

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

PLANNING BOARD

REGULAR MEETING
WEDNESDAY, AUGUST 24, 2016
7:30 P.M. – VILLAGE HALL

PRESENT

CHARLES FRANKEL, CHAIRMAN
MEL POLIAKOFF
HILLEL KURZMANN
JENNIFER EISENSTEIN
ANGELA ESPOSITO

ABSENT

RACHEL SCHWARTZ, DEPUTY
CHAIRMAN

ALSO PRESENT

GLENN MC CREEDY, VILLAGE ENGINEER
JOHN LANGE, VILLAGE PLANNER
DENNIS MICHAELS, VILLAGE ATTORNEY
CAROLE VAZQUEZ, VILLAGE CLERK-TREASURER
LORI BELLO, DEPUTY VILLAGE CLERK-TREASURER

OPEN MEETING
ROLL CALL

Continuation of Public Hearing – applicant Aaron Saperstein, 4 Pennington Way, New Hempstead, N.Y. 10977 – Site Plan Approval

Chairman Frankel read an E-Mail that was sent to the Village. “We would like to adjourn our public hearing at the Planning Board from August 24th to the Planning Board meeting in September. Please confirm that this adjournment will be on the agenda for the upcoming meeting”– Sam Backenroth.

Chairman Frankel opened the public hearing as some people may have come because of the public hearing. The Planning Board will hear them speak if they wish. No one wished to speak.

Mr. Poliakoff offered the following motion, which was seconded by Mr. Kurzmann:

Resolution # P.B. 2016-55

Resolved, that the public hearing for site plan approval, on application of Aaron Saperstein, 4 Pennington Way, New Hempstead, N.Y. 10977, is hereby adjourned to a date certain of September 27, 2016. Chairman Frankel called for a vote and the vote was 5-0. The resolution was adopted.

Public Hearing – Site Plan Approval – Application of Ateres Bais Yaakov, 236 Cherry Lane, Monsey, N.Y. 10952.

The applicants are requesting approval of a site plan to permit construction, maintenance and use of three temporary modular classrooms for a girl’s religious school on site formerly known as Rockland Baptist Church, 945 Route 45, New City, N.Y. 10956. The subject property is situated on the west side of State Route 45, 1000 feet south of Pomona Road designated on the Town of Ramapo Tax Map as Section 33.19 Block 1 lot 2 in a 1R-50 zoning district.

Present

Rabbi Fink
Rhonda Smith – Leonard Jackson Assoc.
Amy Mele, Esq. – Ira Emanuel’s Office

Attorney Mele stated the applicant is here tonight to ask permission for a temporary school until the permanent school is erected. They are asking for a three year temporary permit

Rhonda Smith stated they are proposing a fire hydrant on the north east corner – The Town must approve.

Chairman Frankel stated all fire hydrants in the Town of Ramapo are within a Special District called the Water District – purpose to maintain fire hydrants – acceptance in that district will have to be done by the Town of Ramapo – They have been known to refuse to accept proposed hydrants – if the Town did refuse to accept it in the water district, it could be a private fire hydrant maintained by the applicant.

Rhonda Smith stated that trailer #1 and #2 have been moved 360 degrees around the building – Trailer #1 has also been enlarged. (suggested by the Planner) Playground has been changed to include study area & benches. A 6' wide bridge to span over wetlands.

Chairman Frankel asked if the bridge blocked the stream in any way. – Answer “No”

Mr. Kurzmann suggested calling the units modular instead of trailer units.

Chairman Frankel stated Mr. Emanuel's office prepared a Supplemental Narrative Summary to the application. There are some changes in the variances that are required for this application. The two new ones are Building Coverage – Required 3750 or 0.1 – Proposed 22,700 or 0.151 – Impervious coverage – required 0.2 – proposed 0.34.

Chairman Frankel referenced a letter from CityScape Engineering – regarding the structural soundness of the proposed building that is partially built that will remain on the property. Also a report from Fire inspector, Raphael Ziegler dated 8/18/16 – same will be attached to and made a part of this record.

Chairman Frankel also referenced a G.M.L. from the Rockland County of Planning dated August 22, 2016 Attorney Mele suggested that she read it and give the applicant's response. Chairman Frankel stated this G.M.L. was based upon a plan that was previously submitted, not the one that is currently being looked at. There are some changes to the current plan.

The applicant wishes to override #1 because this involves the ZBA. The applicant also wishes to override #2 for the same reason. Also, the parking requirement is not an issue as the students do not drive. Applicant will comply with #3. Dumpster comes twice a week before 7:00 a.m. – Applicant wishes to override #4. Applicant will comply with #5. Applicant will override item #6 as this item has been corrected. Applicant will comply with #7. Applicant will comply with #8, also #10, #11, #12.

Chairman Frankel referenced a letter from the Rockland County Sewer District #1 dated Aug. 22, 2016. This correspondence will be discussed later. Also Town of Ramapo Dept. of Public Works dated 8/2/16.

