

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

- - - - - X

IN THE MATTER
OF
EAGLE BAY

- - - - - X

Town of Stony Point
RHO Building
5 Clubhouse Lane
Stony Point, New York
June 23, 2022
7:23 p.m.

BEFORE:

MARK JOHNSON, CHAIRMAN
ROLAND BIEHLE, BOARD MEMBER
JAKE CATALDO, BOARD MEMBER
MICHAEL FERGUSON, BOARD MEMBER

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

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CHAIRMAN JOHNSON: First up, I think we have Eagle Bay.

MS. MELE: Thank you, Mr. Chairman. Good evening, everyone. Good evening, Members of the Board. My name is Amy Mele, 100 Dutch Hill Road, Suite 330. I'm here on behalf of the applicant Eagle Bay this evening. This is simply for a recommendation and referral back to the Town Board.

So just by way of background, we've been working on this development project, as you know, on the former Stony Point marina property for a couple years now. We've gone through the entire EIS process. And when we had first filed for the original applicant, I think we had checked all the boxes, including the special permit and whatnot.

But basically, now that we have final site plan approval, you've issued a negative determination, in looking at the code, it says basically that if you're -- the creation of a new marina or additions to an existing marina requires a special permit. And for

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all intents and purposes, we're basically replacing the marina that's there.

So your Counsel has advised that we should seek the special permit from the Town Board. They held a public hearing the other night in which they referred it to you for your recommendation. We met with you at TAC, or with some of you at TAC a couple of weeks ago. We provided some additional information that was requested by Counsel.

And basically, just for our own identification, what we're looking for is actually less intensive than what was there before. So instead of 400 or so boat slips, we're looking for a hundred. We have a public pier. We are not looking to -- there are a couple of items under that use column that we're not looking for.

So it's actually, it's Chapter 215, Attachment 13.1, Column D1, expansion of existing marinas or new marinas and related uses, including sales of items specifically related to marina use. While we don't really have a tenant for the retail space yet, we

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thought it was a safe bet to ask for that. Facilities for docking and mooring boats up to a hundred slips is what we're seeking. And facilities for pumping out marine holding tanks.

We're not looking for, to dispense fuel or do mechanics, mechanical repairs on boats on dry land. And we're not looking for winterized storage.

So I believe that Mr. O'Rourke has reviewed our request and issued a memo a few days ago recommending that we, that this Board recommend back to the Town Board that the special permit should be granted. That's basically why we're here tonight, is for that recommendation. And then we'll be on the Town Board on, I believe it's the 12th.

CHAIRMAN JOHNSON: Now, we've got a request from the Town Board that you guys addressed a couple of the items in John Hager's letter.

MS. MELE: Uh-huh.

CHAIRMAN JOHNSON: It was paragraphs, or Items Four and Five.

1 Proceedings

2 MS. MELE: Yes.

3 CHAIRMAN JOHNSON: In the Building
4 Inspector's letter.

5 MS. MELE: Yes.

6 CHAIRMAN JOHNSON: In more detail than
7 has currently been presented.

8 MS. MELE: Yes. Let me get to that part
9 of our comment response. So I just have a
10 comment response, and I have the comment, and
11 then I have the response. I'm sorry, I don't
12 have the number in front of me. So if you
13 want me to address something specific other
14 than what's addressed in our comment response
15 letter, or just read through the comment
16 response.

17 CHAIRMAN JOHNSON: I think the comment
18 response letter was deficient, and that's
19 what the Town Board saw.

20 MS. MELE: Oh, okay. I'm sorry. Nobody
21 had advised me of that.

22 CHAIRMAN JOHNSON: I think they're
23 looking for a little more clarity on that.

24 MS. MELE: Oh, okay. Ask away.

25 CHAIRMAN JOHNSON: John Hager? Or

1 Proceedings

2 actually, Steve?

3 MR. HONAN: Yes. What the Town Board is
4 looking for, as you know, the application
5 first went to the Town Board. And then they
6 referred it back to us to take a look at it,
7 review it, and then make a report and
8 recommendation with respect to the
9 application.

