



MEMORANDUM

To: Village of New Hempstead Planning Board

From: Jonathan T. Lockman, AICP, Principal Environmental Planner

Re: Binyomin Amona, dba BAMA Enterprises, Two Lots, each with a Two-Family Home
619 Union Road
SBL# 50.05-1-18

Date: November 26, 2024

cc: Amanda Bettello, Deputy Village Clerk
Bruce Minsky, Esq., Planning Board Attorney
Glenn McCreedy, PE, Planning Board Engineer
Josip Medic, PE, Applicant Engineer
Binyamin Amona, Owner

Received and reviewed for this memorandum:

- “Engineering Letter Response” to NPV comments of November 14, 2024, unsigned, dated November 20, 2024.
- Subdivision/Site Plan Set for 619 Union Road, 8 sheets, stamped by Josip Medic, PE, dated May 16, 2024, with latest revision dated of November 20, 2024, with sheets as follows:
 - 1, Site Plan
 - 2, Demolition Plan
 - 3, Grading Plan
 - 4, Drainage Plan
 - 5, Utility Plan 1
 - 6, Utility Plan 2
 - 7, Soil Erosion and Sediment Control Plan
 - 8, Detail Sheet

Project Summary

The existing lot at 619 Union Road contains 1.07 acres (46,798.35 square feet), and it has approximately 130 feet of frontage on Union Road. An existing two-family house is located at the rear of the subject lot. Binyamin Amona dba BAMA Enterprises (“the Owner”) is applying to create a two-lot subdivision of the subject lot, with lot 2 to contain the existing two-family house, and lot 1 to be developed with a new two-family house.

The front lot, lot 1, is proposed to be 20,104 square feet (0.46 acres) per the applicant’s site plan. The front lot would have 100.66 feet of frontage on Union Road, and approximately 197 feet along a proposed 30-foot-wide easement adjacent to its south property line. The new easement would provide access to the new rear lot. The rear lot is proposed to be 20,830 square feet, as indicated on the site plan.

The subject parcel is at 619 Union Road, on the west side of the road across from the Union Road Townhomes project, in the 2R-15 zoning district. A CDC meeting on this application was held on September 30, 2024. A revised submission was reviewed by the Village Planner on November 14, 2024. The current submission dated November 20, 2024, was revised in response to the Village Planner's comments. A Planning Board public hearing has been scheduled for December 3, 2024.

Comments

1. **No street frontage is provided for the rear lot.** Per the Table of Dimensional Requirements in §290 Attachment 2, in the 2R-15 District, one hundred twenty-five (125) feet of Frontage on a street meeting Village Standards is required for the rear lot. Only 30 feet of frontage on a right-of-way stub is shown at the southeast corner of the lot. The Table of Dimensional Requirements indicates that variances are needed for lot width and lot frontage for proposed Lot 1, and for lot frontage for proposed Lot 2.

