan approval to permit the construction maintenance and use of a new building for additional respite services to January 10, 2023. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted.

PUBLIC HEARING- 613-615 & 619 UNION RD.- TO CONSIDER THE APPLICATION OF BENYAMIN AMONA OWNER OF BET MIRIAM 613-615 & 619 UNION RD. THE APPLICANTS ARE SEEKING PRELIMINARY SUBDIVISION APPROVAL FOR A FOUR LOT SUBDIVISION ON 613/615 & 619 UNION RD. THE SUBJECT PROPERTIES ARE LOCATED ON THE WEST SIDE OF UNION RD. 650 FEET SOUTH OF MICHAEL ST. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 50.5 BLOCK 1 LOT 18 & 19 IN A 2R-15 ZONING DISTRICT.

Kimberly Ray, Attorney for the applicant filling in for Michael Klein Here tonight to hear from the applicants engineer about the resubmitted completely redone engineering plans. Has submitted a short EAF for this project and is looking for the board to declare lead agency this evening.

The Chairman asked when the plans were submitted.

The applicant's attorney responded in October and believes they have been circulated to the involved agencies. They went through the list of agencies they received comments from. Additional engineering is needed and the applicants engineer is going to work with the village engineer the get the plans in order.

Comments referenced into the record:

Rockland County Sewer District 12/1/22

Hillcrest FD 11/21/22

Town of Ramapo DPW 11/15/22

Rockland County Highway 11/16/2022

Rockland County Drainage 11/3/2022

It ran in the Rockland Journal News 12/1/22 affidavits of notice and postings were timely.

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

Resolution 2022-42

Resolved, that the Planning Board of the Village of New Hempstead hereby declare lead agency for Benyamin Amona, 613-615 and 619 Union Rd. for Subdivision approval for a four lot subdivision on

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613-615 and 619 Union Rd. Chairman Poliakoff called for a vote. The vote was 4-0 the resolution was adopted.

Anthony Celentano, Engineer for the applicant.

The client is combining two lots. He's creating a town road each having a two family on it. The only variances he'll need from the code is two lots for a slight area variance. The drainage being proposed is to collect all the drainage and pipe it down union to Michel St. The village engineer asked us to analyze if the system on Michael has enough capacity to take the drainage from the subdivision and if not do the appropriate upgrades so it does not affect the neighbors.

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

Resolution 2022-43

Resolved, that the Planning Board of the Village of New Hempstead hereby opens the public hearing for Benjamin Amona, 613-615 and 619 Union Rd. for Subdivision approval for a four lot subdivision on 613-615 and 619 Union Rd. Chairman Poliakoff called for a vote. The vote was 4-0 the resolution was adopted.

Zev Juravel, 9 Barrie Dr.

Asked for clarification on the number of lots the applicant is looking to subdivide and what is the reason for the consideration for a subdivision.

The applicants engineer confirmed its two lots making four lots and explained as a matter of right the owner has a property that is large enough to be subdivided based on the code.

The applicant will need two variances for this subdivision approval.

The applicant's attorney explained the lot size required in this zoning district is 20,000 square feet. Lots two and three are compliant, lot one has 17,588 square feet and lot four has 18,084 square feet. Those are relatively minor area variances. The ZBA will review that carefully. And we'll go through the entire hearing process.

Mr. Juravel is asking more what the village takes into consideration when approving these projects.

The village attorney explained the five elements the Zoning board considers when making their determination, but that is not when it is in front of the Planning Board.

Carole Simon, 5 Michael St.

Will the drainage be directed above or underground piping by Michael St.?

Anthony Celentano, Applicants engineer
Confirmed it will be directed underground.

Mrs. Simon is not in favor of cramming more houses. Feels it will cause a traffic water drainage and many other issues.

The applicants engineer responded the village engineer will make sure everything is addressed.

Chaya Leidner, 26 Brockton
Was a traffic Study performed.

The applicants attorney said there is no show of need for one.

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Mrs. Liedner feels it is needed especially since Michael is the only way to exist in the morning and that should warrant a traffic study.

The board explained they will have to investigate traffic under SEQR and if a study is needed they will require one.

Eliakim Koenigsberg, 14 Brockton Rd.

