

Town of Stony Point

Department of Planning

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PLANNING BOARD MINUTES APRIL 23, 2014 RHO BUILDING at 7:00 P.M.

Present:

Eric Jaslow, Member
Peter Muller, Member
Michael Puccio, Member
Gene Kraese, Member - absent
Gerry Rogers, Member
Michael Ferguson, Member
Thomas Gubitosa, Chairman

Michael K Stanton, Esq.
Special Counsel

Max Stach
Town Planner

PLANNING BOARD AGENDA APRIL 23, 2015 RHO BUILDING at 7:00 P.M

PUBLIC HEARINGS:

1. Varieur - SBL 20.09-1-6 Site Plan review located on the north side of Willow Grove Road 150 feet west of Thiells Road
 - Site Plan review

APPLICATIONS:

****Applicant requested to be taken off agenda for this month.

2. Stony Point Community Center and Rose Memorial Library – SBL 15.19-53 Site Plan Conditional Use located on the North Side of East Main Street 187 feet West of Hudson Avenue
 - New Application

Other Business:

Minutes of March 26, 2015 Meeting

Chairman: First on the Agenda is a Public Hearing on the Varieur application could you give us a quick update. I know at the TAC Meeting we got everything covered we did the Site Visit the Type II any update on your part.

Varieur - SBL 20.09-1-6 Site Plan review located on the north side of Willow Grove Road 150 feet west of Thiells Road
Site Plan review

Dr. Varieur: There is nothing to really update unless anyone had questions on the Site Plan.

Chairman: I think we are all up to date just give us a quick update with the project.

Dr. Varieur: As far as the (inaudible) goes I have the space on my property I am a dentist in Stony Point and I have lived at my address since 1997 and I use to have a practice down at Filors Lane and I have been moved out of the Town I was in Congers for a bit and I wanted to come back and open up a small office at my house for the next 10 years or so as I get ready to retire. So I have an extra space that was unused and it was becoming a junk room for my kids so it is a nice size space that I can easily convert into an office. I have ample parking and it would not be any visible change from the outside with the exception of a new door. So there is no change on the outside I have ample clearance from the bordars of my property.

Chairman: Just tell everyone that nothing new is happening no new construction to the existing site what you are going to do with that site is your office.

Dr. Varieur: Right no new construction outside.

Chairman: At this time I am going to open the Public Hearing and I want to ask if you wish to speak to state your name address for the record and just address the Board if you have any comments. If there is anyone who has comments you can stand and state your name and address. No comments from the public.

MOTION: CLOSE THE PUBLIC HEARING

Made by Peter Muller and seconded by Gerry Rogers

All in favor

Chairman: Now what we are going to do is Max is going to go over some comments and then we are going to go over the Resolution.

Mr. Stach: So since the last time the Planning Board heard this application we did receive some correspondence from Rockland County Planning and Rockland County Highway Department. Rockland County Planning had stated in the review that we must consider or rather that the County Highway Department must complete a review of the Project and all require permits be obtained the Rockland Highway Department indicated that a grading and drainage plan be developed to show the proposed layouts that a stream on the site be identified that the Rockland County Drainage Agency given a chance to review and then noted at the end that a Highway Department work permit would be required. In actually there is no site disturbance to the site so there is no need for grading or drainage or review by the drainage agency and it is likely that the Highway Department work permit will not be required. However give that this is a comment I would suggest that you acknowledge it in your resolution and clarify that these will not be required at the Planning Board and adopting it since you will not be listening to those recommendations you need to have five affirmative votes on the action other than that I just want reiterate to that this is a small action of seven hundred square feet which is conforming with zoning and therefore is not subject to SEQRA.

Chairman: Bill do you have any comments?

Mr. Sheehan: OK no comments.

Chairman: I am going to read a resolution then once I read it I will ask for a motion and a second.

RESOLUTION

GRANTING and APPROVING

A CONDITIONAL USE PERMIT and SITE PLAN

For The

APPLICATION OF MICHAEL J. VARIEUR

WHEREAS, an application, dated March 2, 2015, has been submitted to the Planning Board of the Town of Stony Point seeking the issuance of a Conditional Use Permit and Site Plan approval permitting the conversion of a portion (700 sq. feet) of an existing two-story frame dwelling to a home professional office use with the remaining portions of the said existing structure to remain as a single family residence, upon a submitted plan entitled "Proposed Home Professional Office for Varieur" consisting of one (1) sheet, prepared by Anthony R. Celentano PLS, dated February 23, 2015, last revised March 23, 2015 on a parcel located at and commonly known as 241 Willow Grove Road, Stony Point, N.Y., designated as Section 20.09, Block 1, Lot 6 on the Tax Map of the Town of Stony Point, County of Rockland, which parcel is located in the RR Zoning District; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, this is a Type II Action; and