10 However, my understanding is that when
11 the Town Board did look at it initially, they
12 said there was no compliance with the
13 determination letter of April 27, 2022, by
14 John Hager. Specifically with respect to
15 Item Number Four, there was no significant
16 update of the plans of the marina. They were
17 basically the same TMS plans that were
18 submitted, I believe back in 2020, which were
19 basically concept plans, but nothing of
20 detail.

21 So the, the Town Board says they expect
22 that the applicant will be submitting to the
23 Planning Board a sufficiently detailed plan
24 that we're going to essentially do a site
25 plan review of it, and then make a referral

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or recommendation to the Town Board in our report. And they also said additionally, with respect to Paragraph Five of the determination letter, there must be from the applicant a listing all of the provisions that a marina is required under our code, and then a specific indication of if it's not being provided, indicate it's not being provided and why it's not being provided. And then with respect to the items that are being provided, indicate that it is, and be specific as to what aspect and to what extent it's being provided.

So they said basically, it's so vague that they didn't anticipate that they'd be able to approve it. And they wanted the Planning Board to treat this like a site plan approval and review, and basically drill down on it and make the referral.

MR. ZIGLER: If we could go backwards, because I've never been known to go forwards. The last time we discussed was underneath the code is the different items that Amy was talking about. And we received that letter

1 Proceedings
2 from John. And then it was repeated in the
3 April.

4 On Page Two of the site plan, you have
5 Note 18. And that's been on the site plan
6 for a couple months now. And it lists every
7 item underneath that portion of the code, and
8 whether we have it or we don't. So that's
9 pretty clear. And it goes right down
10 through. It's on Page 18, and it's on the
11 map you approved. I could go through that if
12 you wanted to. I'll go through it.

13 MS. MELE: Here's your comment response
14 to Mr. Hager's letter.

15 MR. ZIGLER: A is there should be
16 adequate water supply system to serve the
17 marina. And we are getting the Health
18 Department approval for a complete water
19 network, which also includes the offsite on
20 West Main Street. A marina should have
21 adequate storage for sewage, pump out
22 facility. Our marina is seasonal. It's not
23 going to have boats in there during the
24 winter, only during the season.

25 And on the plans -- which I'll get to,

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that's Number Five, I think -- on the plans we show a location for a pump. It's going to be one slip. That's all. It's not going to be every slip, just one slip with a pump. And that's seasonal, also. And it will also have water. So we're going to give the details for that water and sewer hookup. But as far as the location, it's on the plans.

C had to do with the restroom facilities. And we answered that by saying there's two restrooms facilities. You have the commercial building and you have the recreational building, which is going to be part of the marina use. So there is facilities.

Adequate parking. On our plan, we have on Page One a parking breakdown for every use on the site. We did not go and ask for any reduction. So for marinas, we have parking, every criteria. And we meet that. So that's C on Note 18. D, I'm sorry.

E, the docks should not be designed or configured to be in the channel of the river. Well, we're 1200 to 1400-foot from the

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channel. We're in nobody's way but our own.

Boat maintenance areas and activities.

This development has no boat maintenance.

This is something that was discussed three years ago. And it was decided that the taking boats in and out of the site, or boat maintenance, would not be conducive to the walk in the public area. So we, you know, we removed those items as discussed with the Planning Board. So that was a little bit as direction of the Planning Board.

Adequate and convenience for access and circulation. The site circulation was reviewed by the engineer, Town Engineer. It was reviewed by your own traffic engineer at the time when we went through the EIS. And it was also reviewed by the Fire Department. And everybody approved it. It's a loop system. There's no dead ends. So they were very happy to see that.

Collection of proper disposal, solid waste, grease and oil and gasoline. We're providing solid waste. That would be up on the right building for your garbage. As far

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as gas and oil, we're not looking to do any kind of maintenance, so we really don't want that. They will have a spill kit on-site just in case. But I mean, this facility is not going to handle maintenance to the boats.

