

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

- - - - - X

IN THE MATTER

OF

111 SOUTH LIBERTY DRIVE

- - - - - X

Town of Stony Point  
RHO Building  
5 Clubhouse Lane  
Stony Point, New York  
March 23, 2023  
7:01 p.m.

BEFORE:

MARK JOHNSON, CHAIRMAN  
KERRI ALESSI, BOARD MEMBER  
ROLAND BIEHLE, BOARD MEMBER  
MICHAEL FERGUSON, BOARD MEMBER  
ERIC JASLOW, BOARD MEMBER  
JAMES PURCELL, BOARD MEMBER

ROCKLAND & ORANGE REPORTING  
2 Congers Road, Suite 2  
New City, New York 10956  
(845) 634-4200

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

CHAIRMAN JOHNSON: All right. On the agenda, we've got 111 South Liberty Drive. Earlier this week, there was some correspondence with County Planning. And I think, Steve, you have some, some ideas and input on that.

MR. HONAN: Yeah. Just recently, a Rockland County Department of Planning letter was issued pursuant to a GML, a referral letter dated March 21, 2023, consisting of approximately four or five pages. Five pages, yes.

And the Department of Planning essentially indicated a disapproval. I'm not sure all the Board Members have got an opportunity to review it, but I suggest they do so. And I think we can consider it at the next meeting and discuss it, unless the Board Members wish to discuss it now. But I realized that we were planning on referring the applicant to the ZBA. I think we can still do that, but just with a proviso that the Board is going to be considering this,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

this letter from the Department of Planning.

CHAIRMAN JOHNSON: Right. Yeah. Our referral to ZBA is not a, an endorsement of the plan at this point.

MR. HONAN: That's correct.

CHAIRMAN JOHNSON: Okay. Okay. Does anybody on the Board have any questions or comments on the letter that we've gotten? I haven't had much of a chance to digest it myself, so I don't know if you guys have or not.

BOARD MEMBER BIEHLE: Lot of comments.

BOARD MEMBER JASLOW: Not at this time.

CHAIRMAN JOHNSON: All right, thanks. Max, do you have anything?

MR. STACH: Well, I think one of the things that we also received, frankly, was comments from the DOT. I think that came today. Was it today or yesterday?

THE CLERK: From who?

MR. STACH: New York State DOT.

THE CLERK: Oh, DOT, yes. It came March 21st.

MR. STACH: So two days ago.

1 Proceedings

2 THE CLERK: Email.

3 MR. STACH: Yes. And frankly, I think  
4 that, in terms of process, I'm more concerned  
5 about because they had indicated that they  
6 wanted a TIS, that they had concerns with the  
7 curb cut, and they wanted a study done on  
8 that. And I think that, so referring to the  
9 Planning Board I think is --

10 CHAIRMAN JOHNSON: To the Zoning Board.

11 MR. STACH: The Zoning Board, thank you.  
12 Referral to the Planning Board isn't  
13 affected, but I think the neg dec is going to  
14 properly consider --

15 CHAIRMAN JOHNSON: Yeah.

16 MR. STACH: -- their input here. I  
17 think we had testimony from the applicant's  
18 traffic consultant that a TIS wasn't  
19 necessary. And I think DOT's requiring it  
20 here.

21 CHAIRMAN JOHNSON: Yeah.

22 MR. STACH: Gives us pause a little bit  
23 in terms of making sure that that's dealt  
24 with before you get a negative declaration.  
25 So I think while they can begin the process

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

with the ZBA, the ZBA will be waiting for your neg dec before they can make their decision.

CHAIRMAN JOHNSON: Okay.

MR. STACH: Okay.

CHAIRMAN JOHNSON: Ping pong.

MR. STACH: Yeah.

CHAIRMAN JOHNSON: All right. There was a couple other things that County was looking at. Where was that. No, no, that was Board of Health. Yeah. They wanted the capacity study, the typical mosquito, and some information from the Board of Health, okay. All right, so.

