

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

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IN THE MATTER
OF
TIM HORTON'S

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Town of Stony Point
19 Clubhouse Lane
Stony Point, New York
April 25, 2024
8:08 p.m.

BEFORE:

MARK JOHNSON, CHAIRMAN
KERRI ALESSI, BOARD MEMBER
ROLAND BIEHLE, BOARD MEMBER
ERIC JASLOW, BOARD MEMBER
JAMES PURCELL, BOARD MEMBER
JERRY ROGERS, BOARD MEMBER

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MS. CARDO: Good evening, Board. My name is Andrea Cardo and I'm with Interplan, and I'm here representing Tim Horton's. Our project address location is 180 South Liberty Drive.

The location is in an outparcel that's located within the Colonial Plaza shopping center where the Tractor Supply is also located. This used to be the Marine Midland Bank. And you can see the Google map representation, as well as our overall site plan.

So narrowing in on the site plan, we are proposing to keep the building in the footprint that it is. We're not making any alterations to the footprint. We are proposing to make some alterations to the site.

We're planning on redesigning and reconfiguring the drive-through, making it a double drive-through. The current parking spaces that are abutting the building on the east side will be flipped to the opposite

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side of the drive-through. We also have permission from the shopping center property owners to use a portion of the parking spaces that are adjacent to the drive aisle that runs parallel with Liberty Drive. And we've proposed a pedestrian pathway for connection purposes.

Two different types of site lighting that we are proposing are site lighting on a pole, and also some wall packs and some sconces. So this is our site lighting plan which also includes the photometrics.

We're proposing to upgrade the landscaping on the site by adding a row of hedges along the northern property boundary. We're also planning on putting plants up against the drive aisle and the handicapped ramp that's existing and going to stay. We're also planning on adding two trees, one at the northwest corner of the site and one at the south -- I'm sorry, northeast corner of the site and southeast corner of the site.

This is a color rendering of all four elevations. The main picture at the bottom

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shows what you'll see from Liberty Drive.
And then the other four representations of
the other four sides of the building is where
you can see the wall lighting and the signage
that we're proposing.

That concludes my presentation. We are
here to answer any questions that you may
have. And we also have the owner-operators
here to answer any questions you may have as
well. Thank you.

CHAIRMAN JOHNSON: John?

MR. O'ROURKE: All righty. Well, as
they said, they're here to present to the
Board. The next step that this Board would
have to take is schedule a public hearing if
you so desire, and refer to the ARB. Mary
has previously sent these to outside
agencies. We received comments from New York
State Department of Transportation earlier
today. I believe she sent that to everyone.
I don't know if she's provided it to the
applicant.

APPLICANT: We just received it.

MR. O'ROURKE: Okay. So they had some

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2 comments. As Max has pointed out previously
3 during the TAC, it's a Type II action, so
4 there is no lead agency. So there's no SEQ
5 review that you have to do.

6 Again, an existing building, an existing
7 shopping center with existing entrances and
8 exits. We have gone through in the TAC
9 meetings to, I'm going to say tweak the plan
10 to what we feel will make it a little bit
11 smoother traffic-wise. They added a second
12 lane drive-through at that location. They've
13 limited the right-hand turn out of the
14 drive-through so you can't take that quick
15 right to get on 9W.

16 CHAIRMAN JOHNSON: So there's no
17 right-hand turn, or only the right lane --

18 MR. O'ROURKE: Out of their parking, out
19 of their drive-through. So anybody that
20 pass -- Lord knows why anybody would try
21 going out that exit.

22 CHAIRMAN JOHNSON: Well, it's fine if
23 you're just going north.

24 MR. O'ROURKE: Going -- yes. But what
25 they've limited, no right-hand turn out of

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2 their drive-through, so even if they're going
3 north.