I is, again, has to do with dispensing gasoline or diesel. And like I said, it's not going to be on it, so we're not asking for that.

J is adequate screening. We have a landscape plan. It's been reviewed by the ARB, the Planning Board. It's been modified. I think there's something like six trees down there now, and I think we're providing something like 350. So landscaping and the buffer is going to be increased by this project.

Adequate fire protection. This site, because of the use, recreation and the other uses, is doing an offsite improvement up on West Main Street doubling the size of the water main from the old reservoir all the way to Orchard. And then down at the beginning of the site, off of the intersection, they're

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going to run a new line in, ten-inch line, and then hook it up and replace the old one under the trestle. So not only will they have enough water, if there's a fire and everybody flushes the toilet at the same time, there's going to be enough water. So it's something that has to be designed, and then twice as much. So we do cover that.

Outdoor boat storage. There is none, period.

Pertinent matters to public health and safety and general welfare. And I think, to be repetitive, had to do with launching the boats and accessing the boats. We eliminated that. That made it a lot easier for the promenade and access in front of the commercial building.

And that was thought to be, if you've been here long enough, our, one of our original layouts had a commercial building on the side with a boatel. And that was deemed not good because it kind of mixed the uses. And so we got rid of that. And then we went full commercial, which is the restaurant or

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whatever, and the offices in the standalone building.

Location of the facilities should not interfere with the development of natural beach areas. I think we've reviewed that during EIS. We had experts out of, out of state come down, and make studies and reports to the Board during the EIS and to -- we're not going to actually increase the areas for the water areas, for the sense of fish and plants by constructing a riprap, a live wall, as they say, so.

Permanent structures. The applicant shall demonstrate that the facility shall have no undue adverse effect on the fish and wildlife. And that's really what we studied in the EIS with the fish studies and everything else. And they were circulated to all agencies, Army, DEC, and anybody else with an alphabet behind their name. And we responded to any comments. So that was accepted by the Planning Board.

The applicant should demonstrate that the facilities should not unreasonably affect

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the flow of the river. And it doesn't do that. It's not far enough out in the river. So that's, that's the one questions.

CHAIRMAN JOHNSON: This is all in Note 18?

MR. ZIGLER: Note 18.

CHAIRMAN JOHNSON: On the site plan.

MS. MELE: It's, it's --

MR. ZIGLER: I didn't have to type it, so.

MS. MELE: It's in Note 18. But I -- there seems to be like a little bit of a disconnect, and I just want to make sure that the record is clear. We, we submitted the petition for the special permit to the Town Board. And then I believe that Mr. Honan, probably at Mr. Nugent's request, requested some additional information, which we provided. So there's a comment response which is in line with everything that Dave just said that was submitted actually prior to the TAC meeting. It's dated 5/24/22. Does everybody have that? I did submit it to the Town Clerk and the Planning Board Clerk.

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So it actually addresses all of those issues,
and Mr. Hager's comments specifically.

MR. HONAN: Is there an updated plan
showing the details of each boat slip, or how
the surfaces that are being intended to be
provided will be provided? What the docks
are made out of?

MS. MELE: Well, we --

MR. HONAN: Details of that.

MS. MELE: Yeah. We provided that for
the pier. Go ahead.

MR. ZIGLER: That was submitted
February 15, 2022. And that's part of the
official package that was approved. And it
details the docks, what they're made of. I
think it also went into the colors. And it
also shows where the bump stations are going
to be at the end of the pier.

MR. HONAN: That particular sheet,
that's on?

MR. ZIGLER: It's a section -- no, it's
a section of maps which, two, four, six,
eight, ten, 12, it's a section of 12 maps
under the MR code. Each section of maps here

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has a different code on it. Landscaping, offsite, so on and so forth. And this is the last one on Page One. So it's on the map you approved.

MR. HONAN: And what's that dated? I'm sorry.

MR. ZIGLER: February 15, 2022. And those plans were circulated and printed and PDFed on multiple sets because it was too much for one shot. It's about 130-something pages. And it was delivered to the Town Clerk in paper form.

