



May 16, 2024

Union Road Townhomes
Narrative Summary

The Applicant is the contract vendee of Lot 50.05-1-11.2 (also known as Lot 2 on the subdivision plat entitled "New York Country Club" which was filed in the Rockland County Clerk's Office on October 16, 2009 in Book 128, Page 12 as Map #8068). The property is located in the 1R-40 Zoning District.

We are proposing to develop the property as an Active Adult Residential Community. This use is permitted in the 1R-40 Zoning District subject to the issuance of a Special Permit by the Village Board pursuant to Section 290-57 of the Zoning Code.

The property consists of 9.2885 acres. Per the Forbearance Agreement recorded in the Rockland County Clerk's Office, which specified density at six units per acre, the project proposes construction of 55 townhouse style units at six units per acre. Each unit will have two parking spaces, one garage space and one driveway space. There are 39 guest parking spaces. Amenities such as a community building, indoor pool, outdoor pool, recreation area, walking paths and gazebo are proposed.

The units will consist of approximately 3,200 SF with one bedroom, a guest bedroom and office/den in each unit. The site will be served by Veolia Water and a municipal sewer system. A stormwater management plan will be developed that will provide for zero net increase in peak discharge from the site so that no burden will be placed on downstream properties.

The following is the criteria an Adult Community Special Permit:

§ 290-57F Active Adult Residential Communities.

1. Compatibility with the neighborhood in which the special permit is proposed, potential for separation from nearby uses, and environmental factors.

The Applicant will work closely with the Village of New Hempstead Village Board, Planning Board and Architectural Review Board to ensure that the proposed development is consistent with the surrounding neighborhood.

2. The site shall be served by central water or sanitary sewer facilities, and said facilities shall be adequate to accommodate the additional demand placed upon them by the proposed development and approved by the Board of Health, and the New York State Department of Environmental Conservation when required.

The site will be served by Veolia Water and a municipal sewer system. Water and sanitary demand for this development will be 18,750 gallons per day. Both the sanitary sewer and water mains are adequate to serve the project.

3. The site shall be well-drained, and stormwater generated by development of the site shall not place an undue burden on existing facilities or contribute to downstream flooding.

A stormwater management plan will be developed that will provide for zero net increase in peak discharge from the site so that no burden will be placed on downstream properties. This project will meet the current Village and NYSDEC Code.

4. The site shall be located in an area suitable for residential purposes and shall be reasonably free of objectionable conditions, such as odors, noise, dust, air pollution, high traffic volumes, incompatible land uses and other environmental constraints.

This area of Union Road is primarily residential use. This project will not produce odors, noise, dust, air pollution or high traffic volumes. We believe the project will fit in well with the neighborhood.

5. The site shall be located such that access to the site can be obtained from a public street which meets current engineering standards or is defined as a collector road under this chapter, with respect to roadway width and alignment and acceptable sight distances can be developed at the site entry/exit and at intersections in the vicinity of the site.

Access to the site is via Union Road. Appropriate sight distances will be adhered to.

6. The architectural style of the proposed development, exterior materials, finish, and color shall be consistent with existing community and neighborhood character.

Architectural treatment/elements shall be consistent with the existing community and neighborhood character. The Applicant will work with the Village of New Hempstead Planning Board and Architectural Review Board to develop a plan that will be aesthetically pleasing, and which will meet all criteria for appearance with landscaping and buffering to the extent possible.

7. The project shall contain amenities consistent with adult residential communities, such as game rooms, meeting rooms, lounges, exercise rooms and clubhouses.

Amenities such as a community building, outdoor pool, recreation area, walking paths and gazebo are proposed.

8. The development of the site shall not produce undue adverse effects on the surrounding neighborhood.

There will be no adverse impacts to the surrounding neighborhood. An Active Adult Residential Community is a benign use.

9. Ownership shall be either condominium or fee simple, homeowners' association.

Acknowledged.

10. Review and comment from the Village Planning Board, if applicable.

Agreed.

11. Review and comment from the Village Architectural Review Board.

Agreed.

We appeared before the Planning Board on March 12, 2024. The Planning Board declared its intent to be the lead agency regarding State Environmental Quality Review (SEQR).

Since the meeting in March, we have developed a full set of plans for review. The following are responses to comments received at the March 12, 2024, Planning Board Meeting:

Narrative Comments:

1. Comment: The applicant notes a Forbearance Agreement recorded in the Rockland County Clerk's Office, which specified the density at six units per acre. The latest zoning based upon the Comprehensive Plan reduced the density of Active Adult Communities to five units per acre as opposed to the six units per acre of the proposal. I trust the Village attorney will render an opinion regarding the allowable density.