BOARD MEMBER BIEHLE: The stormwater management system.

CHAIRMAN JOHNSON: So I guess we need to take a motion to refer them to the ZBA. Can I get a motion?

MR. HONAN: Yes.

BOARD MEMBER PURCELL: Motion.

CHAIRMAN JOHNSON: Can I get a second?

BOARD MEMBER FERGUSON: Second.

CHAIRMAN JOHNSON: All right. We've got

1 Proceedings

2 a motion and a second. All in favor to send  
3 them to the ZBA?

4 BOARD MEMBER ALESSI: On the condition  
5 that --

6 CHAIRMAN JOHNSON: Yes. Right, exactly.  
7 All in favor?

8 (Response of aye was given.)

9 CHAIRMAN JOHNSON: Any opposed? All  
10 right. ZBA bound.

11 MR. BROOKER: Okay. Thank you very  
12 much. We will take into consideration and  
13 start to address all the new comments that we  
14 just received. But like you mentioned, we  
15 didn't have time to digest all of these  
16 comments and decide what to, you know, what  
17 to do about them. So it will take a little  
18 bit of time.

19 CHAIRMAN JOHNSON: Yeah, yeah.

20 MR. BROOKER: All right. Very good.

21 CHAIRMAN JOHNSON: For us as well.

22 BOARD MEMBER JASLOW: I have a short, I  
23 have a question. You know, after the last  
24 meeting that you guys presented at, you know,  
25 and looking at the pictures and going over

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

everything, that I really feel that, like, the building doesn't fit, and what you're proposing doesn't fit into the town. And you know, it kind of would stick out like a sore thumb and something like -- if you look at our town, nothing is like that.

And if you look across the street at, like, Liberty Ridge and what they're doing at Eagle Bay, that fits in the town. So maybe they could look back and see, is there another configuration that they can do to get their amount of apartments that they want and space, you know, that would fit better esthetically and, you know, keep the town growing like the town's been growing.

CHAIRMAN JOHNSON: Town Hall.

MR. BROOKER: You've seen the latest architectural renderings.

BOARD MEMBER JASLOW: Yes.

MR. BROOKER: And we do have it set back in the building now so you can see --

BOARD MEMBER JASLOW: No, I know. We went through that last time.

MR. BROOKER: Right. So there's been a

1 Proceedings

2 lot of work to try to address it. Is there  
3 something specific in terms of the  
4 architecture that, you know, you have in  
5 mind?

6 BOARD MEMBER JASLOW: Just, I mean,  
7 like, it goes back to something like this,  
8 where you have an 800-foot tree covering the  
9 building, and it's going to look nothing like  
10 that. And you know, you look across the  
11 street at Liberty Ridge and it fits in. It's  
12 not obtrusive. It's, it fits everything --  
13 you drive down any street in Stony Point and  
14 you'll see Victorian houses, regular houses,  
15 Sears houses, and there's no big building in  
16 Stony Point. I don't know. It's just my  
17 opinion.

18 MR. BROOKER: Okay. Well, you know, we  
19 can have the architects look at changing  
20 styles and facades. But in terms of the  
21 volume of the building, we did go from 88  
22 lots down to 86 dwellings, and tried to break  
23 up the facade into buildings that look like  
24 maybe attached smaller buildings, like you  
25 would see in a downtown area, at least on



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

Route 59 in a commercial area, where the buildings over here are a shopping center. And you have the shopping center with --

BOARD MEMBER JASLOW: But even a shopping center next to it, it doesn't look like that fits in. It's pieces.

MR. BROOKER: Is there something about it that you think makes the difference --

BOARD MEMBER JASLOW: Yeah.

MR. BROOKER: -- architectural treatment wise?

BOARD MEMBER JASLOW: Again, the only thing I can say is that look across the street and that's, to me, is acceptable.

