

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

- - - - - X

IN THE MATTER

OF

111 SOUTH LIBERTY DRIVE

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Town of Stony Point
RHO Building
5 Clubhouse Lane
Stony Point, New York
September 22, 2022
7:38 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
- JERRY ROGERS, BOARD MEMBER

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CHAIRMAN JOHNSON: Okay, we're back in action.

MR. PALMIERI: Hello. My name is Devon Palmieri from Brooker Engineering. I will be presenting 111 South Liberty Drive.

This project last appeared before the Planning Board in June, where it was determined that a parking waiver was not feasible for the project. So since then, we have revised the layout plan to meet and exceed the parking requirements.

For the office parking, we have expanded the parking garage to 30 spaces, which consequently reduced the office space in the building and lowering the parking requirement for the office. With the additional two ADA spaces on the east side of the building, we now meet the required 32 parking spaces for the office, office business use.

For the residential parking, we designated additional spots on the east side of the building, as well as added spots to the north of the building, where a variance

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of 5.4 feet is required, which is the same variance that was requested in previous revisions. We believe this variance is appropriate because the abutting property to the north has a similar layout. It has parking spaces closely to the property line.

We have also added parking spaces in the southwest parking lot, and now provide land bay parking on the south side of the building. This land bay parking is just to reserve an area for this parking if it is needed in the future.

We now provide 2.12 spaces per unit of 187 parking spaces, with the required two space per unit, which is 176. So our provided parking spaces for the residential and the office combined exceed the parking requirements with the total provided of 219 parking spaces.

Some additional revisions are that we eliminated the emergency access on the south side of the building. But we have also widened the drive aisles in the parking area that is just west of the building to 26 feet,

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and added additional entrance-exit for fire truck maneuverability and any other emergency vehicles.

We have also provided a building height of 38.8 feet, where the required maximum height is 45 feet. And at the west side of the site, we shifted the emergency access that connects to Govan Drive north so we could expand the recreational area. So now with the recreational area on the west side and the balconies, we meet the required recreational area of 200 square feet per unit. And we also elected to keep a smaller portion of the rooftop recreation area because we believe it is a great amenity for this project.

This submission is intended to advance the project and address the Board with a goal of setting a public hearing date for the next available meeting. And if you guys have any questions, I'd be happy to try and answer them. Thank you.

CHAIRMAN JOHNSON: All right. I'm sure the Board has comments on this. We've all

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looked it over. Max, would you have anything you want to say first?

MR. STACH: I don't know that, that I have any particular comments. I think the applicant is coming to you tonight with this adjusted plan in response to the previous comments you've had on the parking. I think there has been discussion among the Board about whether or not this sort of meets the general conditions for a special permit and conditional uses, particularly with regard to the size and character.

I think it makes a lot of sense for the Board to talk tonight about whether these changes, these fixes address your concerns fully, in which case they can move forward to the Zoning Board. They would provide a fully engineered plan set that we, John and I could then dive into and come up with the technical comments. But, you know, it's my understanding from discussion with you all at various times that you have the big picture item of whether this is, fits in right now.

So I think that's really what the Board

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should discuss tonight. Decide, give the applicant clear direction about whether you're ready to move forward with this, whether there other changes that you want them to consider. Because we are getting to the point here where December and November, we merge our meetings.

CHAIRMAN JOHNSON: Right.

MR. STACH: So if the idea is to advance this, you'll want to make sure that --

CHAIRMAN JOHNSON: All of our questions are addressed.

MR. STACH: You, well, you'll -- specifically I think what you'll want is you'll want to make sure that they can submit a Part 3 EAF and revised plan in October so that it's possible that maybe they could have a neg dec in December, and get their ZBA decision. But if this is not something that you're comfortable with, then I don't know that that timeframe is as critical for you.

CHAIRMAN JOHNSON: Right. All right. Do any of the Board Members have any questions or comments they'd like to bring up

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2 right now?

