

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

**PLANNING BOARD**

REGULAR MEETING  
August 14, 2018 – 7:30 P.M.  
VILLAGE HALL

PRESENT

MEL POLIAKOFF, CHAIRMAN  
HILLEL KURZMANN  
ANGELA ESPOSITO

ABSENT

RACHEL SCHWARTZ  
AKIVA KRAUS  
SANTIAGO SOTO, JR.

ALSO PRESENT

BRUCE MINSKY, VILLAGE ATTORNEY  
JOHN LANGE, VILLAGE PLANNER  
GLENN MCCREEDY, VILLAGE ENGINEER  
CAROLE VAZQUEZ, VILLAGE CLERK-TREASURER

**Public Hearing 306 and Grandview Commons**

**The applicants are seeking site plan approval for the construction, maintenance and use of a small shopping center at the intersection of Route 306 and Grandview Avenue. The property is located on the South East corner of Grandview and NYS Route 306 in the Village of New Hempstead; designated on the Town of Ramapo tax maps as Section 41.15 Block 4 Lots 1 & 2 in a NC zoning district.**

Chairman Poliakoff referenced the correspondence. Same will be attached to and made a part of this record:

Rockland County Sewer District #1 dated August 6, 2018  
Town of Ramapo Fire Inspector dated August 2, 2018  
Stonefield Engineering GML Correspondence response Dated July 27, 2018  
Lange Consulting Dated August 14, 2018

Amy Mele, attorney for the applicant - made the presentation

Attorney Mele, covering for Ira Emanuel, stated this is project has been worked on by the Village for a couple of years. The Village Board did grant a Floating Zone for this parcel. Since the last hearing Stonefield Engineering has submitted a very detailed response to every outside agency comment. I don't believe they need any override on the GML with possibly the exception of one: a warning sign must be provided a sufficient distance from the drive thru lane. We did respond that we don't think it's necessary but we do understand there is no supermajority tonight so we will be willing to install that sign.

Wesley Hills and the Town of Ramapo have not addressed the response to the GML.

Zac Chaplain will address John Lange's comments:

Zac Chaplain from Stonefield Engineering in Rutherford, NJ. - Last month we gave detailed testimony regarding the site plan and traffic engineering. Since then we have been working with the village professionals making minor changes to the plan. At this point we have satisfied most, if not all of their comments. Regarding Mr. Lange's letter, the first comment regarding landscaping, we do feel like we have provided an adequate amount but are willing to discuss changes.

John Lange, Village Planner - the landscaping plan is more than sufficient, but the technical details of the zoning says that every 10 parking spaces require an island and a tree.

Chaplin- We have provided more spaces than necessary so we can always remove 4 spaces to accommodate the landscaping, but we know the Planning Board did have some parking concerns. We will abide by whichever the board feels more comfortable with.

Mr. Lange- we can keep the parking spaces and Landscaping as is.

Chairman Poliakoff- the building on the bottom is divided into 3 sections?

Chaplin- Correct. The next question "will both buildings be built at the same time?" That will be up to the applicant. I'm not sure what their plans are but it's possible to build both at the same time. However, at this time we don't know, and that would be more of a post approval issue.

Mr. Lange- the reason for the question is because you are going to go through phasing and if they aren't built at the same time then the phasing plan will have to change. If Glenn is ok with that being a post condition..

Glenn McCreedy, Village Engineer- It's all going to have to be worked out in the SWPPP anyways so we will monitor it.

Hillel Kurzmann, Board Member- Are the professionals satisfied with the applicant's responses to the commenting agencies?

Mr. McCreedy-Comfortable enough that the more technical items that have to be addressed will be done post approval.

The Public felt they weren't notified properly.

Attorney Minsky stated notices were definitely sent out throughout the entire process. We follow the same rules as other villages in regards to notices which is a 500 foot perimeter from the property line.

Chairman Poliakoff: It is also on the website. Open the floor to continue the Public Hearing.

Gary Bondi- 160 Grandview Ave-what are we looking at, how many square feet is the project going to be. Is there anything limiting the retail store type?

Mr. Chaplain- the project is on the corner of Rt-306 and Grandview Ave. The applicants are proposing a 14,833 sq. ft. pharmacy, and 9,804 Sq. Ft for the retail building. 65 parking spaces associated with the Pharmacy and 38 parking spaces associated with the retail building. The retail building will be set up with 3 different tenants TBD. A driveway will provide access from the South East Corner of Grandview Ave as well as 2 entrances from Rt-306. Our Traffic Engineer Andrew Villari will answer any traffic related questions. In terms of the site engineering we believe this is a safe and efficient layout. We have been working with the Village professionals for over 2 years perfecting this layout to what it is today. In terms of what is going to be in the retail stores, there is a certain criteria for what it can be. It must be retail, and each new tenant must come to the Planning Board for parking approval.

