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M I N U T E S  
OF THE MEETING  
OF THE  
PUBLIC HEARING

INCORPORATED VILLAGE OF FLORAL PARK

October 3, 2023

8:00 p.m.

PRESENT:

- KEVIN M. FITZGERALD, MAYOR
- DR. LYNN POMBONYO, DEPUTY MAYOR/TRUSTEE
- FRANK J. CHIARA, TRUSTEE
- JENNIFER STEWART, TRUSTEE
- MICHAEL LONGOBARDI, TRUSTEE

ALSO PRESENT:

- GERARD BAMBRICK, Village Administrator
- RENEE MARCUS, Supt. Of Bldgs.
- JOHN RYAN ESQ., Village Attorney
- SUSAN WALSH, Village Clerk
- KEVIN GINNANE, Supt. Of Public Works

1                   MAYOR FITZGERALD: Good evening. I  
2 would ask Miss Walsh to read the notice of  
3 public hearing.

4                   MS. WALSH: Thank you, Mayor  
5 Fitzgerald.

6                   Notice of Special Use Public Hearing,  
7 Incorporated Village of Floral Park, New York.

8                   Notice is hereby given, that the Board  
9 of Trustees of the Incorporated Village of  
10 Floral Park, New York will hold a Public  
11 Hearing at Village Hall, One Floral Boulevard,  
12 Floral Park, New York and on Tuesday,  
13 October 3, 2023 at 8:00 p.m. in relation to the  
14 following application:

15                   The application of Bhavesh Patel,  
16 lessee, of property 153 Tulip Avenue, Floral  
17 Park, New York, is made in accordance with  
18 Article III, Section 99-10(B) (2) of the Zoning  
19 Ordinance of the Incorporated Village of Floral  
20 Park, New York, which requires that when a  
21 building changes its existing business use to a  
22 retail store which prepares, stores and sells  
23 food in a B-1 District, the use may only be  
24 authorized as a special use after a public  
25 hearing.

1                   The structure for which said Special  
2 Permit is applied is situated on the northeast  
3 side of Tulip Avenue, 111.29 feet southeast of  
4 Woodbine Court and known as Section 32, Block  
5 118 and Lot 6 on the Nassau County Land and Tax  
6 Map.

7                   A copy of the application is on file in  
8 the Office of the Village Clerk, One Floral  
9 Boulevard, Floral Park, New York and may be  
10 examined by any persons interested therein  
11 during business hours Monday through Friday  
12 inclusive, except legal holidays, from 8:30 to  
13 4:30 p.m.

14                   Now take notice that all parties in  
15 interest and citizens will be given the  
16 opportunity to be heard at the aforesaid time  
17 and place.

18                   By order of the Board of Trustees,  
19 Incorporated Village of Floral Park, New York;  
20 Susan E. Walsh, Village Clerk.

21                   The legal notice was dated  
22 September 22, 2023, and published in the  
23 official paper of the Incorporated Village of  
24 Floral Park, New York and posted according to  
25 law; and was sent to the Nassau County Planning

1 Commission, and pursuant to Section 239-L and M  
2 of the General Municipal Law, determined to  
3 divert to the Village to take action as deemed  
4 appropriate.

5 MAYOR FITZGERALD: Thank you.

6 I would like to place on the record the  
7 applicant has previously filed an affidavit of  
8 service indicating that all neighbors within a  
9 200 foot radius of the dwelling were served  
10 with notice.

11 I'd also like to announce that the  
12 Board has previously adopted a resolution  
13 determining that the application did not have a  
14 significant impact on the environment as  
15 defined by SEQRA.

16 Good evening, gentlemen, and thanks for  
17 coming.

18 If you don't mind coming up, being  
19 sworn in by the stenographer, and then if you  
20 can give us a quick overview of the business  
21 that you are trying to open up.

22 (Whereupon, Bhavesh Patel and Nirav  
23 Patel were so duly sworn.)