I agree with all the other concerns that were mentioned. I have a number of concerns with this plan but I just like to focus on the drainage issue. I think that this plan has the potential to create a real rainwater drainage problem in the adjoining properties, even if a system could be created to pump out all of the rainwater flowing down this private Street. And that system could be properly maintained. Two years, five years 10 years down the line, which is a big if, but even if it were possible, such a system would take care of only the water flowing district. The fact is building just private road is going to add 1000 of square feet of impervious material, and asphalt and pavement to these two properties. While at the same time many trees are going to be cut down to make room for all of the homes that are being proposed. And these two factors together will take away so much of the natural absorptive power of the ground and the vegetation on these properties. And that has the potential to create a real rainwater drainage disaster to the neighboring properties. There's a long standing drainage issue in this area. And it's been documented numerous times before this board going all the way back to 1990 when the Baum properties at 631 and 629 Union road were developed. Six Michael Street is on the West Nile virus list because of excessive water buildup during heavy rains. The gravel eight Brockton road on the corner of Michael Street is always moist, and many properties along Bracken road have multiple sump pumps in their basement because of excessive water problems. After the homes on Asher Ct were built the homeowners of the neighboring properties told the zoning board that they experienced new flooding in their basements. I think there's a reason why the lots on this part of Brockton road closer to Michael Street were not originally subdivided and that is because there was an understanding that maintaining the vegetation in the area was of critical importance to protect the properties from flooding. I'm very concerned that the current plan will only exacerbate an already serious rainwater drainage problem and it will create a real detriment to the neighboring homes.

One of the neighbors confirmed drainage is an area of concern and they and many neighbors have sump pumps.

Asher Jacobs, 4 Brockton Rd.

His property turns into a lake when it rains. He has drainage problems his neighbors have drainage problems and he does not think it's appropriate to build additional houses or even risk additional drainage water for no specific benefit to the town, the village and the neighbors. Would like to know about the other GML objections.

The Village Clerk provided the GML comments to the neighbor.

The Chairman explained there will be a zero runoff from the property or the subdivision wont be approved.

Mr. Koenigsberg explained there's a natural absorptive power that the trees in the ground have in this area and their power is compromises to begin with. This is what it's a wet area to take away all the trees even if you tried to take all the runoff away. The reality is you're going to have lakes and all the backyard because it can't absorb the runoff.

Zack Kamm, Village Engineer

in terms of the drainage pattern there's a large portion of the site that currently runs towards Brockton that's going to be redirected and captured in terms of the public roadway and cul-de-sac and be redirected down union road towards Michael. That reductions area as well as all the houses being captured will act as a reduction in runoff towards Brockton. My office will not sign off on the plans unless that is the case. There's going to be a new system put in underneath and reduce all the runoff. There will not be increased

Michael no increase towards Brockton and will be held on site. The individual houses will have their own drainage systems.

The applicant attorney explained that she's not aware of any ordinance or law that prohibits the cutting of trees that are necessary for subdivisions other than guidance

Mr. Koenigsberg explained that there's a resolution of the planning board PB 90-59 from 1990 in the Baum properties and it specifically says in that resolution, the clearing to be prohibited unless authorized by Village of New Hempstead. Why would they do that? They did that because they understood the clearing of the vegetation that created it doesn't necessarily have to be in the code. But if the planning board feels that it's important for the area, they have the right to say that this is an important priority for us.

The Chair explained this project won't go anywhere unless the applicant complies with everything the Village professionals require. They can only approve what is engineered correctly

Mr. Juravel asked if the lot is for a two family house a single family house.

The attorney explained it is in a 2R-15

Mr. Jacobs asked for confirmation that this is for 8 families. Doubling the population.

The board and applicant confirmed but that has to go for Zoning and then the Planning Board can make a determination.

The applicant's attorney stated this is a permitted use based on the zoning law.

The board and attorney explained there will be a SEQR evaluation to see if there are any environmental issues and if there are there will need to be additional studies done and the zoning board with that information will make their determination based on the criteria they have the burden to prove. If they do that then they come back to the planning board as a matter of right and the planning board is just going to determine site plan. Objections should be made at the zoning board meeting.

They will need to address drainage before zoning can make any determination.

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

Resolution 2022-44

Resolved, that the Planning Board of the Village of New Hempstead hereby adjourn the public hearing for Benyamin Amona, 613-615 and 619 Union Rd. for Subdivision approval for a four lot subdivision on 613-615 and 619 Union Rd. to February 14, 2023 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 Mr. Gilden;

Resolution 2022-45

Resolved, that the Planning Board Meeting of December 13, 2022 is hereby adjourned. Chairman Poliakoff called for a vote. The vote was 4-0. The resolution was adopted.