3 BOARD MEMBER BIEHLE: The height of the
4 building --

5 BOARD MEMBER ROGERS: Go ahead, I'm
6 sorry.

7 BOARD MEMBER BIEHLE: The height of the
8 building you say is how many feet? You
9 averaged it, right? You put an average in.

10 MR. PALMIERI: Yeah. We used the
11 average grade on the building, and we got
12 38.8 feet.

13 BOARD MEMBER BIEHLE: And what's -- the
14 highest point is 45 feet?

15 MR. PALMIERI: Yes.

16 CHAIRMAN JOHNSON: It's the maximum
17 allowable.

18 MR. PALMIERI: Yeah. The highest point
19 is in the northeast corner, I believe. And
20 it's 45 feet.

21 BOARD MEMBER BIEHLE: Is that the
22 average, or do you go with the highest point?

23 MR. STACH: That would be a better
24 question for John. The question is, do
25 you -- how is height measured?

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2 MR. HAGER: Height is measured at the
3 average of the height to the mean roof level.
4 On an angled roof, it would be halfway up.
5 On a flat roof, it would be to the highest
6 point.

7 MR. STACH: From the average grade.

8 MR. HAGER: Correct.

9 BOARD MEMBER BIEHLE: The average grade?
10 Just seems like one side is so big, sticking
11 out.

12 MR. STACH: And I think that with regard
13 to height and size, that's why the applicant
14 had done the balloon test and submitted a
15 visual, so. Actually, do you have any
16 visuals --

17 BOARD MEMBER BIEHLE: That you can put
18 up?

19 MR. STACH: -- that you can put up?

20 MR. PALMIERI: No, I don't have any.

21 BOARD MEMBER ALESSI: I have a question
22 on the recreational area. So it looks like
23 the required square footage is the 18,921.
24 And you're meeting that with -- where is
25 it -- the 12921 in the sort of recreational

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2 area that abuts Govan. And then the 5508 of
3 the balconies.

4 The balconies, are those going to be
5 adjacent to individual units or to the roof?
6 Meaning -- yeah, my question, if you're
7 taking space away from a common area that's
8 meant to be used by all residents, and then
9 are you going to be putting in balconies that
10 are going to be pertinent to an individual
11 unit where they're not intended to be used by
12 all residents. Does that --

13 MR. PALMIERI: Sorry, what were you
14 saying?

15 BOARD MEMBER ALESSI: I guess my
16 question is, are we taking away -- are we
17 meeting the recreational area requirement by
18 losing space --

19 CHAIRMAN JOHNSON: For the common area.

20 BOARD MEMBER ALESSI: -- for the common
21 area that's intended to be used by everyone
22 in this project and putting it instead on,
23 you know, eight balconies that will only
24 benefit eight units.

25 MR. PALMIERI: Okay, yeah. So we tried

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2 to maximize the common area on the west side
3 of the site, it was Govan Drive. And then
4 those balconies are to the individual units,
5 but they're at each floor. So there, there's
6 more than eight balconies where, like, almost
7 each unit will have a balcony to use.

8 BOARD MEMBER ALESSI: I guess, Max, my
9 question is, are they meeting the
10 recreational area requirement if it's not --
11 if you have 55,000 square feet that are not
12 available to everyone, they are only
13 available to the eight unit, you know, each
14 unit.

15 MR. STACH: Well, I think the code
16 specifies that you can count balconies.

17 BOARD MEMBER ALESSI: You can, okay.

18 MR. STACH: It's very specific.

19 BOARD MEMBER ALESSI: All right. That
20 was my question, okay.

21 BOARD MEMBER JASLOW: I want to
22 piggyback on something that Kerri's talking
23 about, is if you look at the fabric -- and
24 this is a comment, not a question -- look at
25 the fabric of Stony Point, and this proposed

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building doesn't fit in. This looks like something that you put down in the five boroughs with the rooftop area. I mean, 5,000 square feet of space on a rooftop in June, July, and August, who is going to be up there when it's hot, humid, no shade. Like, is it really a feasible area to be called recreation or common space. Because I mean, kids don't go out in the fields and, you know, under trees when it's hot like that. You know, it's like you're trying to cram something in, go up higher just to get numbers. And it's like you're trying to fit a building in that doesn't fit in the area.

