

Town latest to weigh vape shop rules

Law would keep vaping stores, hookah bars away from homes, churches, schools

BY JOE NIKIC

The North Hempstead Town Board took its first steps Tuesday to limit where indoor smoking establishments, such as vape shops and hookah bars, can be located.

The board introduced legislation aimed at keeping the establishments a certain distance from residences and areas where large number of children congregate.

"The businesses won't be banned because we really can't ban the business, but we will be regulating where they will be located," Town Councilwoman Dina De Giorgio said at a board meeting. "And they won't be located in close proximity to schools, churches, playgrounds, places where children congregate."

The proposed legislation would require indoor smoking businesses to be located at least 500 feet from a residential property or home.

It also requires the businesses to be at least 1,000 feet

from any school, place of worship, park, playground or playing field, library or hospital.

De Giorgio said her goal in suggesting this legislation was to "protect children from the ill effects of e-cigarettes and vape lounges."

Planning Commissioner Michael Levine said that the distance restrictions cross municipality lines, so if a school is located in the Town of Hempstead and a proposed vape shop or hookah lounge is less than 1,000 feet away, it would not be permitted.

Levine also said that in order for an existing indoor smoking establishment to be "grandfathered" in to the new regulations, it would need to have all necessary permits and conform to town code.

The proposed legislation, he said, will be reviewed by the Nassau County Planning Commission at its July 28 meeting.

The board voted to continue the public hearing for its Aug. 9 meeting to allow the county commission to make

any suggestions on the legislation.

Also at the meeting, the board set a public hearing for its Sept. 13 meeting on proposed legislation that would establish regulations on advertising for electronic cigarettes and other tobacco products on the outside of smoking businesses.

Also at the meeting, the board voted to approve the demolition of a gas station and three retail stores at 1301 Northern Blvd. in Manhasset for the construction of a TD Bank branch.

Kathleen Deegan Dickson, an attorney representing TD Bank, presented the board with an updated rendering of the site plan for the bank.

Dickson said changes were made to the original plan after the Council of Greater Manhasset Civic Associations had issues related to aesthetics and the location of curb cuts.

The site is at the corner of Northern Boulevard and Plandome Road, a lot currently

occupied by a BP gas station, Bellini Furniture, Refresh Nail n Spa and Phillips Education Systems.

Dickson said her client opted to move curb cuts further away from the intersection of Northern Boulevard and Plandome Road to help decrease traffic and prevent stacking of cars waiting to enter or exit the premises.

John Harter, a traffic consultant with Atlantic Traffic & Designs Engineers, said they studied the traffic cycle during peak hours of the gas station and predicted what traffic would be like once the bank is constructed.

Harter said they found that there would be a 40 percent decrease in traffic in the area.

Since there are two underground gasoline storage tanks under the premises, Dickson said, TD Bank is responsible for their removal and cleanup of the site.

After reviewing the proposal, the county Planning Commission prohibited left turns

on to the site and left turns leaving the site on Plandome Road.

Andrew Schwenk, the first vice president of the Council of Greater Manhasset Civic Associations, said the group requested curb cuts further north on Plandome Road so cars could have easier access making a left on to and out of the premises.

Levine said the board could vote and override the county Planning Commission's prohibitions, but would need a "super majority" of five yes votes.

The board voted to override the left turn prohibitions unanimously.

The board also voted to permit TD Bank to construct a three-lane, detached drive-through service structure on the premises.

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