Mrs. Berman- 9 Ashlawn Ave-We back the property. What are you doing to address the noise during construction and after or with people hanging out through the night outside the 24 hour CVS? Why does it have to be this corner? It is already a nightmare with traffic. It affects our housing our backyards our noise level it effects our traffic.

Mr. Kurzmann- Does the applicant want to respond to the traffic concerns?

Andrew Villari, Stonefield Engineering- I am the traffic engineer for this project and have been since its inception. We prepared a traffic impact study that looks at specifically worse case scenarios a site like this can generate. We have submitted it to the board and worked with the village traffic consultant F P. Clark and associates. We have addressed all of their comments. There are a large number of improvements we are proposing with this project: Widen Grandview Ave. to provide another lane at the intersection, a left turn lane will provide access into the site, there will be a second left turn lane south bound of RT-306 to provide access southbound into the site. We have been working with NYS DOT on Pedestrian improvements along the intersection.

Mrs. Berman- how many cars can the left turn lane accommodate?

Mr. Villari- 3 Vehicles

Mrs. Berman- if there is a line of cars waiting to get into your development it's going to backup...

Mr. Villari- this is never going to be a scenario where either one of the left turn lane exceeds capacity. We designed it to accommodate a very conservative amount of traffic that is generated by the site.

Debbie Munitz-4 Tauber Terrace-When was the traffic study done?

Mr. Villari- Traffic Study Took Place on September 10, 2017 7:00AM-6:00PM, September 12, 2017 6:30AM-9:30AM, and September 15, 2017 6:30AM-5:30PM.

Mr. McCreedy- Those times were selected by this board. Has the state and county approved this traffic study?

Mr. Villari- Yes.

Mr. Minsky- This is the second traffic study that was done. The first study was not accepted by this board and the board wanted 3 dates during the same week at different times.

Mr. Lange- for the record, the state controls the access points of this site on the 306 side, and Rockland County controls what happens on the Grandview side so whatever was done had to be approved by both of those agencies.

Mr. Kurzmann- This has been going on for a while, the board and professionals had numerous concerns and the applicant has been very receptive to a large amount of those concerns. The applicant has designed the site and the traffic patterns to not just alleviate any traffic that the site would create but to in general improve the intersection. It is our belief that if it gets approved, the traffic conditions at this intersection will be better then it currently is.

Carole Tyler- 15 Ash Lawn Ave- is it usual to have a shopping center right across the street from the ambulance corp.? Also, you cannot get out of Grandview and New Hempstead now is there going to be a traffic light placed at that intersection?

Irwin Tyler- 15 Ashlawn Ave. - I have no problem with the developer making money on his project. I do have a problem with the developer asking us to make accommodations for him to make money. As far as I can see what they are offering us in return is no real benefit. My concern is that the neighborhood is getting nothing in benefit but they are asking us to give them a benefit for free essentially.

Chairman, Poliakoff- it was the Village Board that determined the Zone change of that parcel. We only handle the Planning. I believe the Mayor has petitioned for the traffic light. These things have to go through procedure before they can be approved.

Mrs. Munitz- what about the noise? How are you going to prevent people from hanging out there at all hours of the night? We don't need this in our neighborhood.

Professionals- the stores won't be open. Only the drive thru lane will be open 24 hours.

Jeff Noleman, 14 Glenbrook Rd. - has the EPA been consulted?

Stonefield-Yes. We are protecting 99% of the wetlands with the exception of the sidewalk. The applicant is providing extensive sidewalks along both frontages of the property for pedestrians. That is the one area where we are required to disturb the wetlands, to provide sidewalk along the entire frontage.

Mrs. Berman- Is notice the same for BOT as this Board? Do we receive letters from them on the zone change like we did on this?

Attorney Minsky- This project initially started because there was a suggestion for a law change. This property was never going to be residential. Originally this was going to be a fairly large school. The idea that it was going to be residential and have no traffic impact is just incorrect. There was a proposal to pass a law in the village where certain properties that met certain size criteria and location criteria can petition the village board to have that particular property become a commercial zone. That law was noticed appropriately the way the village is supposed to notice. There had to have been at least 6 or 7 hearings on it. I know because I was a Trustee in the beginning of it and became the Village Attorney at the end of it. There were many people who attended those meetings. After that law was passed this applicant petitioned to have this parcel zone change, and after that they had to come the Planning

Board for Site Plan approval. This applicant has gone through a vigorous and intensive process. The public had the chance at 3 different levels, and at 3 different venues to discuss it.

Mrs. Berman- I appreciate you explaining the process but what is the process of notices?