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Respectfully Submitted

Allison Weinraub,
Village Clerk-Treasurer

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.


Part 1 – Project and Sponsor Information			
Name of Action or Project: BAIS MALKA			
Project Location (describe, and attach a location map): 48 GRANDVIEW AVENUE, NEW HEMPSTEAD, NY			
Brief Description of Proposed Action: Application seeking approval of its revised site plan to permit a permanent classroom building, which building is currently on site as a temporary classroom building, and the bus parking/storage lot.			
Name of Applicant or Sponsor: BAIS MALKA HASC LLC		Telephone: 845.354.9500	
Address: 48 Grandview Avenue		E-Mail: admin@baismalka.org	
City/PO: Spring Valley		State: NY	Zip Code: 10977
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: VILLAGE PLANNING BOARD			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 15.21 acres	
b. Total acreage to be physically disturbed?		_____ 0.1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 15.21 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): SCHOOL			
<input type="checkbox"/> Parkland			

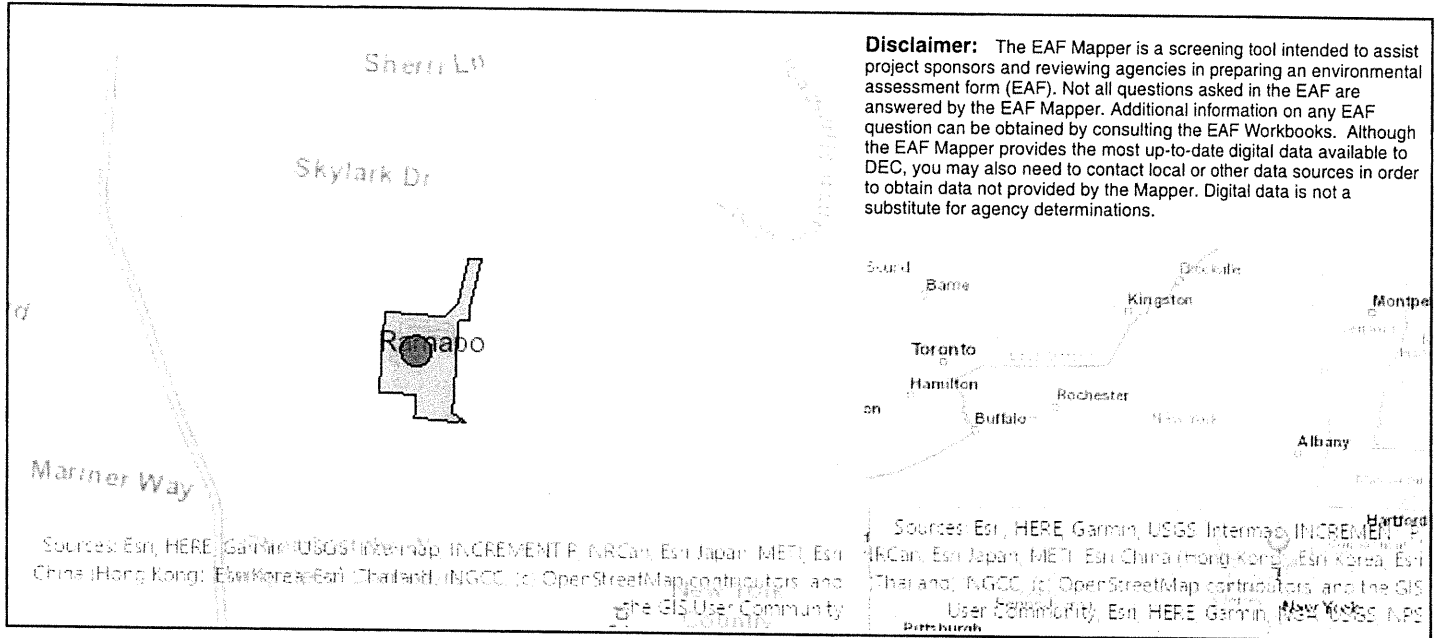
5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>JOSEPH CHURGIN</u> Date: <u>9/5/2024</u>		
Signature: <u></u> Title: <u>Attorney</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No