24 MR. B. PATEL: Bhavesh Patel, 153 Tulip  
25 Avenue, Floral Park, New York 11001.

1 MR. N. PATEL: My name is Nirav Patel,  
2 153 Tulip Avenue, Floral Park, New York.

3 MAYOR FITZGERALD: Gentlemen, welcome,  
4 and thanks for your patience.

5 If you could just give us an overview  
6 of the business and then we will have questions  
7 for you.

8 MR. B. PATEL: So we are trying to open  
9 up the ice cream shop Haagen-Dazs. And I mean,  
10 what do you mean, everyone knows my store for  
11 23, I am trying to open my own business with my  
12 partner and friend and cousin and see, you  
13 know, what help we get from Floral Park.

14 MAYOR FITZGERALD: What days and hours  
15 do you propose being open?

16 MR. B. PATEL: During the peak season,  
17 which would be spring to beginning of winter,  
18 it's going to be 9:00 to -- 10:00 to 11:00.

19 MAYOR FITZGERALD: Seven days a week?

20 MR. B. PATEL: Seven days a week, yes.

21 And during the wintertime, basically  
22 going to be, like, 11:00 to --

23 MAYOR FITZGERALD: The special use  
24 permit, I mean, we don't technically put it as  
25 seasonal, if you want 10:00 to 11:00, seven

1 days --

2 MR. B. PATEL: Oh, seven days, yes,  
3 okay. That's going to be it, yes.

4 MAYOR FITZGERALD: If you want later,  
5 it sounds like you want it shorter.

6 MR. B. PATEL: Yeah. Latest is going  
7 to be 11:00.

8 MAYOR FITZGERALD: Okay. How many  
9 employees do you plan on having working at any  
10 one point in time?

11 MR. B. PATEL: We going to start with  
12 three, but I don't know how the business going  
13 to be busy or not. So during the summertime  
14 maybe three, between three and four, couple of  
15 part-timers and two full times.

16 MAYOR FITZGERALD: Where would they  
17 park if they do drive?

18 MR. B. PATEL: Right now it's going to  
19 be in the Village parking lot in the back.

20 MAYOR FITZGERALD: So typically those  
21 parking lots are for customers, which I'm sure  
22 you can appreciate you want for your customers.

23 We do have certain lots close by that  
24 you can get a employee parking sticker for.

25 MS. WALSH: Merchant parking, yes.

1 MAYOR FITZGERALD: Merchant parking.

2 MR. B. PATEL: Yes.

3 MAYOR FITZGERALD: So we would not want  
4 them parking.

5 MR. B. PATEL: Okay.

6 MAYOR FITZGERALD: Do you have any  
7 plans on using the outside in the back at all?

8 MR. B. PATEL: Yes. We are planning to  
9 have some seatings in the backyard part, maybe  
10 a couple of tables and chairs, whatever we can  
11 fit.

12 MAYOR FITZGERALD: Do you plan on  
13 having any music out there?

14 MR. B. PATEL: Maybe light music. We  
15 going to be using music inside, but we haven't  
16 thought of outside yet, but most likely.

17 MAYOR FITZGERALD: And will the outside  
18 seating be the same hours that you are open?

19 MR. B. PATEL: No, it's going to be for  
20 shorter time.

21 MAYOR FITZGERALD: Do you have an idea?

22 MR. B. PATEL: Right now I am not 100  
23 percent sure because I need to see, like, what  
24 would be the business hour in the store so we  
25 could accommodate some of the seating outside

1 versus inside.

2 MAYOR FITZGERALD: Okay.

3 If you can come up with an hour we  
4 would appreciate it.

5 MR. B. PATEL: Okay.

6 MAYOR FITZGERALD: I will turn it over  
7 to Deputy Mayor Pombonyo.

8 DEPUTY MAYOR POMBONYO: Hi, and  
9 welcome.

10 MR. B. PATEL: Thank you.

11 DEPUTY MAYOR POMBONYO: It's nice not  
12 to have to ask you why did you pick Floral Park  
13 and what experience do you have in running a  
14 business.

15 MR. B. PATEL: Thank you.

16 DEPUTY MAYOR POMBONYO: We are all  
17 familiar with that and very proud of the  
18 business that you already run in our Village.  
19 It's exciting to have you double the  
20 opportunity.

21 What will the inside look like? I mean  
22 I've seen the diagram. When you visualize,  
23 like if I walk in the door, what will it look  
24 like there and what will you be doing?