CHAIRMAN JOHNSON: Well, they're a little more broken up like townhome style clusters, as opposed to one big block building, I think is what he's --

BOARD MEMBER JASLOW: Well put. Thank you.

MR. BROOKER: But you know, that will spread out the project. The land use is not there for that kind of spread out thing so that you wouldn't generate the number of

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

units that way. The best thing that we could offer would be changes in architectural treatments to -- I think that the architect was trying to make it look like a series of smaller buildings that are attached like you see in many downtowns.

You know, there was a start of it, of course, on 9W and Main Street, where Malloy's was there, and there was some other buildings close by. But Stony Point really doesn't have a huge downtown area like many of the smaller villages in the county and in the, in the country, for example, have. So there's no, like, central business district where you would see that. But.

BOARD MEMBER JASLOW: But even Malloy's looked, Malloy's was welcoming.

MR. BROOKER: What was that?

BOARD MEMBER JASLOW: It was welcoming. You walked in the back door, you walked in the front door. It wasn't, you know, huge. It was like a big house.

MR. BROOKER: I understand.

BOARD MEMBER JASLOW: Not 88 families in

1 Proceedings

2 one house.

3 MR. BROOKER: Well, I understand. I was  
4 born and raised here.

5 BOARD MEMBER JASLOW: Yeah.

6 MR. BROOKER: Lived just down the  
7 street. And I remember this site and I  
8 remember, you know, all the buildings around.  
9 So I understand the character of Stony Point.

10 BOARD MEMBER JASLOW: Okay.

11 MR. BROOKER: But what really, what this  
12 is is a transition between the Main Street of  
13 the town and the residential single-family  
14 homes, sort of a bringing in a different  
15 mixture of housing styles that allow for  
16 diversity of the offering of living styles in  
17 the town. There isn't any building like  
18 this, but this is not uncommon in many other  
19 places. It's just not that common, it's not  
20 common in Stony Point.

21 Over on Washburns Lane, there's like a  
22 six-family house. There's six-family  
23 apartments. Couple of them at the end of  
24 Clark Road. And you know, you have the  
25 mobile home parks that are spread out along

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

there. So you have some diversity of housing besides just single-family housing.

BOARD MEMBER JASLOW: Right.

MR. BROOKER: But this one isn't really designed for that purpose. It's not just a transition to something else. It's designed to provide that niche in the, in the availability of rental housing. And so, you know.

I like the look of it. I don't think that it's going to look like a sore thumb in the town and in the feel of it, like the village feel. Maybe you'll like it and it will become the thing that you really like. Sometimes you have to see it in full scale to really get the impression.

I'll give you an example. When I was building -- I have a building in downtown Suffern. And I submitted an architectural plans and the renderings. And they said oh. So many people were saying oh, it's going to ruin the entire community in the downtown because it's taller than the building next to it. And I persevered with the building.

1 Proceedings

2 BOARD MEMBER JASLOW: This is the  
3 building by the train station.

4 BOARD MEMBER PURCELL: Talking about the  
5 condos that were built on the --

6 MR. BROOKER: I'm talking, it's where  
7 Sushi Bada is, if you --

8 BOARD MEMBER BIEHLE: Oh, yeah, the  
9 brick building.

10 MR. BROOKER: The brick building, that's  
11 my office. You know, we built that building.  
12 It used to be a green fence. It was a  
13 disastrous piece of property in the middle of  
14 village. And I can't tell you how many  
15 people, like, stop me on the street to say  
16 I'm so happy you did that. But while it was  
17 in the planning process, it had a lot of  
18 angst and a lot of, you know, uncertain how  
19 it would look just from renderings.

20 So I think the building is handsome.  
21 The architect is an excellent architect on  
22 this job. And you know, I think you will be  
23 proud of it. It's just, it is different.  
24 It's not --

25 BOARD MEMBER BIEHLE: It's pretty

1 Proceedings

2 massive.