Response: The Village Attorney and Planning Board have agreed to a density of six units per acre.

2. Comment: The narrative notes that the units will consist of approximately 3,200 SF with one bedroom, a guest bedroom and office/den in each unit. The units are generously sized. The applicant should clarify whether the units are in reality two or three bedrooms. The water and sewer contribution as proposed should match the number of bedrooms.

Response: All of the units will be two-bedroom units. Water and sewer capacities are based on two bedrooms per unit. Please note, this project will strictly conform to the requirements for the Special Permit, regarding age and other restrictions for an "Active Adult Residential Community".

3. Comment: The narrative also states that the site will be served by private water and a municipal sewer system. Water and sanitary demand for this development will be 12,500 gallons per day. The applicant should clarify what it means by a "private water system". Is this not going to be tied to the existing Veolia water system? If not, what and where is the source of the water supply. If the source is the existing water company, a ready to serve letter should be provided with the application. At the stated 12,500 gpd, the 55 units would be based upon 227 gallons per day which appears to be lower than established standards, not including the swimming pool or health club. This must be clarified.

Response: The statement in the previous narrative was incorrect. The project will be served by Veolia Water and a Municipal Sewer System.

Zoning Considerations:

4. Comment: The minimum lot size for an active adult development is 8 acres. The proposed location consists of a gross acreage of 9+ acres with a reduction in lot area from steep slopes to approximately 9.2 acres. Additional deductions may be required for gratuitous dedication for ROW improvements. As the site plan notes, the centerline of Union Road is shown off center with the remaining ROW not clearly shown. It appears that the centerline is only 5 feet off the opposing curb. This must be explained, particularly since the rear yard is only actually only about twelve feet, and is reduced by the plantings and a fence only one foot off the property line.

Response: Per the Village Engineer, the designated width of the Union Road right-of-way is 50 feet. The road is not centered within the right-of-way. There is no requirement for any additional dedication.

5. Comment: The arrangement of the semi-attached units does meet minimum bulk requirements, but 10-foot rear yards are very small for this size development. Driveways are also very tight with 24 feet of access from the street to the actual building. When the 4-foot sidewalk is deducted, the driveway space is only 20 feet which shows that vehicles will overhang the sidewalk.

Response: A typical parking space per the Village Code is 18 feet deep. The plan has been accepted with 20 feet deep driveways.

The following is our response to Dyan Rajasingham, Engineer III, of Rockland County Highway Department letter dated February 28, 2024:

1. Comment: The department believes the proposed action requires a SEQRA review.
Response: Agreed.

2. Comment: The proposal is a dense residential development than what is existing now. It has a potential to impact the existing traffic condition in the area particularly at the intersection of Viola Road (County Road) and Union Road. The applicant shall have to investigate the concern and provide adequate mitigation measures for the adverse impacts.
Response: A Traffic Impact Study is being developed that includes Eckerson Road.

The following is our response to Liron Derguiti, Engineer I, of Rockland County Drainage Agency letter dated February 29, 2024:

1. Comment: The above referenced site is outside the jurisdiction of the RCDA, pursuant to the Rockland County Stream Control Act, Chapter 846. Therefore, a Stream Control Act permit from the RCDA is not required for developments within this site. Also, the RCDA has no further comments regarding the proposal, pursuant to the State Environmental Quality Review (SEQR).
Response: No response required.

2. Comment: The RCDA recommends that the municipal land use boards and/or departments review all development proposals for this site and ensure that developments with increase in impervious areas and/or land disturbances will not result any increase in stormwater runoff from the site and will have adequate measures to prevent soil erosion and control sediment from leaving the site.
Response: Drainage Mitigation and Soil Erosion and Sediment Control are part of this submission.