MR. PALMIERI: Well, in regards to the rooftop recreation, the rooftop we kept there. But it's not, it's not required to meet the requirement. It's more of, like, extra. Because we meet the requirement with the ground space on the west side and the balconies. So the rooftop is adding to the provided space, but it's not something we're using to get to the requirement.

BOARD MEMBER JASLOW: Okay.

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2 BOARD MEMBER ALESSI: Do you have any
3 sense of what's intended to be on the roof
4 for recreational area? You know, like how
5 many, you know --

6 MR. STACH: Can I correct myself from
7 before?

8 BOARD MEMBER ALESSI: Sure.

9 MR. STACH: I must have confused this
10 with a different community. It's not
11 specified in the Stony Point code with the
12 balconies.

13 CHAIRMAN JOHNSON: Balconies?

14 MR. STACH: I was thinking about a
15 different community.

16 BOARD MEMBER JASLOW: So they don't
17 count.

18 MR. STACH: It doesn't say one way or
19 the other. It just says 200 square feet of
20 unpaved outdoor recreational area shall be
21 provided per unit, except that such area may
22 contain block paver areas serving as a patio.
23 That's the requirement.

24 BOARD MEMBER ALESSI: Right, because --
25 yeah, I mean, that's my concern, right.

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2 They're taking away -- if the intent of the
3 code is that a recreational area is to be for
4 the benefit of the whole project, now you've
5 taken away almost a third of the requirement,
6 the 5500 square feet, and you put it into
7 eight balconies that are only going to
8 benefit eight units.

9 CHAIRMAN JOHNSON: Well, I think there's
10 more than eight balconies, correct?

11 MR. PALMIERI: Yeah, there's balconies
12 at each unit on each floor.

13 CHAIRMAN JOHNSON: Is the
14 artist's rendition --

15 BOARD MEMBER ALESSI: Oh, okay.

16 CHAIRMAN JOHNSON: -- fairly accurate?

17 MR. PALMIERI: Yes. Yeah. So there
18 would be a balcony at each floor.

19 BOARD MEMBER ALESSI: But you will have
20 units that don't have a balcony, and
21 therefore don't have access to the required
22 18, almost 19,000 of square feet of
23 recreation space.

24 MR. PALMIERI: Looking at the floor plan
25 pretty much --

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2 BOARD MEMBER ALESSI: Only this unit
3 gets to use this space. And now instead of
4 having, you know, if the code says we need --

5 MR. STACH: Do you have outdoor ground
6 level recreational space?

7 MR. PALMIERI: Yes.

8 MR. STACH: Can you designate on the
9 plan the area and how it will be outfitted?

10 MR. PALMIERI: It would be this area
11 right here. I don't believe we've gone that
12 far in the design of the recreational space,
13 but.

14 MR. STACH: And do you know how much
15 that area is?

16 MR. PALMIERI: Yes. It's -- this area
17 is 12,921 square feet.

18 MR. STACH: Okay. It's -- yeah. It's,
19 it might be 120 in the building.

20 BOARD MEMBER ALESSI: You know what I'm
21 saying?

22 MR. STACH: From that end of the wing,
23 yeah. Two parking rows.

24 BOARD MEMBER JASLOW: It's, like, there
25 just to be there to get the numbers.

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2 BOARD MEMBER ALESSI: And then the, you
3 know, back to the rooftop area, you know,
4 5,000 square feet is a lot of space. I mean,
5 how many -- I'm sure the code will dictate
6 how many people can be up there. But are
7 there going to be, you know, 200 people up
8 there? You know, is it just going to be a
9 barbecue grill for occasional use? Is there
10 going to be, you know, parties up there,
11 where you're going to be driving down 9W and
12 it's just going to be, like, a rager up
13 there? You know, what is the intended use?