4 CHAIRMAN JOHNSON: Okay. So either --
5 because you said there's two drive-through
6 lanes?

7 MS. CARDO: Yes, that's correct.

8 CHAIRMAN JOHNSON: So neither one of
9 those are can turn --

10 MR. O'ROURKE: Yeah, they're all
11 supposed to go to the left so they can go out
12 by the traffic light.

13 MR. STACH: So there's two drive-through
14 lanes up to the order boards.

15 BOARD MEMBER JASLOW: Oh, but one
16 whole --

17 MR. STACH: Then they merge together for
18 the windows, but they're leaving enough area
19 striped that if you wanted to get by, you
20 could.

21 BOARD MEMBER JASLOW: So the flow is
22 going like the whole bank flow.

23 CHAIRMAN JOHNSON: Right.

24 BOARD MEMBER JASLOW: The same way.

25 MR. O'ROURKE: Yes, yeah. The flow is

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2 the same.

3 BOARD MEMBER JASLOW: Like Tractor
4 Supply lot coming in.

5 MR. O'ROURKE: Yup.

6 CHAIRMAN JOHNSON: Yeah. They have
7 the -- as they exit the drive-through left,
8 and then you hit north --

9 MR. O'ROURKE: As they exit the
10 drive-through, they're supposed to go to the
11 left.

12 BOARD MEMBER JASLOW: It's just going to
13 be a no left-hand -- no right turn sign.

14 CHAIRMAN JOHNSON: Yeah.

15 MR. O'ROURKE: Yes.

16 BOARD MEMBER JASLOW: Not a, something
17 in the road or anything like that.

18 CHAIRMAN JOHNSON: Executioner standing
19 there.

20 MR. O'ROURKE: As of now, no. I mean,
21 we haven't gotten to that. If we can, if we
22 feel there's something, like, with the
23 curbing that we can do to kind of --

24 BOARD MEMBER PURCELL: Enhance.

25 MR. O'ROURKE: Or reduce.

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2 BOARD MEMBER JASLOW: Why is that? Just
3 curious. Like, why don't you want the
4 right-hand turn?

5 CHAIRMAN JOHNSON: Well, because
6 somebody's going to hold up everything by
7 wanting to turn left onto 9W.

8 MR. O'ROURKE: That's a concern because
9 it's so close to 9W, and it's fairly steep
10 there.

11 BOARD MEMBER JASLOW: So it's not you
12 can't make a right-hand turn out of the
13 drive-through, it's that you can't make a --

14 MR. STACH: No, it is that.

15 MR. O'ROURKE: No, it's only out of the
16 drive-through.

17 BOARD MEMBER ALESSI: It's to force you
18 to go to the light.

19 CHAIRMAN JOHNSON: Yeah.

20 BOARD MEMBER PURCELL: Force you to go
21 through the lot to go to the light.

22 BOARD MEMBER BIEHLE: But anybody else
23 coming out of the parking lot can go up, make
24 a left.

25 MR. O'ROURKE: Yes. Because they're not

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backing up the drive-through. So if somebody's trying to take a right and there's a car there already, ends up everything backs up.

BOARD MEMBER JASLOW: Oh. But, yeah. I get you.

MR. O'ROURKE: And the reality --

MR. STACH: And there's no restrictions on left turns there.

BOARD MEMBER JASLOW: Yeah.

MR. STACH: So you can make a left turn. You can try to make a left turn.

BOARD MEMBER JASLOW: Well, if people are lined -- not that there ever are people waiting to --

CHAIRMAN JOHNSON: It won't be the Tim Horton's people, it won't be the Tim Horton's people backing up the drive-through. It's everybody else trying to turn left out of that, yeah.

BOARD MEMBER PURCELL: If I'm correct, there's no break in the double yellow line. So by law, you're not allowed to make a left-hand turn out of there, by New York

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2 State law. You'd have to have a broken
3 double yellow to make that left.