The following is our response to Joseph LaFiandra, Engineer II, of Rockland County Sewer District No. 1 letter dated April 8, 2024:

1. The sanitary sewers from this project would connect to the District's sewer system.
 - a. Comment: Upon review of this information, the District has determined that an impact fee is required, in accordance with Sections 502A and 1317 of the Rockland County Sewer Use Law as last amended in 2010.
Response: No response required.
 - b. Comment: Approval of this special permit application for a proposed 55-unit active adult residential community with an outdoor pool and an indoor pool on a 404,608 square foot lot in the 1R-40 District will result in forty-nine (49) additional sewer units. Therefore, the applicant must submit a check in the amount of ninety thousand six hundred fifty dollars (\$90,650.00) payable to Rockland County Sewer District No. 1 within thirty(30) days of approval.
Response: Acknowledged.
 - c. Comment: If the use or occupancy of the property exceeds fifty-seven (57) units (e.g., with additional dwelling units, if the community building has a kitchen, or if the community building or pools are available to non-residents), the District will require further review and the owner will have to pay an additional impact fee.
Response: Agreed.
 - d. Comment: Payment of the impact fee must be made to the District before the structures are connected to the sewerage system.
Response: No response required.
 - e. Comment: We request that the Board notify the District upon approval of the project:
Response: No response required.

2. Comment: The District requires that the engineer perform a flow and capacity analysis of the sewer system before the District approves the connection to the sewerage system. If the flow from this project requires improvements to the District's infrastructure, the applicant may be required to pay for an equivalent value of sewer improvements that is greater than the minimum impact fee stipulated above.

Response: Flow Capacity Analysis currently being developed.

3. Comment: Rockland County Sewer District No. 1 's "Commercial/Non-residential Wastewater Questionnaire" and the County Planning Information Certification must be submitted to and approved by this office for the community building before any sewage is discharged into the District's sewerage system. The property owner must sign the wastewater questionnaire.

Response: Agreed.

4. Comment: Details for sanitary sewer construction must comply with the District's construction standards and should be shown on the plans.

Response: Requested details have been provided.

5. Comment: Rockland County Sewer District No. I requires sanitary sewer construction to conform to District standards. This includes, but is not limited to relative air, vacuum and deflection testing of mainline sewer and manhole construction. The District must receive and approve certification of test results from a licensed professional engineer before approving the sewers on this project.

Response: Agreed.

6. Comment: In order to reduce infiltration into the system, the District requires that the precast and doghouse sanitary manhole construction be in accordance with the District's standards. The District's standard details require the joints to have butyl rubber seals with mortar in and out, and then to be coated with Infi-shield® EP DM rubber seal wrap or approved equal.

Response: Agreed.

7. Comment: We request that submission to Rockland County Sewer District No. 1 of an as-built drawing of the proposed sanitary sewer extension be made a condition/of granting certificates of occupancy.

Response: Agreed.

8. Comment: Details for sanitary sewer connections are subject to approval by the Town of Ramapo.

Response: No response required.

The following is our response to Paul Gdanski, P.E., of Town of Ramapo Department of Public Works letter dated March 13, 2024:

1. Comment: A sanitary sewer review is required prior to final plan approval. The fee of \$125.00, payable to the Town of Ramapo at the Town of Ramapo Planning Department, is due from the applicant. Ordinarily the Town would not begin the review process until this department has received receipt that the above fee has been paid. Please make sure the applicant submits the review fee as soon as possible.

Response: Agreed.

2. Comment: The complete design of the sewer needs to be provided.

Response: Complete design with details provided on plans.

3. Comment: The pump station on Gloria Drive should be shown.

Response: The pump station referred to is at the opposite end of Gloria Drive, approximately 1,000 feet south. We believe this request is in error as Gloria Drive has dead ends on both the north and south ends.

4. Comment: The existing drainage that runs through the area of Gloria Drive should be shown.

Response: There are no drainage facilities for this area of Gloria Drive. Drainage facilities are located in the area of the pump station.

5. Comment: A sewer study is required.

Response: Flow Capacity Analysis is currently being developed.

6. Comment: We will provide further comments once more complete plans are provided.

Response: No response required.

Neighbor comments from J. Salomon via email dated April 4, 2024:

1. Comment: Creation of a Turning Lane: We urge the developer to include a dedicated turning lane on their side of Union Rd. to prevent traffic congestion and facilitate smooth flow of vehicles entering and exiting the new development.

Response: Open item for discussion, will be provided if required.

2. Comment: Single Entrance/Exit Configuration: We strongly recommend that the site be designed with a single entrance located on the north side and an exit on the south side to enhance traffic management and overall safety in the area.

Response: Per the Planning Board, the north access will be for Emergency Vehicles Only. The south access will be utilized for ingress & egress.

3. Comment: Installation of New Sidewalks: It is crucial for the developer to incorporate new sidewalks along Union Rd adjacent to their property to provide safe pedestrian access and connectivity for residents and passersby.

Response: It's our understanding , that the Village is currently developing a sidewalk plan for Union Road.