CHAIRMAN JOHNSON: John Hager, do you think this is satisfying all the bullet points on your letter of 4/27?

MR. HAGER: I didn't bring all those items to attention expecting that there would be explanation of why they weren't offered. I just wanted to get clarification that there was certain aspects that are offered and certain aspects that are not. The items that are offered sometimes constitute additional requirements such as the fire protection, okay.

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2 The engineer Mr. O'Rourke and myself had
3 opportunity this afternoon to take a quick
4 look at the state fire code. And our quick
5 review determined that since they're not
6 going to offer the fuel dispensing, that
7 relieves them of the requirement for a
8 standpipe fire protection system on these
9 docks. So it's certain things like that.
10 One thing leads to the next. We need to know
11 if it's offered. You know, what are the
12 details.

13 CHAIRMAN JOHNSON: It almost seems like
14 the Town Board is looking for justification
15 for why it isn't, is almost what it sounds
16 like.

17 MS. MELE: Well, if I may.

18 CHAIRMAN JOHNSON: Again, I understand.

19 MS. MELE: And maybe this will help.

20 CHAIRMAN JOHNSON: I get it.

21 MS. MELE: Maybe this would clear it up,
22 and perhaps you're, if you're so inclined to
23 recommend approval of the special permit.
24 We, we -- through years of the planning
25 process, which many of you were involved in,

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we specifically, you know, made this marina less intensive. So we're actually looking for less of what's required under the special permit.

So, for example, we don't have a big section on dispensing fuel because we're not dispensing fuel. We don't have a long explanation about where the boats are going to be winterized or what color they're going to be shrink wrapped in because we're not doing that.

So indeed, we're just, we're asking for the less than what the previous marina owner had had. And again, all this was reviewed during the site plan process. And I think Dave just pointed out where you can find it in the plan. And again, if you look at the comment response letter that was submitted on 4 -- dated 4/24/22, that goes through each and every one of the permit requirements. So hopefully that --

MR. HONAN: I understand the presentation that Dave made and what you made. Quite frankly, I don't recall seeing a

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specific plan. And there's been a lot of plans. And there's no doubt that was directed -- the parking, access to the site, safety. We reviewed that, this Board reviewed that --

MS. MELE: Yeah.

MR. HONAN: -- for four years.

MS. MELE: Right.

MR. HONAN: But my recollection was that when I looked at the application for special permit, there were plans in there. They were TMS plans. If you've got a more detailed plan that this Board approved, I'd like to know what it is with respect to details on the marina.

MS. MELE: Right.

MR. HONAN: I don't think it's there.

MS. MELE: Well.

MR. HONAN: I know we made references to it. But if there's any -- what I did see was that there was a --

MS. MELE: What page was that?

MR. ZIGLER: It's a whole section.

MS. MELE: It's a whole section of the

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site plan. And I think what maybe the confusion is was that we also provided in connection with the request for additional information the TMS plans that were before the Architectural Review Board on the pier, which had some of the architectural details on the pier, which we're assuming you're kind of including as part of the, you know, marina. So we submitted that.

But the actual details of the marina itself have been on the plans, and are in the plans. And you know, we have addressed those notes. And I think Dave said -- if you want to just tell me again what map. You said it's 18, and it's about 117 pages?

MR. ZIGLER: No. The entire, entire set is. But the ones with the detail of the docks, we actually included the dock in the submission stapled. The docks are in that submission. That page was in the submission for comment responses. Small.

MR. HONAN: If I recall, there was an addition to the docks, and that included a power line running out to the docks, and I

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2 think a water line running out to the docks,
3 but no details as to --

4 CHAIRMAN JOHNSON: Yeah. And an
5 indication of pumps at the pump out station.

6 MR. ZIGLER: Yeah. Where the location
7 was.

8 CHAIRMAN JOHNSON: Yeah.

9 MR. ZIGLER: You know, I understand
10 these, I understand these questions. But
11 this is more detailed than other docks that
12 get permits from the Town. And it's a
13 seasonal thing. So what's there is taken out
14 in the winter.