3 MR. BROOKER: It's larger than what you  
4 would say you have anywhere else in the  
5 village in terms of housing. But it's not  
6 massive compared to commercial structures and  
7 things that are in, in the town. So like I  
8 said, it has sort of a village feel instead  
9 of like a rural town feel.

10 So it is -- there's all the commercial  
11 structures. You have Helen Hayes Hospital.  
12 You have, you, know larger buildings  
13 throughout. It's just that they're not  
14 residential.

15 CHAIRMAN JOHNSON: Yeah. But there's  
16 not many, even up and down 9W. I think the  
17 nearest one we have that's something of that  
18 magnitude is probably the, what is it, the --

19 BOARD MEMBER BIEHLE: Riverside.

20 CHAIRMAN JOHNSON: Yeah, Riverside.  
21 Right, yeah. Yeah, down on 9W by the old  
22 used car lot, whatever that is.

23 BOARD MEMBER PURCELL: You got, you got  
24 the old electronics building, too, right next  
25 to it, next to Walgreens, set back. That's a

1 Proceedings

2 big commercial building right next to it.

3 But you can't see it now because the trees  
4 are grown around it.

5 CHAIRMAN JOHNSON: That's basically a  
6 two-story building, where it does sit up on  
7 the hill.

8 BOARD MEMBER PURCELL: Sits up on the  
9 hill.

10 BOARD MEMBER JASLOW: Nobody even knows  
11 it's back there.

12 BOARD MEMBER PURCELL: You don't see it,  
13 right, because it's up on the hill and it's  
14 covered by trees.

15 MR. BROOKER: Well, here, we lowered the  
16 building by five feet in response to the  
17 concerns about the height of the building,  
18 introduced some setbacks. I think  
19 introducing the coloring scheme kind of sets  
20 that, that it's going to break up that it's  
21 one building.

22 And you can see in this photo, you know,  
23 you can imagine if this was in a downtown  
24 area, it looks a lot to me like Saratoga,  
25 New York. You know, where you go in, you see

1 Proceedings

2 what they're building there. The buildings  
3 are really fabulous-looking and great. But  
4 of course, that's a city and this is not.

5 But this is the property that has, you  
6 know, reason to be developed in this way.  
7 And it's economically feasible, and it  
8 provides the diversity of housing that the  
9 town probably could use. So that's why the  
10 proposal -- I guess that's why the zoning  
11 code was written in the way it was. What can  
12 I tell you.

13 BOARD MEMBER JASLOW: That's fine. It's  
14 just my opinion. You know, you giving your  
15 opinion. I'm giving my opinion.

16 MR. BROOKER: I know.

17 BOARD MEMBER JASLOW: Thanks.

18 MR. BROOKER: What can I tell you.

19 BOARD MEMBER JASLOW: You're telling me  
20 what you're going to tell me.

21 MR. BROOKER: Okay.

22 CHAIRMAN JOHNSON: There's going to be  
23 plenty more discussion, I'm sure.

24 MR. BROOKER: Yeah. If you have  
25 something that, you know, that you can point



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

your fingers at to say, you know, gee, I don't know, this would make it better. If you ever -- have you ever been to, in the Saratoga area?

BOARD MEMBER JASLOW: Yes.

MR. BROOKER: Go look at the buildings.

BOARD MEMBER JASLOW: I know.

MR. BROOKER: You'll see.

BOARD MEMBER JASLOW: We're not Saratoga. I mean, I understand everything you're saying. It's a good looking building. I just don't think that kind of building fits. That's all.

MR. BROOKER: Okay. All right. So we will address these comments so that we have engineers' comments. We have now comments from the reviewing outside agencies to address. We have got to do a negative declaration before we can go to the ZBA.

CHAIRMAN JOHNSON: The ZBA, yeah.

MR. BROOKER: So there will be a lot more discussion about it.

CHAIRMAN JOHNSON: Yeah, I'm sure.

MR. STACH: You can go to the ZBA. You

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

can't get a decision from the ZBA.