WHEREAS, by letter dated March 16, 2015, the Rockland County Department of Health commented that (1) the subsurface disposal (septic) will need to be redesigned to accommodate increased flows, (2) that the existing well on the subject property was to be located and shown on the plans, and (3) that if the residence also has United Water New York service, a flow prevention device will be needed; and

WHEREAS, by letter dated April 3, 2015, the Rockland County Department of Planning commented that (1) a review is required by the County of Rockland Department of Highways and all required permits obtained, and (2) that the comments in the aforementioned March 16, 2015 letter from the Rockland County Department of Health must be met; and

WHEREAS, by letter dated April 6, 2015, the Rockland County Department of Highways commented that (1) the available sight distances on both sides of the existing access should be shown on the map, (2) that a grading and drainage plan should be developed to show the proposed layouts, containing the name of the tributary stream, (3) that the Rockland County Drainage Agency should be offered a chance to review and approve the proposed action, (4) that the proposed application should not otherwise have any impact on County roads, and (5) that a Rockland County Highway Department Work Permit must be secured prior to the start of any construction on the site; and

WHEREAS, a duly noticed public hearing was held on April 23, 2015 at 7:00 p.m. at which date the applicant appeared by its representative, Michael Varieur, and at which date the public hearing was conducted, concluded and closed; and

WHEREAS, the board heard and considered comments on the application; and

WHEREAS, the board has determined pursuant to Town Code Section 215-79 that the use and proposed development conforms with the conditions and standards set forth in the Town Zoning Code; and

WHEREAS, the proposed use is of location, size and character that it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated and shall not be detrimental to the site or adjacent properties in accordance with the zoning classification of such properties.

The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets is such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous.

The location and height of buildings; the location, nature and height of walls and fences; and the nature and extent of landscaping on the site is such that the use will not hinder or discourage the development and use of adjacent land and buildings.

The proposed use will not require such additional public facilities or services or create such fiscal burdens upon the Town greater than those which characterize uses permitted by right; and

WHEREAS, the board has considered the comments set forth in the aforementioned April 6, 2015 letter from the Rockland County Department of Highways, and has determined that, since no new construction or exterior changes are proposed in any way, it is unnecessary for the applicant to show the available sight distances on both sides of the existing access on the map, nor to develop or show a grading and drainage plan showing the proposed layouts or containing the name of the tributary stream, and that the Rockland County Drainage Agency need not be offered a chance to review and approve the proposed action;

NOW, THEREFORE, be it

RESOLVED that the plan submitted for approval dated March 2, 2015 seeking the issuance of a Conditional Use Permit and Site Plan approval permitting the conversion of a portion (700 sq. feet) of an existing two-story frame dwelling to a home professional office use with the remaining portions of the said existing structure to remain as a single family residence, upon a submitted plan entitled "Proposed Home Professional Office for Varieur" consisting of one (1) sheet, prepared by Anthony R. Celentano PLS, dated February 23, 2015, last revised March 23, 2015 on a parcel located at and commonly known as 241 Willow Grove Road, Stony Point, N.Y., designated as Section 20.09, Block 1, Lot 6 on the Tax Map of the Town of Stony Point, County of Rockland, which parcel is located in the RR Zoning District, **be and hereby is approved**, subject to the following conditions:

1. That no more than two persons, including members of the family residing on the premises, shall be employed thereat;
2. That the professional office space be occupied only for a dental office;
3. Full compliance with all the terms and conditions set forth in the letter dated March 16, 2015 from the Rockland County Department of Health, the letter dated April 3, 2015 from the Rockland County Department of Planning, and subject to the applicant obtaining any Rockland County Highway Department Work Permit which may be required;
4. Compliance with all provisions of the Town Code and payment of any and all outstanding fees to the Town,

and the Chairman is hereby authorized to sign same and to permit same to be filed in the office of the Town Clerk as a Site Plan and a Conditional Use Permit.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

There being six (6) votes in favor of the motion, no (0) votes against the motion and no (0) abstentions thereto, the Chairman declared the motion carried and the Resolution was thereupon duly adopted.

THOMAS GUBITOSA, Chairman
Town of Stony Point Planning Board

Filed in the Office of the Clerk of the Town of Stony Point on this 29th day of April 2015.

Hon. Joan Skinner, Town Clerk
Town of Stony Point

MOTION: RESOLUTION GRANTING APPROVAL OF SITE PLAN

Made by Gerry Rogers and seconded by Eric Jaslow

Roll call vote all in favor

Mr. .Jaslow – yes

Mr. Muller – yes

Mr. Puccio – yes

Mr. Ferguson – yes

Mr. Rogers – yes

Chairman Gubitosa - yes

Chairman: Alright the Resolution is passed. Last thing the minutes of March 26, 2015.

MOTION: ACCEPT MINUTES OF MARCH 26, 2015

Made by Gerry Rogers and seconded by Eric Jaslow

MOTION: CLOSE PLANNING BORD MEETING

Made by Peter Muller and seconded by Gerry Rogers

Respectfully submitted,

Mary Pagano, Clerk to the Planning Board