15 (Discussion held off the record.)

16 MR. O'ROURKE: When I wrote my letter
17 signing off on it and reviewed all this, I
18 was under the impression that the fine
19 details, the size of the water line, you
20 know, the connecting to the marina, would be
21 done during the building permit process.

22 CHAIRMAN JOHNSON: Right.

23 MR. O'ROURKE: So that's why I wrote my
24 letter.

25 MR. ZIGLER: We are actually putting

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that on the revised plans for the last set of docks.

MR. O'ROURKE: So that's why I generated my letter. My understanding is from the Town Board, I think they were looking for some of that information now, versus at a later date, was the impression that I got from --

CHAIRMAN JOHNSON: Yeah.

MR. HONAN: That was my impression that I got from them, also, saying that look, we have a letter of 4/27/22 based upon all the plans that have been submitted. And as of that date, they needed more, a more detailed plan of the marina area. Now, you said that these plans were from February of 2022.

MR. ZIGLER: Right.

MR. HONAN: I think the Town Board is looking for a more detailed plan than the one that had been previously submitted. So that's why as of the 4/27 letter that said there are no more, there were no more updated plans of the marina for us to look at, so get that detailed plan as stated in the determination letter, and have you, Planning

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Board, review it. And when you're satisfied that it's complete, send it to us.

MR. ZIGLER: Okay. So just so I understand this, you want a detailed connection of the sewer that's on there. It could be the same as the sewer and water connection. That will solve this issue.

MR. HONAN: I don't know. I don't think that's right. I think, I think what they want is a detailed layout of the marina.

CHAIRMAN JOHNSON: As a whole.

MR. HONAN: Of the docks.

MR. ZIGLER: It's on that, it's on that page.

MR. HONAN: And where the connections are. That's my understanding.

MR. ZIGLER: It's on the page. I don't know how to make it any clearer.

MR. HONAN: All right. And if that's the application, we'll review it. Of course we're not going to tell you not to. But I don't know what the recommendation of the Board is going to be to the Town Board. The Town Board basically told us what they wanted

1 Proceedings

2 in more detail.

3 CHAIRMAN JOHNSON: And if they don't get
4 what they want --

5 MR. HONAN: And if you don't want to
6 give it to us, that's fine.

7 MR. ZIGLER: Okay. I think --

8 MS. MELE: Unfortunately, the Town Board
9 didn't tell us that.

10 MR. ZIGLER: Yeah, what they're looking
11 for.

12 MS. MELE: So, you know.

13 CHAIRMAN JOHNSON: I mean, specifically,
14 they wanted you guys to address
15 Paragraphs Four and Five in the Building
16 Inspector's letter.

17 MS. MELE: Okay, so let's see.

18 CHAIRMAN JOHNSON: I mean, that's, that
19 was specifically what they wanted.

20 MS. MELE: I'm sorry. I had spoken with
21 the Town Attorney before the meeting. And he
22 said they were just going to refer it to you
23 for recommendation, and that any more
24 specifics could be discussed on the 12th. So
25 I did not hear from him that something else

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was required for tonight. So if you were expecting something and I didn't get it to you, I apologize.

But you know, I think a lot of, you know, what we're talking about here is kind of subsumed in the fact that we went through an EIS, which has been approved, and we have an approved site plan. And we're going to have to -- we need Army Corps and DEC to sign off on this, too. So I'd hate to get you plans, and then they change during the building process. You know, we know that there's going to be a hundred slips. And the special permit provisions don't really -- they ask you to justify why you need what you want, which we think we did, which is basically about half of what you can have in a marina.

So if there's something -- I could contact the Town Attorney tomorrow if there's something more specific that you need. I don't know if there's any way -- you know, they adjourned it to the 12th. I don't know if there's any way to have a special meeting

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just for this purpose before then.