25 MR. B. PATEL: Right. So when you walk



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1 in, the counter, the serving area is going to  
2 be right-hand side, and right after you walk in  
3 by the window store front, I submitted going to  
4 be, like, counter desk, there is going to be  
5 three seating looking outside. And right after  
6 that it's going to be counter about -- I am not  
7 sure the exact measurement, you see on the  
8 plan, and they have a signature wall where it's  
9 going to be art of the franchise on the  
10 left-hand side wall. As you walk in you come  
11 and on the left-hand side again there is going  
12 to be a chair -- three chairs and then it's,  
13 like, a hallway going all the way in the back  
14 to the exit where it's going to be entrance  
15 too, people can come in and go outside. And in  
16 the back of the entrance there is going to be  
17 office on the left, and right side is going to  
18 be a restroom for customer.

19 DEPUTY MAYOR POMBONYO: Do you foresee  
20 having to do much work to the outside? I am  
21 not visualizing the back of that property very  
22 well. Do you foresee having to do work out  
23 there to make it into what you would like it to  
24 look like outside?

25 MR. B. PATEL: You mean during the

1 construction or after the business was open?

2 DEPUTY MAYOR POMBONYO: Before you open  
3 outdoors, do you see having to do other things,  
4 like awnings?

5 MR. B. PATEL: It's going to be very  
6 minimum unless we work on the sign outside and  
7 the windows need to be fixed. Other than that  
8 everything is exterior. And only thing we will  
9 be working outside would be disposing the  
10 garbage from the construction and deliveries  
11 going in and out for the materials, and that's  
12 about it.

13 DEPUTY MAYOR POMBONYO: And I know this  
14 sounds ridiculous with ice cream, but do you  
15 foresee using anything like Uber Eats or any of  
16 the car services? The reason I am asking you  
17 that is the Carvel on Covert Avenue does. I  
18 always imagine how they get home fast enough so  
19 the ice cream doesn't melt. Do you foresee  
20 having other cars coming in and out like that  
21 to pick up the delivery?

22 MR. B. PATEL: They do have the Grubhub  
23 service, we are planning to use the service.

24 DEPUTY MAYOR POMBONYO: You know the  
25 avenue very well. How do you foresee them

1 parking close enough to pick up the ice cream  
2 pretty quickly and get it back to the car and  
3 get it home, have you thought about that?

4 MR. B. PATEL: Right now I don't know  
5 exactly how the service is going to be, like,  
6 you know, going to use it and follow the rules  
7 and restriction what they have on delivery  
8 services. But I could see that if delivery  
9 service is they usually order, when it's ready  
10 to go pick up and go, it's very minimum time  
11 and --

12 MR. N. PATEL: Most likely we are going  
13 to be telling them to use the back entrance or  
14 the back parking lot where they could park over  
15 there, pick up the delivery and go on. We  
16 don't want to block main Tulip Avenue.

17 DEPUTY MAYOR POMBONYO: Right. But  
18 even the parking lot there, along there is  
19 pretty busy.

20 We have unique problems, I don't have  
21 to tell you with parking, but also with  
22 maneuverability even through the parking lots.

23 And in some places in town the Uber  
24 Eats and other vehicles that do the take-out  
25 service and delivery do cause problems with

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1 traffic, stopping in the middle of nowhere,  
2 holding up traffic, taking up space where  
3 people need to move their cars in and out. So  
4 it's not easy and it's been challenging in some  
5 places.

6 So I would ask that you give that great  
7 thought in terms of how that would work where  
8 specifically you are located and how it would  
9 work to have cars like that coming in and out.

10 MR. B. PATEL: Right. Well, we can  
11 come up with a solution where, like, the driver  
12 comes in, we know the driver is on the way and  
13 we can just hand out the delivery without him  
14 coming inside.

15 DEPUTY MAYOR POMBONYO: That's a good  
16 idea.

17 MR. B. PATEL: And just go.

18 DEPUTY MAYOR POMBONYO: Good.

19 MR. B. PATEL: Maybe stopping for half  
20 a minute maybe.

21 DEPUTY MAYOR POMBONYO: That's good.

22 Thank you.

23 MR. B. PATEL: You are welcome.

24 MAYOR FITZGERALD: Trustee Chiara?

25 TRUSTEE CHIARA: Welcome. Are you

1 planning on having any parties in the  
2 establishment?