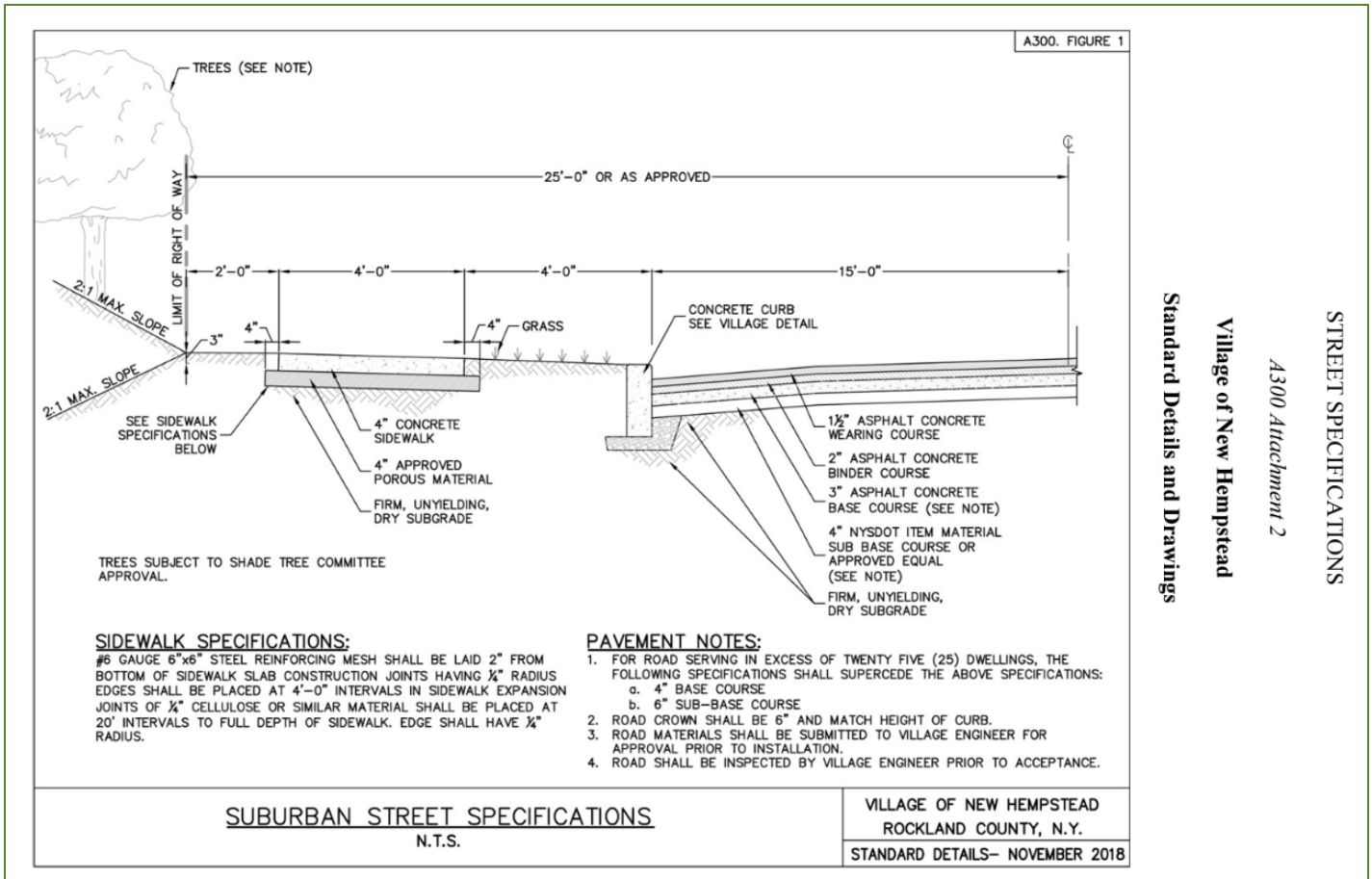
New lots are required to have frontage on either an existing street, or a new street created to Village standards. Rather than providing a new street for Lot 2 to gain frontage, only a driveway is shown straddling the property line between lots 50.05-1-18 and 19. The minimum standards for a Village street in 2R-15 are as follows, per §255-32.H Streets and §A300 Street Specifications:

- a. A 50' foot Right of Way is required. On the sketch plan, 30 feet is shown on Lot 1 and 20 feet is shown on the neighboring lot 50.05-1-19 owned by Binyamin Amona. See §A.300 figure 1, Suburban Street Specification.
- b. Thirty (30) feet of travel way is required, curb to curb, as a minimum pavement width. Only 23.89 feet is shown as the driveway width. The driveway pavement is shown straddling the southern property line, with 11 feet shown on lot 50.05-1-18. See §A.300 figure 1 and §255-31.H for Village road standards.
- c. A cul-de-sac with a 100-foot diameter pavement, within a 120-foot diameter right-of-way is required for this dead-end street. No cul-de-sac is provided. See 255-31.E and H.

A street conforming to Village standards should be designed for this project. If a Village street with a cul-de-sac is created, per footnote 2 of 290 Attachment 2:4, the Table of Dimensional Requirements, the minimum lot frontage on a cul-de-sac may be reduced, but the granting of such a waiver would be at the Planning Board's discretion.

For a street with fifty-foot right-of way and 120-foot diameter cul-de-sac to be created, and then to maintain a minimum of 20,000 square feet for each lot and 125 feet of street frontage, contiguous land owned by the applicant will need to be used. As land is available to the applicant that could and should be included with the application, we would recommend that the Planning Board urge the applicant to include his adjacent lot, and design a conforming layout, as described below.

2. The **owner of record of the subject lot is BAMA Enterprises.** According to the Affidavit of Ownership form provided, **Binyomin Amona owns 100% of BAMA Enterprises.** As shown on the applicant's drawings, the **owner of record for lot 50.05-1-19, the adjacent lot to the south is Binyamin Amona** as an individual, rather than Amona doing business as BAMA Enterprises. **Both owners must be included in the application** as the proposed entrance road straddles the southern lot line, and about half of the proposed driveway is on 50.05-1-19. **Both lots 50.05-1-18**



STREET SPECIFICATIONS
 A300 Attachment 2
 Village of New Hempstead
 Standard Details and Drawings

SIDEWALK SPECIFICATIONS:

#6 GAUGE 6"x6" STEEL REINFORCING MESH SHALL BE LAID 2" FROM BOTTOM OF SIDEWALK SLAB CONSTRUCTION JOINTS HAVING 1/4" RADIUS EDGES SHALL BE PLACED AT 4'-0" INTERVALS IN SIDEWALK EXPANSION JOINTS OF 1/2" CELLULOSE OR SIMILAR MATERIAL SHALL BE PLACED AT 20' INTERVALS TO FULL DEPTH OF SIDEWALK. EDGE SHALL HAVE 1/4" RADIUS.