But I just, I feel like, you know, this has just been, it's been going on for a long time. We're just trying to get it done. And we don't, you know, it's not a matter of if you want something and we don't want to give it to you, we won't. You know, whatever we can, we will. But I'm not sure at this point what is needed of us besides the kind of voluminous information that we've given in support of this special permit already.

MR. O'ROURKE: If I may, Mr. Chairman, and maybe that's the problem, is because it's been going on so long, and it's so voluminous that the Town Board doesn't sit here every month and see you, doesn't realize it. So I think based upon that direction, I think if you make a submission specifically addressing Comment Number Four and Five from John's correspondence dated 4/27/22 --

MS. MELE: Okay. Prior to the 12th. I mean, if we submit that to you, though, the problem is you're not going to meet before the next Town Board meeting. So that, we're

1 Proceedings

2 on a cycle of another month again.

3 MR. O'ROURKE: That I can't help. That
4 I can't help.

5 MS. MELE: Yeah.

6 MR. O'ROURKE: You know, I'm just trying
7 to give you how to go on direction.
8 Obviously, you saw my letter. And I don't
9 think this Board -- I mean, I defer to them.
10 But I don't think they're going to go against
11 what the Town Board asked for. But you can
12 ask them.

13 MS. MELE: Okay. Are there minutes from
14 that Board meeting that I should be looking
15 at? Or the Town Board meeting?

16 CHAIRMAN JOHNSON: Town Board meeting?

17 BOARD MEMBER CATALDO: That will be on
18 the website.

19 CHAIRMAN JOHNSON: It should be. I
20 don't know how fast they post them up.

21 MS. MELE: Okay. So Comments Number
22 Four and Five in more --

23 CHAIRMAN JOHNSON: I mean, I could read
24 them to you if you like.

25 MS. MELE: Yeah, that would be great.

1 Proceedings

2 CHAIRMAN JOHNSON: Okay. Got a
3 recorder?

4 MS. MELE: No, but I can type pretty
5 fast. Hold on a second.

6 MR. HONAN: We have a transcript here.

7 THE CLERK: You have a copy of the
8 letter from John.

9 MR. ZIGLER: Yeah. That's what we made
10 the comment --

11 THE CLERK: Notes from John.

12 MS. MELE: Oh, yeah. Oh, we have a copy
13 of John's letter. And that's what -- and we
14 did a comment response on that letter in the
15 5/24 submission.

16 MR. ZIGLER: To you. We did not do that
17 to the Town Board. That letter came to the
18 Planning Board. So, and my thought, they're
19 looking for you to say that we solved it. We
20 didn't forward that to the Town Board, so
21 they've never seen it.

22 MS. MELE: Actually, that's not true.
23 When I submitted the additional information,
24 I submitted it to both the Town Clerk --

25 MR. ZIGLER: The second time, right?

1 Proceedings

2 MS. MELE: The second time, which
3 addressed Mr. Hager's comments in detail. I
4 submitted it to both the Town Clerk and
5 Ms. Pagano, Mrs. Pagano, and both confirmed
6 receipt.

7 CHAIRMAN JOHNSON: Now, does --

8 MR. HONAN: John, do you confirm that
9 should be on our plan, that staging area?

10 MR. HAGER: Well, they're going to have
11 to come to us for a building permit after the
12 Town Board authorizes this permit, which is
13 going to be on your recommendation. One of
14 the things they're going to have to offer us
15 on a building permit is information there
16 that's required by fire code. These floating
17 dock systems have to supply a certain amount
18 of areas for emergency equipment, staging
19 areas, and stuff like that. So maybe that
20 plan could be prepared ahead of time and
21 supplied. And that may give some of the
22 detail that we're looking for here.

23 MR. HONAN: On an amended plan that they
24 should submit to us for review, is that what
25 you're saying?

1 Proceedings

2 MR. HAGER: Yeah. It could serve both
3 purposes. You guys can review it initially,
4 and then it can be submitted with the
5 building permit application later.