MR. BROOKER: Right.

MR. STACH: And since it's a two meeting process, it makes sense for you to start.

MR. BROOKER: Right. This way, we can go kind of at the same time instead of sequentially. All right.

MR. STACH: Now, Brian, in terms of the traffic report, I imagine you're going to put that together very quickly to get to DOT.

MR. BROOKER: Yeah.

MR. STACH: You know, I don't know how closely you're working with them on their issues, if we can depend on their review to satisfy our traffic SEQR. But if, if it's going to be three or four months on DOT's calendar, and if you are looking for, to clear the traffic as an environmental issue at this Board for the neg dec, I would think we would have to review that. We would have to have a traffic person review that.

MR. BROOKER: Right. Well, we're going to have to prepare the traffic study now in its full form --

1 Proceedings

2 MR. STACH: Yeah.

3 MR. BROOKER: -- in accordance to what  
4 they're asking for. I don't know how long  
5 that will take.

6 MR. STACH: Yeah.

7 MR. BROOKER: So for however long it  
8 takes, it takes. But now we know what the  
9 requirement is. And it was also in the  
10 County Highway letter.

11 THE CLERK: No Highway.

12 MR. BROOKER: It was a similar request,  
13 so.

14 MR. STACH: County Planning. Yeah,  
15 County Planning, you meant. We don't have a  
16 Highway.

17 THE CLERK: Planning, DOT, and Health.

18 MR. STACH: Yeah.

19 MR. BROOKER: I thought I got a Highway  
20 letter.

21 MR. STACH: There's no County road  
22 involved.

23 MR. BROOKER: No, I know. I wondered --  
24 that's why I thought it was -- I'll have to  
25 get that, but. County Health.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

THE CLERK: Here's DOT and Planning.

CHAIRMAN JOHNSON: Health, State DOT.

THE CLERK: And Planning.

MR. BROOKER: This was the County Highway letter, I think.

THE CLERK: Well, then we didn't receive it yet.

MR. BROOKER: Oh, okay.

MR. STACH: Dated March 1st.

THE CLERK: No, I didn't get it.

CHAIRMAN JOHNSON: Really?

THE CLERK: We just got these three this week. Actually, it was the last few days.

MR. STACH: I wonder -- that's interesting. Did we send it to County Highway?

THE CLERK: Yes.

MR. STACH: Okay.

THE CLERK: Because it's 9W, right?

MR. BROOKER: Yes.

MR. STACH: Oh, they're also asking for a traffic impact study.

MR. BROOKER: Correct. That's what I mentioned.

1 Proceedings

2 MR. STACH: For the -- okay. Yeah, I  
3 wasn't even aware of this one.

4 THE CLERK: Who is it written to? Is it  
5 written to us?

6 MR. BROOKER: It's written to the  
7 Planning Board of the Town of Stony Point.

8 THE CLERK: Okay.

9 MR. BROOKER: It's dated March 1st, but  
10 we just saw it, so.

11 THE CLERK: You just got it today, okay.  
12 Maybe mine is coming.

13 MR. BROOKER: I don't know what happened  
14 to it. Do you want a copy of it?

15 THE CLERK: Yes, please.

16 MR. BROOKER: So just take that if you  
17 want.

18 THE CLERK: Okay.

19 MR. BROOKER: And we'll print another  
20 one.

21 THE CLERK: Thank you. Thank you.

22 MR. BROOKER: Thank you. All right,  
23 thank you very much.

24 BOARD MEMBER ALESSI: Thank you.

25 MR. BROOKER: Appreciate your time.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

CHAIRMAN JOHNSON: Thank you.

(Time noted: 7:21 p.m.)

oOo

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Proceedings

THE FOREGOING IS CERTIFIED to be a true  
and correct transcription of the original  
stenographic minutes to the best of my ability.

  
\_\_\_\_\_  
Jennifer L. Johnson