Back to the GML - #13, agree - #14 – override because only fire inspector to review - #15 – will comply – #16 – override on the condition that the Village will review the landscaping plan. #17 – Same –Village will review lighting plan. #18 – part of Planning Board review - #19 – comply - #20 – comply #21 – override – site plan already has permits on it - Back to #9 – accept the condition – negotiate the fee.

All correspondence will be annexed to and made a part of this record.

Mr. McCreedy stated there is no drainage report – asked for a simple report. Also need pump station report – needs setbacks –

The Special Use Permit was discussed. It was suggested the Special Use Permit be issued for one year with the opportunity to renew for a maximum of 3 years.

Chairman Frankel opened the hearing to the public

Allen Fishkin

27 Bridle Rd. – spoke about the latest map which shows a reduction in the wetlands area – Does the DEC or other agency have to verify the fact that these wetlands no longer exist? Doesn't see how the ZBA can make a decision until the maps are finalized.

Chairman Frankel stated the Village Board has been declared Lead Agency – They have not yet voted on whether or not there is a negative declaration. The Village Board is not meeting until Sept. 6th.

Marty Leibowitz

3 Bay Ct. – would like the property not be addressed as Baptist Church property. They no longer own the property. He would like to know who owns it.

Attorney Michaels stated 45 Dev. LLC. – There is some activity going on on site now – which is on an approved site plan.

Marty Leibowitz – wanted to know who gave approval to clear the property now?

Chairman Frankel stated “we have no idea”.

Marty Leibowitz stated it is no longer the Baptist Church property. Those approvals went with that property. There are no approvals currently, as far as he knows, to clear that property right now. That should be stopped immediately. One of the buildings is being used for storage. Who gave approval for that building to be used as storage? There is no permission for that property to be used at this minute.

Chairman Frankel stated this board has no enforcement. He encouraged Mr. Leibowitz to bring the matter up to the Village Board.

Mr. Poliakoff offered the following motion, which was seconded by Mrs. Esposito:

Resolution # P.B. 2016-56

Resolved, that the public hearing on application of Ateres Bais Yaakov, 236 Cherry Lane, Monsey, N.Y. 10952 be adjourned to a date certain of September 6th – following the Board of Trustees’ meeting. Chairman Frankel called for a vote and the vote was 4-0.

Public Hearing – Site Plan Approval – Application of Congregation Ohaiv Shalom, 18 Bridle Rd., New Hempstead, N.Y. 10977

The applicants are requesting site plan approval to permit construction, maintenance and use of a local house of worship with a Rabbi’s residence. The subject property is located on the east side of Bridle Road “0” feet from Barnacle Drive, in the Village of New Hempstead. The property is designated on the Town of Ramapo Tax maps as Section 42.18, Block 1 Lot 1 in a 1R-35 Zoning District.

Chairman Frankel opened the public hearing

Ms. Vazquez stated the public hearing notice appeared in the Journal News on August 10th, 2016. The notices and affidavits were timely.

Attorney Ryan Karben requested the application be adjourned.

Chairman Frankel offered the following motion, which was seconded by Mr. Poliakoff:

Resolution # P.B. 2016-57

Resolved, that the public hearing on application of Congregation Ohaiv Shalom, 18 Bridle Rd., New Hempstead, N.Y. 10977 be adjourned to a date certain of September 6, 2016. Chairman Frankel called for a vote and the vote was 5-0. The resolution was adopted.

Local Law No. 2 of 2016, AMENDING ARTICLE 10 OF THE ZONING ORDINANCE, LOCAL LAW 11, OF 1984, SUBSECTION 10.3.2 OF SECTION 10.3 THEREOF; AND APPENDIX A OF THE LAND SUBDIVISION REGULATIONS, LOCAL LAW 29, OF 1984, SECTION A4 THEREOF; OF THE VILLAGE OF NEW HEMPSTEAD – was referred by the Board of Trustees of the Village of New Hempstead.

Mr. Kurzmann offered the following motion, which was seconded by Mr. Poliakoff:

Resolution # P.B. 2016-58

Resolved, that the Planning Board of the Village of New Hempstead gives their recommendation to the Village Board to adopt the proposed Local Law No. 2 of 2016. Chairman Frankel called for a vote and the vote was 5-0. The resolution was adopted.

Approval of minutes of August 3, 2015

Chairman Frankel offered the following motion, which was seconded by Mrs. Eisenstein:

Resolution # P.B. 2016-59

Resolved, that the minutes of the regular meeting of the Planning Board held on August 3, 2016 are hereby approved as submitted and that the reading of said minutes be waived. Chairman Frankel called for a vote and the vote was 5-0. The resolution was adopted.

Motion to adjourn

Mr. Poliakoff offered the following motion, which was seconded by Mrs. Esposito:

Resolution # P.B.2016-60

Resolved, that the meeting of the Planning Board held on August 24, 2016 is hereby adjourned. Chairman Frankel called for a vote and the vote was 5-0. The resolution was adopted.

Respectfully submitted,

Carole Vazquez, Village Clerk-Treasurer LPM