14 Do we have -- you know, this is almost,
15 with the rooftop area, it almost makes it
16 like a five-story building for all intents
17 and purposes. Do we have a fire truck that
18 can reach that high? And I don't know the
19 answer. I'm just throwing it out there.

20 MR. PALMIERI: At this time, we don't
21 have any detailed design of the recreational
22 areas. But I can get back to you on that.

23 BOARD MEMBER ALESSI: You know what I
24 mean. Do we have a ladder that goes that
25 high in the town? I have no idea.

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2 CHAIRMAN JOHNSON: Right. That would be
3 a Tommy Larkin question.

4 MR. O'ROURKE: Yeah, if I may. The
5 layout right now -- again, the full plans
6 haven't been submitted, but it meets the
7 New York State fire code for access and
8 aerial access. So as it moves forward, we
9 would review it with the highway, or the fire
10 departments. But previously, with this
11 layout, they did show that the ladder truck
12 could maneuver around it.

13 BOARD MEMBER ALESSI: Okay.

14 MR. O'ROURKE: And they meet the code
15 for, I think they have to meet it on one side
16 of the building with between 15 and 30 feet.
17 So they meet the building code for access.

18 CHAIRMAN JOHNSON: Yeah. Because I had
19 a question about the extra land banked
20 parking on the south side of the building,
21 where there was the grasscrete emergency
22 vehicle access. Now they got land banked
23 parking over there.

24 MR. O'ROURKE: Yeah, so the --

25 CHAIRMAN JOHNSON: Does that still work

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2 with the fire --

3 MR. O'ROURKE: It still works, yeah. At
4 least initially. I mean, the initial look
5 at, we said yes. It meets, it meets your
6 fire code.

7 CHAIRMAN JOHNSON: Okay.

8 MR. O'ROURKE: You don't have to have
9 the access around all sides of the building.
10 They just have to get to the area of the roof
11 from one side.

12 CHAIRMAN JOHNSON: Okay.

13 BOARD MEMBER JASLOW: I do have a
14 question, though. When we went for the site
15 visit, the entrance to the building wasn't,
16 didn't look like it was going to be right
17 across the street from the entrance-exit from
18 Liberty Ridge. Did that get moved now?

19 MR. PALMIERI: Yes. Since that site
20 visit, it has been moved.

21 BOARD MEMBER JASLOW: Okay. Because it
22 looked like it was moved on the map.

23 MR. PALMIERI: Yeah, it could -- sorry.
24 It was previously --

25 BOARD MEMBER JASLOW: Right.

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2 MR. PALMIERI: -- like, not across from
3 it. So we shifted it north. So obviously,
4 the property line doesn't let you shift it
5 completely across from it. But we tried to
6 get as close to across from that adjacent as
7 possible.

8 BOARD MEMBER JASLOW: So is there going
9 to be, like, a new traffic study to see how
10 that's going to work during peak hours now,
11 or -- because there's a lot of people coming
12 out of Liberty Ridge.

13 CHAIRMAN JOHNSON: And the doctor's
14 office to the north of your site as well.

15 BOARD MEMBER JASLOW: Liberty Plaza.

16 MR. PALMIERI: I'll have to get back to
17 you on that.

18 BOARD MEMBER JASLOW: Okay.

19 MR. STACH: So the applicant had
20 provided a traffic letter from a traffic
21 consultant saying that by reason of volume of
22 people leaving this site, it's not going to
23 result in congestion. Whether or not that
24 you might have concerns with the geometry of
25 the entry, that is a different issue. But in

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terms of the number of units in this development, the increase in traffic during the peak hour based on that alone --

BOARD MEMBER JASLOW: Right.

MR. STACH: -- would not result in congestion.

BOARD MEMBER JASLOW: It just made more sense when they weren't straight, that it wouldn't be a problem when you're making a left, and it's not a four-way intersection.

MR. STACH: Typically, you want to -- typically, you do want to align, yeah.