4 MR. STACH: Except the pavement is so
5 crappy that there's literally breaks in the
6 yellow line.

7 BOARD MEMBER PURCELL: Remember that?
8 Everybody got tickets.

9 MR. O'ROURKE: So basically, through the
10 TAC meeting, we tweaked the plans. You know,
11 they've addressed a lot of Max's comments
12 about the landscaping and the drive-through.
13 Dropoff areas, pedestrian access for pick up.
14 You know, when you order on the app, you can
15 park and get into it. So generally, again,
16 it's existing. We're -- my office is pretty
17 well satisfied with the plans as they are.

18 BOARD MEMBER BIEHLE: It would be nice
19 to see something in there. It's been
20 abandoned so long.

21 MR. STACH: Yeah. So, so they did an
22 excellent job responding to our concerns.

23 CHAIRMAN JOHNSON: And I remember you
24 had some questions about signage on, or size
25 of the signage.

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2 MR. STACH: Yeah, so I think, I think
3 what the applicant is going to do is they're
4 going to adhere to whatever the -- I think
5 the approach was going to be they were going
6 to adhere to whatever the code requires. And
7 if they need variances, they would come back
8 later. Is that still the --

9 APPLICANT: Yes.

10 MS. CARDO: Yes.

11 MR. STACH: The only thing that we had
12 remaining on this was about landscaping,
13 which after the TAC meeting, I did go to the
14 site. And I think lawn for, if you would
15 prefer lawn for the new, the newly green
16 area. So you're going to be getting --
17 they're going to be getting a lot of asphalt
18 up that they're no longer going to need,
19 right, along the edge of their drive-through
20 lanes.

21 There are small shrubs along the fence
22 where Tractor Supply is that look pretty
23 good. They actually did a pretty nice job,
24 yeah. I would just think that you would
25 maybe match that up on, you know, where you

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have that little, between the parking and your drive-through aisle, you're going to have a little bit of area there that's not going to be big enough to plant anything substantial. And I don't even know if you're going to be able to run a mower on it because it's so narrow.

CHAIRMAN JOHNSON: Yeah. It's only, like, a curb width.

MR. STACH: Yeah. So maybe just match what they did at Tractor Supply in terms of these little, it's like grasses and shrubs. Very low scale.

MS. CARDO: Are you talking about the, where the curvature of the drive-through is up near the road? Or is there another -- I'm sorry, I'm not following which area you're talking about.

MR. STACH: So you have the area between your head-in parking.

MS. CARDO: Yes.

MR. STACH: And the drive-through aisles.

MS. CARDO: Yes. So there's a row of

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2 bushes there.

3 MR. STACH: Right. And then you're
4 going to do where the curve comes around now.

5 MS. CARDO: Yes.

6 MR. STACH: To the south. Well, it's
7 not south, but to the bottom of the drawing.
8 That area going to be grass, correct?

9 MS. CARDO: Except the hashed part. Oh,
10 that little triangular, that little
11 triangular piece on the --

12 BOARD MEMBER BIEHLE: Where the tree is.

13 MS. CARDO: -- on the northwest side?

14 MR. STACH: On the -- so above and to
15 the left of your drive aisles.

16 MS. CARDO: Okay.

17 MR. STACH: Anywhere that you're taking
18 up the pavement, you're going to put grass.

19 MS. CARDO: Yes.

20 MR. STACH: Except for the area in front
21 of the parking, right?

22 MS. CARDO: Correct.

23 MR. STACH: And then you're going to
24 have a couple trees elsewhere.

25 MS. CARDO: Right.

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2 MR. STACH: I think that's consistent
3 with what's there now along 9W, is what I've
4 seen.

5 MR. O'ROURKE: And those, the existing
6 shrubs are boxwoods.

7 MR. STACH: Are what?

8 MR. O'ROURKE: Boxwoods.

9 MR. STACH: Boxwoods. But there are
10 also some, like, little grasses too, right?
11 I think.

12 THE CLERK: They're little round ones.
13 I don't know the exact name, but I could try
14 and find that out from Tractor Supply.