3 MR. B. PATEL: No.

4 TRUSTEE CHIARA: All in and out.

5 MR. B. PATEL: No parties. Just in and  
6 out.

7 TRUSTEE CHIARA: And have you  
8 considered garbage, where would you store  
9 garbage?

10 MR. B. PATEL: Garbage, we have the  
11 kitchen we are building inside where we going  
12 to keep the garbage there.

13 TRUSTEE CHIARA: Will you use private  
14 sanitation or will you be using Village  
15 services?

16 MR. B. PATEL: Village services.

17 TRUSTEE CHIARA: That's all I have.

18 MAYOR FITZGERALD: Trustee Stewart.

19 TRUSTEE STEWART: Hi, welcome.

20 I'm curious about how you settled on  
21 Haagen-Dazs as the franchise.

22 MR. B. PATEL: Franchise?

23 TRUSTEE STEWART: Was that the only one  
24 you explored? I don't want to be too nosy, I  
25 don't really know what I am allowed to ask, I

1 am curious how the franchise works.

2 MR. RYAN: You want some other brand?

3 TRUSTEE STEWART: I guess what I am  
4 really curious about is the requirements that  
5 they have versus the codes that we have and how  
6 they match.

7 MR. B. PATEL: Okay. Well, they didn't  
8 ask me for the Village codes in the beginning,  
9 they just got the location. When I proposed  
10 location of Floral Park, they came in and check  
11 out is it busy, whatnot. They looked at it  
12 business-wise, they didn't look at the codes  
13 because they were willing to work with the  
14 realtor because they had many locations in  
15 every different town and every different town  
16 has different codes.

17 So Renee had some comment on the plan  
18 that I submitted and I was just waiting for  
19 them to reply for those answers, and I just  
20 e-mailed the answers. So they are willing to  
21 work with the codes, you know, with the  
22 Village.

23 TRUSTEE STEWART: Thank you.

24 I just noticed that the drawings came  
25 from Texas when I was looking at them.

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1                   MR. B. PATEL: Yes. They highly  
2 recommended us to use them because they know  
3 all the codes. They are licensed in New York  
4 State as well.

5                   TRUSTEE STEWART: When do you think you  
6 might open?

7                   MR. B. PATEL: Well, we opening in  
8 March, like springtime, so that's the best  
9 season with a grand opening for any new  
10 business, especially the ice cream business,  
11 it's not worth it to open in the wintertime.

12                   TRUSTEE STEWART: Agreed.

13                   How do you -- being that I'm sure they  
14 have rules about deliveries and those kinds of  
15 things, how do you anticipate handling your  
16 deliveries?

17                   MR. B. PATEL: Deliveries, it's going  
18 to be, like, a weekly delivery just for the ice  
19 cream. Other than that everything comes  
20 through the UPS package, you know, paper goods  
21 and stuff like that.

22                   The only ice cream delivery is going to  
23 be in and out, it's not, like, major truck. I  
24 am not really sure how they deliver it.

25                   TRUSTEE STEWART: Do they deliver

1 weekly?

2 MR. B. PATEL: Yeah, weekly most  
3 likely. Depends like what we need. If we sell  
4 out faster, we get weekly deliveries, it  
5 depends how much stock we keep, and we intend  
6 to keep, like, you know, stock that we don't  
7 run out.

8 TRUSTEE STEWART: Like you said, your  
9 busier time would be in the summer, and some of  
10 the neighboring establishments also have  
11 outdoor dining which takes up some of the  
12 parking, so, you know, you want to just kind of  
13 with the school not being far away and church.

14 MR. B. PATEL: Delivery it's not going  
15 to be for hours of delivery time, it's going to  
16 be in and out, just like Associated does now  
17 with delivery.