BOARD MEMBER ALESSI: Because right now, I think if you're pulling out of Washburns making a left, going north up 9W, and you've got someone, you know, that's sort of the same thing, when you've got someone pulling out of TD Bank, that can get hairy when you've got people trying to shoot across each way. So it sounds like we're --

BOARD MEMBER ROGERS: That's a dangerous corner.

BOARD MEMBER ALESSI: Right. So I think we're saying we're avoiding that by not

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2 making them right across from each other. Is
3 that right? They were.

4 MR. STACH: The preference is to put
5 them --

6 CHAIRMAN JOHNSON: Directly across.

7 MR. STACH: It has to do also with the
8 left turn movements, right. So that if you
9 have two people waiting to make a left turn
10 and they line up, you can actually have both
11 make the left turns at the same time. If you
12 have them lined up with each other, offset
13 just a little bit, now you have more of a
14 likelihood that they're going to conflict.

15 BOARD MEMBER JASLOW: But that's what
16 we're going to have now. Because they're not
17 head on.

18 MR. STACH: They're not completely
19 aligned. And you know, you would have to ask
20 for -- and I'm sure, John, that's something
21 you typically address when you do your
22 review, the alignment of driveways.

23 MR. O'ROURKE: Yeah. Well, again, it's
24 an existing access. They really can't change
25 it more than what they have. Yeah, we would

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review that now that they've relocated it.
And then potentially, you know, we could send
it to -- the town has used a traffic
consultant in the past. You could have them
take a look at it as well. And DOT would
also would look at this because it's a state
road. So you have those three entities that
will review the access point.

Is it great? No -- sight distance
works. It's just a, just a little bit off
from that other intersection.

BOARD MEMBER ALESSI: Is it possible to
put another entrance onto 9W further south so
that you have two access points, or does that
not work?

CHAIRMAN JOHNSON: Doesn't look like it
fits.

MR. PALMIERI: We can look into it.

BOARD MEMBER ALESSI: You know, just to
ease the congestion coming out of --

MR. PALMIERI: So not everyone's going
out of one spot.

BOARD MEMBER ALESSI: Right.

BOARD MEMBER FERGUSON: That would make

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2 it worse.

3 MR. O'ROURKE: If I remember, there's
4 also a grade issue in that area as well.

5 MR. PALMIERI: On the southern corner.

6 MR. O'ROURKE: Uh-huh. We'll take a
7 look. Again, I can certainly look at it.
8 But there was -- I know when Ken was here,
9 there was a reason. I think that's a better
10 sight distance and a better location.

11 CHAIRMAN JOHNSON: Right.

12 BOARD MEMBER FERGUSON: I would just
13 think if it was at full capacity, you'd
14 almost want to go all the way around the
15 buildings, especially if you only have the
16 garbage enclosure in one spot. You're going
17 to leave the front of the building, drive all
18 the way to the back, take the garbage out,
19 and drive all the way back the same way
20 again. Just an idea. Put another garbage
21 enclosure up front.

22 CHAIRMAN JOHNSON: Yeah, that would
23 probably come up with the zoning issue.

24 MR. O'ROURKE: It's a good point. You
25 got a lot of cars leaving one location.

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2 BOARD MEMBER PURCELL: It's only one way
3 in and one way out.

4 BOARD MEMBER FERGUSON: And you got, if
5 you have elevators all in one spot in the
6 building, everybody's coming in and out of
7 the same spot.

8 BOARD MEMBER PURCELL: It's true.

9 BOARD MEMBER FERGUSON: If you're at
10 full capacity. If you can go around, it
11 makes it easier. But it might not work with
12 the plans. People that come in the
13 commercial locations don't know it doesn't go
14 around the building and they're at a dead
15 end.