Mr. McCreedy- the clerk is given records of how the notices were sent, Return/received. She has them all on file and if you'd like you can FOIL that information.

Mrs. Berman- I will do that 3 years back.

Steven Berman, 9 Ashlawn Ave- are all 3 access points also egress points?

Stonefield- there is one driveway southbound on RT-306 that is ingress only.

Barbra Greenwald- 2 Rovitz Place- has concerns about illuminated signs and lighting in the parking lot.

Stonefield- we are proposing a brand new freestanding New Hempstead Sign at the North West corner. Then behind that we are proposing a 15 foot high pile line sign.

Linda Fiskis- 6 Tauber Terrace- within the last year it's been impossible to make a left turn out of Tauber Terrace. How can a 3 car turn lane ease any congestion?

Mr. Kurzmann- the 3 car turn lane isn't for the turns onto RT-306, its 3 cars into the site.

Chaim Maltz- what has been done to avoid excess illumination?

Amy Mele- That was actually one of the county comments we addressed. The County wanted 0 Lumens past the property line.

Barbra Astrowsky- 12 Gladwyne Ct. What is the projected timeline? What is the village doing to ensure the work gets done?

Zac Chaplin, Stonefield Engineering- We are hoping to start construction mid Fall depending on weather projected to be finished by summer 2019.

Chairman Poliakoff- We have bond requirements and inspections done by our professionals through the process.

Mrs. Astrowsky asks about the Village Master Plan.

Mr. McCreedy responds and urges the public to take part in the process when it does take place so they can be heard.

#### Resolution # P.B. 2018-7

Resolved, that the public hearing on application of 306 and Grandview Commons LLC is hereby closed. Chairman Poliakoff made a motion. Seconded by Mr. Kurzmann. The vote was 3-0. The resolution was adopted.

Mr. Lange and Mr. McCreedy- Based on all of the information provided they do feel comfortable recommending a Neg Dec.

#### Resolution # P.B. 2018-8

Resolved, that the Planning Board of the Village of New Hempstead, pursuant to the State Environmental Quality Review Act ("SEQRA"), declares a negative declaration for the two buildings as proposed by 306 and Grandview Commons, LLC. The Planning Board determines that the Proposed action will not have a significant adverse environmental impact and a draft environmental impact statement will not be prepared. Chairman Poliakoff called for a vote. Motion made by Mr. Kurzmann, seconded by Chairman Poliakoff. The vote was 3-0. The resolution was adopted.

Chairman Poliakoff asked if the professionals or Board have any objections with moving forward with Site Plan approval.

The professionals feel with the exception of minor changes that can be worked out through check print they feel comfortable moving forward. No County overrides are needed.

Amy Mele- the only comment that would be the exception would be a warning sign must be provided a sufficient distance from the drive thru lane. We did respond that we don't think it's necessary but, recognizing that would need an override, we are willing to comply with their request.

Resolution #P.B. 2018-9

Resolved, that The Village of New Hempstead Planning Board hereby approves the July 27, 2018 Site Plan for the construction maintenance and use of a small shopping center at the intersection of Route 306 and Grandview Avenue, submitted by 306 and Grandview Commons, LLC. The property is located on the South side of Grandview Avenue, 0 feet East of NYS Route 306 in the Village of New Hempstead; Designated on the Town of Ramapo Tax maps as Section 41.15 Block 4 Lots 1&2 in a potential NC zoning district. Subject to the following conditions:

Engineer requirement

Public Improvement Bonding- all the public improvements in the right of way.

Site Bonding- for anything left unfinished. This will not be released without the DOT and County Highway Permits.

Bonds will be set after a cost estimate is done with the applicants engineer pending board approval.

Flood Plan Impacts from the applicant is required.

Engineers Cost Estimate.

Off set Permits for DPW before construction.

Planner requirements

All other permits from any Agency that are needed.

GML Correspondence compliance.

Chairman Poliakoff called for a vote, motion made by Angela Esposito seconded by Mr. Kurzmann, The vote was 3-0. The resolution was adopted.

Resolution # P.B. 2018-10

Resolved, that the next Planning Board meeting for the Village of New Hempstead will take place on October 9, 2018 at 7:30PM.

Chairman Poliakoff called for a vote, motion made Mr. Kurzmann by seconded by Chairman Poliakoff, The vote was 3-0. The resolution was adopted.

Resolution #P.B. 2018-11

Resolved, that the meeting held by the Planning Board of the Village of New Hempstead on August 14, 2018 is hereby adjourned. Chairman Poliakoff called for a vote. Motion made by Mr. Kurzmann, seconded by Mrs. Esposito. The vote was 3-0. The resolution was adopted.

Respectfully submitted,  
Allison Weinraub  
Deputy Clerk-Treasurer  
Planning and Zoning Secretary