6 MR. HONAN: Okay.

7 MR. HAGER: So there's not a lot of
8 information here in the fire code about these
9 floating docks. But there's not -- it seems
10 that they're shown on this drawing for the
11 site plan kind of schematically. There's not
12 much information. I'm assuming they're
13 similar to the docks that have been there.
14 But I don't have much information.

15 MS. MELE: But again, I felt -- to me,
16 that's sort of, you know, building permit
17 issues and not necessarily special permit
18 issues, but.

19 CHAIRMAN JOHNSON: Apparently, the Town
20 Board wants it addressed in order to issue
21 the special permit.

22 MS. MELE: Okay. All right. Well, I
23 guess I'll have to see the minutes from the
24 Town Board meeting, what they had asked for.
25 I got a text from the Town Attorney.

1 Proceedings

2 CHAIRMAN JOHNSON: And apparently, those
3 minutes have not been posted yet.

4 MS. MELE: Okay. Well, that puts me in
5 a bit of a pickle.

6 MR. HONAN: I don't know if you're going
7 to find anything in the minutes. I mean.

8 MS. MELE: Okay, so.

9 MR. HONAN: This is information that
10 was, that was relayed to me that a courtesy
11 review of the packet that was submitted on
12 this application did not meet the basic
13 criteria that's set forth in the
14 determination letter of the Building
15 Inspector of 4/27/22, and where is the new
16 plan that's dated after 4/27/22. I said
17 well, I don't know, I don't think it's there.
18 I don't know, I wasn't there. And quite
19 frankly, it was only after the TAC meeting
20 that I realized that it was, that no new plan
21 had been submitted. I thought a new plan had
22 been submitted and was being looked at by
23 the, by our consultants.

24 MS. MELE: Okay. Well, I just need to
25 make sure that Mr. Zigler --

1 Proceedings

2 MR. ZIGLER: Could we get a copy of that
3 determination letter? I mean.

4 MR. HONAN: Absolutely. It was done, I
5 think it was the day of the approval of the
6 final site plan approval that this letter
7 came out. Because as you may recall --

8 MR. ZIGLER: I don't think that
9 directly -- at that time, he had not reviewed
10 the newest plans. Because we had that
11 discussion that the -- we had reviewed, we
12 had sent in plans after that date. And the
13 date on the map didn't refer to that. All
14 I'm asking for is a letter that states what
15 we need so we can quit throwing darts. So if
16 we could get a letter on where we're
17 deficient, we have no problem. That's all.

18 CHAIRMAN JOHNSON: Is that something you
19 could put together, Steve?

20 MR. HONAN: Yeah. I thought I did that
21 already, but I'll do it again.

22 MS. MELE: Actually, you did. You sent
23 me a letter asking for additional
24 information, and then we provided a whole
25 additional package. That's why I'm just, I'm

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just trying to make sure nothing got lost in the mail, you know what I mean.

So we submitted the original application. I agree that that original application didn't have all the information that everybody wanted. You had sent me an email saying Amy, you know, in order for the Town Board -- because actually, it was going to be on the Town Board, like, a month ago -- and you said for it to be on the Town Board, can you please submit this additional information, which included the comment response, which actually responds to all of Mr. Hager's comments relating to the marina. So I'm just trying to figure out if the comments themselves were deficient, or the responses to the comments were deficient, or you need additional information. I don't, I don't mean to be --

MR. HONAN: No. My understanding was that there was no new plan submitted with respect to the special permit application, and that there was no new plan showing more detail for the marina dated after 4/27/22.

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That basically, all the plans that were submitted on the special permit application were based on previously-submitted plans, some of them from 2020. Some of the 2020 plans that had basically a line drawn on them saying we're going to put power there, we're going to put water there.

MS. MELE: Right.

MR. HONAN: Those are our plans. And I think the -- and that was all, I think, pre 4/27/22.

MS. MELE: Well, it would have been February of 2022 because that was when the site plan was approved, and the site plan includes the marina. So we have it.

MR. HONAN: 4/27. 4/27 was all we approved. Not February.