16 BOARD MEMBER PURCELL: And they're going
17 to make a U-turn and come back out.

18 BOARD MEMBER FERGUSON: And everybody
19 else is coming.

20 BOARD MEMBER PURCELL: Right.

21 BOARD MEMBER ROGERS: If I could just
22 raise a -- this is more of a question not for
23 the applicant, but for the Board. I mean,
24 other than myself, do we have concerns that
25 the size and scope of this project vis-a-vis

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the neighborhood it's located in, you know, sets precedent. It's a very large structure. How do we as a Board feel about that as far as it's going to, you know --

CHAIRMAN JOHNSON: That's --

BOARD MEMBER ROGERS: -- be quite big.

CHAIRMAN JOHNSON: That's my biggest concern.

BOARD MEMBER ROGERS: I'm wondering if we should poll the Board.

CHAIRMAN JOHNSON: I mean, they addressed the parking issue.

BOARD MEMBER ROGERS: Very well. Very well.

CHAIRMAN JOHNSON: They didn't address the idea that, you know, it's too big for the footprint, I think.

BOARD MEMBER PURCELL: Since I'm new to the Board, my quick question would be first off, you know, how does this fit into the master plan in the town? Does it fit? Does it fit with the background of the local neighborhood? You know. Does it stand out like a sore thumb? You know. I don't know.

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2 I don't know the master plan. I'm new here
3 to the Board. I just moved back home. But I
4 know master plans dictate a lot of terms of
5 what the community is supposed to look like.
6 So I don't know if that's part of it.

7 CHAIRMAN JOHNSON: John, do you have any
8 input on that?

9 MR. HAGER: I'm not that familiar with
10 what the current master plan is. I think Max
11 might have more of a handle on that.

12 MR. STACH: Yeah. So you know, we
13 have -- the full master plan that has been
14 adopted I think dates back to, if not the
15 90s, then at least the naughts, right. And I
16 think there was, we did an update around
17 2012. So that's getting a little long in the
18 tooth as well. And that update was
19 concentrating on providing ways to weather
20 the tax burdens both that came up with the
21 recession at the time, but also with the
22 Mirant settlement that hit the town very
23 hard.

24 And that's actually the origin of this
25 code provision, which was intended for

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existing people that had one story stores in the BU district to be able to do apartments above. And there was an interest in doing this type of mixed use development in a town center type zone. Particularly, they were targeting at the time the, where now we have Tractor Supply and Aldi, right, as one potential area.

This was sort of not contemplated at that point. But it was written in a way that made this possible to happen, so. Is it supported? I wouldn't say -- it's probably not something that's contemplated, but probably also not something that's discouraged in the comp plan. But I would say that either way, it's probably getting long in the tooth for making planning judgments today.

CHAIRMAN JOHNSON: Yeah.

BOARD MEMBER PURCELL: Yeah. Just because you want it to conform to the surrounding area. And it's a pretty big project.

MR. STACH: I mean, I've seen --

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2 BOARD MEMBER PURCELL: What's behind, in
3 front of it, we don't know what's on 9W. We
4 have to be cognizant of what's behind it.
5 Who is behind it and where they live.

6 BOARD MEMBER ROGERS: Right.

7 BOARD MEMBER PURCELL: Nobody wants to
8 look at a giant eyesore -- I'm not saying, my
9 apologies for the word eyesore -- but see
10 this large building, you know, that has been,
11 it was an old farm for many, many years
12 prior, and then it got commercialized and
13 there's rental apartments and properties.
14 But you want to be able to conform to the
15 natural setting that's already existing. And
16 that's why I asked the question about the
17 master plan, if that's already been like, you
18 know, put in there where everything should
19 conform to what's existing already in the
20 town.

21 MR. STACH: Well, on a counterpoint on
22 that, playing devil's advocate.

23 BOARD MEMBER PURCELL: Yeah. I'm
24 asking, so.

25 MR. STACH: This building could be an

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office building and it would be permitted in the district, right.

BOARD MEMBER PURCELL: Correct.

MR. STACH: This is a BU district.

CHAIRMAN JOHNSON: Correct.

BOARD MEMBER PURCELL: Correct.