PAVEMENT NOTES:

1. FOR ROAD SERVING IN EXCESS OF TWENTY FIVE (25) DWELLINGS, THE FOLLOWING SPECIFICATIONS SHALL SUPERCEDE THE ABOVE SPECIFICATIONS:
 - a. 4" BASE COURSE
 - b. 6" SUB-BASE COURSE
2. ROAD CROWN SHALL BE 6" AND MATCH HEIGHT OF CURB.
3. ROAD MATERIALS SHALL BE SUBMITTED TO VILLAGE ENGINEER FOR APPROVAL PRIOR TO INSTALLATION.
4. ROAD SHALL BE INSPECTED BY VILLAGE ENGINEER PRIOR TO ACCEPTANCE.

4. **The minimum lot width is not met by the proposed new front lot.** The existing lot is 130 feet wide, which exceeds the minimum requirement of 125 feet, so the site is in compliance today with respect to this standard. With the proposed subdivision, the front lot would only be 100 feet wide. However, if a conforming Village Street were laid out leading to the rear lot, the south line would become a second front lot line for Lot 1, and the lot width could comply, as it would be measured east-west along the new street frontage.
5. Please review the drawings and **show the lengths of each individual lot line proposed.** See §255-47.G. The sketch still is missing some labels on certain line segments.
6. The sketch plat must **show any trees on the property over 8 inches in diameter and over 4 feet in height** as per Village Code §255-47.B. Please add any trees that meet these criteria.
7. The required maximum Building Coverage is 2,750 sf ,and 2,475 sf is provided for each lot which complies, according to the applicant's Table on Sheet 1. Breakouts of the development coverage calculations have been provided. However, unlike previous submissions to CRC, there is no longer any chart included indicating the proposed FAR for each lot. **Please show the proposed FAR for both proposed lot 1 and proposed lot 2. Floorplans should be provided to confirm the proposed FAR calculations.**

SEQRA/GML/Procedural Comments

8. Once the application is in front of the Planning Board, the Board should notify its intent to serve as lead agency to all involved agencies. **We recommend that the Planning Board classify this action as unlisted and establish a coordinated review.** In such a coordinated review, should the applicant choose to continue with a design that requires ZBA variances, the ZBA will be prohibited by law from making a final decision until the Planning Board as lead agency makes a negative declaration and concludes the SEQRA process. A traffic letter from Harry Baker Associates was submitted, dated September 12, 2024. Traffic impact from these proposed units does not appear to be significant.
9. It appears that a GML review for this action will not be required, as according to the Rockland County GIS system, it is not within 500 feet of any County facility.
10. **We would recommend that the Planning Board urge the applicant to redesign the subdivision sketch plat so it does not need variances.** See §255-44.A which states: “The lot arrangement shall be such that there will be no foreseeable difficulty, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with Chapter [290](#), Zoning...”

We would expect it would be difficult for the applicant to meet the statutory hardship tests for variance requests at this site, particularly because the **owner of BAMA Enterprises is also the owner of the adjacent lot to the south.** The ZBA may find that the hardship is self-induced. **If both lots were included, the project could be designed without variances.**

Please let me know if you have any questions or comments regarding this review.

Items Previously Reviewed

Reviewed for our previous memorandum dated November 14, 2024:

- Application Package for Sketch Plat and Preliminary Plat Approval for BAMA Enterprises, signed by Binyamin Amona, dated September 9, 2024.
- Traffic Letter, by Harry Baker, to Ben Amona, dated September 12, 2024.
- Project Narrative and Transmittal Letter, (Identical to previous letter submitted which was reviewed on September 24, 2024), from BAMA Enterprises, unsigned, undated.
- Subdivision/Site Plan Set for 619 Union Road, 8 sheets, (Identical to previous set submitted which was reviewed on September 24, 2024) stamped by Josip Medic, PE, dated July 15, 2024, with latest revision dated of 6/27/2024.

Reviewed for our previous memorandum dated September 24, 2024:

- Application Package for Sketch Plat and Preliminary Plat Approval for BAMA Enterprises, signed by Binyamin Amona, dated July 16, 2024.
- Project Narrative and Transmittal Letter, from BAMA Enterprises unsigned, undated.
- Stormwater Management Report, stamped by Josip Medic, PE, dated June 2024.
- Subdivision/Site Plan Set for 619 Union Road, 8 sheets, stamped by Josip Medic, PE, dated July 15, 2024, with latest revision dated of 6/27/2024.