MS. MELE: 4/27. I'm sorry, yes. So the 4/27 plans should have, you know, everything on it because this Board already granted site plan approval. And I don't -- I'm really sorry, I don't mean to be obtuse at all. I'm just trying to figure out what it is, what it is that we need to get you.

1 Proceedings

2 MR. O'ROURKE: I'm looking at what you
3 submitted. And a lot of the piers -- and
4 maybe that's where the confusion comes in --
5 a lot of these pier plans and even the
6 overall site plan are dated, dated, you know,
7 back in 2020.

8 MR. HONAN: Yes. TMS, all TMS's plans.

9 MS. MELE: Okay.

10 MR. O'ROURKE: And I think --

11 MS. MELE: Do you want --

12 MR. ZIGLER: Except for the cover sheet.
13 We only changed the date on the cover sheet.

14 MS. MELE: Yeah, because certain of the
15 plans didn't change.

16 MR. O'ROURKE: I don't disagree. But
17 I'm saying maybe that's where the confusion
18 came in.

19 MR. ZIGLER: Oh.

20 MR. O'ROURKE: I don't know.

21 MR. ZIGLER: That's a good one. Okay.

22 MR. O'ROURKE: But, you know, Board
23 Members look at well, there's a date, there's
24 a date.

25 MR. ZIGLER: Yeah. All right.

1 Proceedings

2 MR. O'ROURKE: I don't know. It's news
3 to me. But I'm just saying it's an option.

4 MR. ZIGLER: We'll do anything you need.
5 But we -- I would just like to have it in a
6 letter form so we can respond to it, comment,
7 response, like we normally do. That's all.
8 If they're deficient, that's fine. Just tell
9 us what you need. We've never before
10 discussed fire, the fire code on a dock. So
11 if we're deficient somewhere, just tell us,
12 you know, like you would with any other
13 building plans. It's no different. It's
14 fine. But we would like a letter of that,
15 what you need.

16 MR. O'ROURKE: Well, and not to belittle
17 this, but, so the Building Inspector's letter
18 is dated 4/27/22. Your response to his
19 comment, right, plans by TMS Waterfront
20 entitled Eagle Bay shoreline public pier
21 addresses and requested items submitted
22 November 2021 to the Stony Point Planning
23 Board and the Town Board. So you're
24 basically -- he's saying he wanted more
25 detailed plans. Your answer to him is yeah,

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we submitted those last year. So if I'm a
Town Board Member reading that, I'm like hey,
that's not right. He asked you questions.
Your answer -- there's some confusion there.
So I think that's where it comes from.

MR. ZIGLER: That's good. We'll change
it.

MR. O'ROURKE: Okay.

MS. MELE: Do you understand?

MR. ZIGLER: No. I still would like a
letter. I think we're due a letter so we can
have a comment, response, and nail this shut.
I mean, that's how we got into this,
overlapping letters.

MR. O'ROURKE: Yeah, and I think the
attorney said he would do a letter.

MR. ZIGLER: Yeah. That's cool.

MS. MELE: Let me just -- I'm sorry, let
me just search when I sent all of this stuff
in. I don't have internet access, but I
think I can search my outbox here.

So on the 6th, I said I just want to
make sure everyone received the below with
attachments last week, kindly confirm. Med

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and Mary confirmed on the 2nd. I submitted a supplemental narrative to Mr. Honan dated 6/22. The former boatel concept, an Eagle Bay supplemental narrative in support of the special permit, the shoreline pier drawings, and the marina map. So I just want to make sure we're all working off of the same submission. And now you'd like additional detail on those submissions.

CHAIRMAN JOHNSON: The Town Board would like additional detail.

MS. MELE: Yeah, yeah. Understood. Okay. Okay, so. And so somebody will send us a memo and tell us, you know, what's deficient and what we need to do. Okay. Whether that's from the Town Board or you guys, I obviously leave to you. Okay.

MR. HONAN: It won't come from the Town Board. It will come from this Board.

MS. MELE: Okay. All right. Thank you.

CHAIRMAN JOHNSON: Thanks, guys.


(Time noted: 8:03 p.m.)

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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