MR. STACH: It does allow office buildings up to these building heights. This is a troubled site that has remained vacant and distressed over an extended period of time. There are cost considerations. I don't know where they land in terms of this proposal. But usually, if you're going to do a building of this size, of this scope, there is a certain tipping point in terms of how many units you need to get how many parking spaces you need to have, where below that, it doesn't make sense at all anymore. You just do something else with the property. But you know, I think that in terms of the scale and the bulk, take the balconies off and this could be an office building.

BOARD MEMBER PURCELL: Right.

MR. STACH: It would have completely

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different concerns allied to it if it were an office building. You wouldn't be talking about recreation area. You would be talking a lot more about traffic, right. But you know, you're also not talking about some of the precedent issues that were raised today, also. So I think they're all good considerations that the Planning Board just needs to determine where they land.

MR. O'ROURKE: Excuse me. One question, Max. I mean, this all kind of generated once they did the balloon test and the Board Members saw how massive it was. Did they -- and I don't have an -- did they ever come up with the photo simulations of the building from all those sides on it? Because maybe --

MR. STACH: There was an elevation, so --

MR. O'ROURKE: I saw an elevation.

MR. STACH: -- the additional renderings came with elevations. We know the renderings weren't accurate in terms of the proposed grading. And I don't think you've done a followup -- correct me if I'm wrong. Did you

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do a followup after the balloon test with the building superimposed on those, like, post development?

MR. PALMIERI: I would have to check with Ken on that.

MR. STACH: Okay.

MR. PALMIERI: I'm not sure.

MR. O'ROURKE: I'm just thinking, that would probably give the Board -- I don't remember seeing them. It might give the Board a better --

BOARD MEMBER PURCELL: Better visual.

MR. O'ROURKE: Visual. Exactly, thank you.

BOARD MEMBER PURCELL: You're welcome.

MR. O'ROURKE: Of how it's going to look.

CHAIRMAN JOHNSON: I was there at the balloon test.

MR. O'ROURKE: Yeah.

CHAIRMAN JOHNSON: It was not, it was not small.

BOARD MEMBER BIEHLE: I just have a quick question.

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2 MR. O'ROURKE: Agreed, agreed. That's
3 what's generating this whole thing. I just
4 don't remember. I know they were supposed to
5 do visuals. I just don't remember seeing a
6 final product.

7 BOARD MEMBER BIEHLE: But I mean, if you
8 took, say, one floor off, right, you're
9 already losing part of the building because
10 you're putting parking there. You would then
11 be able to get the whole bottom of the
12 building back. Right? I mean, it's like
13 you're building a taller building, now you're
14 parking underneath it. You can get all that
15 parking space back underneath it. You'll
16 need less parking spaces, but you'll have
17 more building footprint. I mean, it's on the
18 footprint, right? You're putting parking in
19 the footprint.

20 MR. STACH: I don't, I don't know how
21 that works. But I would imagine that at
22 least the back end of that wing might be
23 below grade to the point where you wouldn't
24 want to put residences. You might not be
25 able to.

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2 BOARD MEMBER BIEHLE: Well, this is
3 taking away more office space.

4 MR. STACH: Yeah. I would gander, maybe
5 the applicant can comment, but the --

6 BOARD MEMBER BIEHLE: You're talking
7 about price point.

8 MR. STACH: The dog in this instance is
9 probably the residents, and the commercial is
10 the tail, right.

11 CHAIRMAN JOHNSON: Right.

12 MR. STACH: That's my guess. I don't
13 think there's a lot of demand going towards
14 the retail commercial. Maybe I'm wrong.

15 CHAIRMAN JOHNSON: But is there that
16 much demand for residential?

17 MR. STACH: Oh, yeah.

18 CHAIRMAN JOHNSON: I mean, we have the
19 Ba Mar going in. Probably Eagle Bay going
20 in. This, I mean, there is an awful lot of
21 residential going in here.