15 MR. STACH: Just match up. I mean, it
16 will look right. Unless you have corporate
17 standards, you know. If it's just --

18 MS. CARDO: Our arborist made some
19 recommendations on plants, and I can share
20 that with you.

21 MR. STACH: That's fine, yeah.

22 MS. CARDO: And you can review that for
23 us.

24 MR. STACH: I mean, the only thing is as
25 long as it's maintained, the grass, right.

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2 Because sometimes it's just better to put
3 mulch and shrubs because if you don't, if
4 you're not going to mow it regularly, it's
5 going to become a mess. Sometimes it's just
6 better to do mulch and plants, but.

7 MR. O'ROURKE: Just on that, just
8 because I'd rather mulch. Let's use stone.

9 CHAIRMAN JOHNSON: Yeah.

10 MR. STACH: Or stone.

11 MR. O'ROURKE: Too many people are
12 throwing cigarettes into the mulch after they
13 get a cup of coffee or a donut. We've had a,
14 over in Orangetown, we've had a lot of little
15 fires in that mulch. Even if a cigarette is
16 not thrown, but the heat sometimes with the
17 parking lot, it will just start. So you're
18 better off using, like, a colored stone. It
19 lasts forever, too, versus mulch every year.

20 MR. STACH: Okay.

21 MS. CARDO: Understood.

22 CHAIRMAN JOHNSON: And it doesn't run
23 out to the sidewalk after a heavy rain.

24 MR. O'ROURKE: So again, if the Board is
25 generally satisfied, you could schedule the

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public hearing and ARB referral.

CHAIRMAN JOHNSON: All right.

MR. O'ROURKE: Are the next steps.

CHAIRMAN JOHNSON: I'll make a motion to schedule a public hearing.

BOARD MEMBER JASLOW: I'll second it.

CHAIRMAN JOHNSON: Got a motion and a second. All in favor?

(Response of aye was given.)

CHAIRMAN JOHNSON: Any opposed? All right. Public hearing, next --

THE CLERK: May 23rd.

CHAIRMAN JOHNSON: May 23rd.

BOARD MEMBER JASLOW: Refer to the ARB?

CHAIRMAN JOHNSON: Yup. Make a motion.

BOARD MEMBER JASLOW: I'll make that motion.

BOARD MEMBER ALESSI: I'll second.

CHAIRMAN JOHNSON: I got a motion and a second. All in favor of referring to the ARB?

(Response of aye was given.)

CHAIRMAN JOHNSON: Any opposed? All right. ARB it goes.

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2 MR. HAGER: Mark, are you going to need
3 a revision of the elevation drawings that
4 don't show the signs that require a variance?

5 CHAIRMAN JOHNSON: So this is not the --
6 actually, I only have the very early
7 rendition. Has it changed at all since the
8 first?

9 MS. CARDO: We had originally proposed
10 to put signage on more elevations than we
11 were allowed. So we reduced it back to the
12 two elevations that we're allowed to have
13 signage on. So it's a very good chance that
14 had has changed.

15 CHAIRMAN JOHNSON: Okay. Just email
16 Mary a copy of that and she'll distribute it.

17 MS. CARDO: Okay, will do.

18 CHAIRMAN JOHNSON: Thank you.

19 THE CLERK: What am I doing?

20 CHAIRMAN JOHNSON: She's going to email
21 you some, where the signage.

22 THE CLERK: Okay.

23 CHAIRMAN JOHNSON: Does anybody have any
24 questions?

25 BOARD MEMBER JASLOW: No. I have

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questions if you're still around afterwards.

But no.

CHAIRMAN JOHNSON: All right. So next
Planning Board meeting, public hearing.

MS. CARDO: Thank you so much.

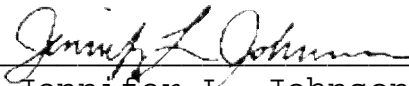
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THE FOREGOING IS CERTIFIED to be a true
and correct transcription of the original
stenographic minutes to the best of my ability.



Jennifer L. Johnson