18 TRUSTEE STEWART: Typically they get  
19 their deliveries very early in the morning.

20 MR. B. PATEL: Yes.

21 TRUSTEE STEWART: I just kind of want  
22 to go back to the garbage a little bit. Ice  
23 cream obviously melts and spoils, how you will  
24 take care of that sort of food garbage? That's  
25 a little different from the establishment you



1 currently run. Like when you said garbage in  
2 the kitchen.

3 MR. B. PATEL: Oh, so, it's -- well, I  
4 haven't thought of that.

5 TRUSTEE STEWART: Some of our food  
6 establishments or most of them, if not all of  
7 them, use, like, a refrigerated garbage.

8 MR. B. PATEL: Okay.

9 TRUSTEE STEWART: Commercial -- Kevin,  
10 Mr. Ginnane, commercial garbage pickup is only  
11 twice a week?

12 MR. GINNANE: Twice a week, Tuesdays  
13 and Fridays.

14 MR. B. PATEL: If there is special  
15 requirement for the garbage, we are willing to  
16 implement that whatever you require.

17 TRUSTEE STEWART: Thanks very much.  
18 Thanks for coming in tonight.

19 MR. B. PATEL: You are welcome.

20 MAYOR FITZGERALD: Trustee Longobardi.

21 TRUSTEE LONGOBARDI: Good evening,  
22 guys. Good to see you again.

23 Most of my questions were answered. I  
24 just want to go over two things real quick. I  
25 think the garbage is an important issue. If

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1 you can coordinate with Renee on that with what  
2 you need to be storing properly, because the  
3 last thing you need is a rodent problem as you  
4 know.

5 I just want to stress again with the  
6 food deliveries, things like that, coordinate  
7 that.

8 MR. B. PATEL: Absolutely.

9 TRUSTEE LONGOBARDI: We see it too many  
10 times on Tulip Avenue, I see it plenty of  
11 times, even --

12 MR. B. PATEL: Yes.

13 TRUSTEE LONGOBARDI: -- ten second  
14 double parked car causes major -- especially  
15 for emergency response, it's a major ripple  
16 effect. So if you just coordinate with that,  
17 make sure to use the back if that works out,  
18 just be mindful of that when planning  
19 everything out.

20 MR. B. PATEL: Absolutely. I intend to  
21 do that.

22 TRUSTEE LONGOBARDI: I look forward to  
23 March.

24 MAYOR FITZGERALD: Is there anyone here  
25 in Village Hall that has any questions?

1 (Whereupon, there was no response.)

2 MAYOR FITZGERALD: Anyone on Zoom that  
3 has any questions? Raise your hand.

4 (Whereupon, there was no response.)

5 MAYOR FITZGERALD: Any other questions  
6 from the Board?

7 TRUSTEE STEWART: Not at this time.

8 MAYOR FITZGERALD: I have one question  
9 for you. Do you know how to make an egg cream?

10 MR. B. PATEL: We will.

11 MAYOR FITZGERALD: If you don't, the  
12 chef of the future who grew up in Brooklyn, he  
13 will make them.

14 MR. RYAN: Off the record.

15 (Whereupon, a discussion was held off  
16 the record.)

17 MAYOR FITZGERALD: Thank you for coming  
18 in.

19 Can I have a motion to reserve decision  
20 and close the public hearing?

21 DEPUTY MAYOR POMBONYO: So moved.

22 TRUSTEE CHIARA: Second.

23 MS. WALSH: Trustee Pombonyo?

24 DEPUTY MAYOR POMBONYO: Aye.

25 MS. WALSH: Trustee Chiara?

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TRUSTEE CHIARA: Aye.

MS. WALSH: Trustee Stewart?

TRUSTEE STEWART: Aye.

MS. WALSH: Trustee Longobardi?

TRUSTEE LONGOBARDI: Aye.

MS. WALSH: And Mayor Fitzgerald?

MAYOR FITZGERALD: Aye.

Thank you.

(Whereupon, the Public Hearing was  
concluded and stood adjourned.)

\*\*\*\*\*

CERTIFIED TO BE A TRUE AND ACCURATE TRANSCRIPT OF  
THE ORIGINAL STENOGRAPHIC MINUTES TAKEN OF THIS  
PROCEEDING.

---

MARY KATE WALDRON  
COURT REPORTER