22 MR. STACH: Ba Mar is mobile homes.
23 That's not going to compete with this.
24 Eagle Bay is premium multi-family. My guess
25 is this is going to be above market rate

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2 housing for one and bedrooms, one and two
3 bedrooms. It's going to be for
4 professionals. It's going to be for seniors.
5 I don't think this is going to end up being,
6 competing with either of those two
7 developments. If there are multifamily
8 that's going to compete with this, it's
9 probably stuff that's, that might be
10 happening in the village. But for some
11 people, this is going to be a preferable
12 location for that, to that development.

13 There is a tremendous demand for
14 multifamily rental housing in Rockland County
15 right now. You know, it's -- and it's
16 staying. I think some of the demand for
17 for-sale housing is wavering with the higher
18 interest rates. But the rentals is still,
19 it's still a strong market.

20 CHAIRMAN JOHNSON: And with it being
21 rental, that's the general plan right now, is
22 they'll probably be rentals?

23 MR. PALMIERI: I'm not sure about that.
24 I'll have Ken get back to you on that.

25 CHAIRMAN JOHNSON: Okay.

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MR. STACH: Typically, you know, from a land use perspective, you don't consider rental or ownership unless there's a compelling practical land use reason, yeah. Like for example, rentals tend to have a slightly higher number of people per unit than owned units in multi-unit structures like this.

A -- you know, other than that, I'm not sure. There might be a small difference in the amount of traffic generation. But overall, you know, they probably will operate the same whether they were condo or rental.

BOARD MEMBER BIEHLE: Everybody is just scared of the size of this thing right now.

CHAIRMAN JOHNSON: Yeah. I think that's -- well, like I said, they addressed the parking. But they, you know, the big thing is still the big thing.

MR. STACH: So, you know, the question here, the Board will need to issue a conditional use permit before it can approve a site plan. So, you know, if the Board has a strong feeling one way or the other that it

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will be disposed to issue that permit or not, you may want to, you know, poll the Board, whatever you need to do to inform the applicant accordingly. And then it would be up to them to decide whether they want to proceed at their own risk, or if they want to try and convince the Board of some of its concerns. For example, by doing renderings, or traffic studies, or whatever else it needs to satisfy your concerns.

BOARD MEMBER JASLOW: So the recreation area interpretation of the balconies, how does that work?

MR. STACH: That would be Mr. Hager, yeah.

MR. HAGER: So forgive me, I'm not familiar with what was just submitted. Are they indicating that the balconies on the individual units are being included in the calculation for the open space area?

BOARD MEMBER BIEHLE: Uh-huh.

CHAIRMAN JOHNSON: Yeah.

MR. HAGER: So I would have to look at the code book and interpret whether I feel

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2 that's appropriate. I could get that
3 interpretation together if that's what's
4 desired by the Board.

5 BOARD MEMBER JASLOW: I think we need to
6 know that.

7 BOARD MEMBER ALESSI: I think so, too.

8 CHAIRMAN JOHNSON: And I'm sure you guys
9 have probably done the research on the
10 numbers on dropping it down one floor.

11 MR. PALMIERI: In terms of?

12 CHAIRMAN JOHNSON: I mean viability. Is
13 it -- I mean, I'm sure that's something that
14 you guys have, you know, looked into. Is
15 there any consideration for dropping it down
16 one floor? Make it three floors instead of
17 four.

18 MR. PALMIERI: I would have to ask the
19 applicant about that.

20 CHAIRMAN JOHNSON: The powers that be,
21 yeah. I mean, because I think that may
22 assuage some of the, some of the concerns.
23 May. I think everybody who was there at the
24 balloon test and really who has looked at
25 some of the profiles of this, everybody

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2 thinks it's a big building.

3 MR. STACH: But you should just ask.

4 BOARD MEMBER PURCELL: Mark, they
5 already dropped the building height from 45
6 to 38?

7 CHAIRMAN JOHNSON: No, that's just an
8 average. It's 45, I believe is the maximum
9 height for the town.

10 BOARD MEMBER ROGERS: Yeah.

11 CHAIRMAN JOHNSON: And --

12 BOARD MEMBER PURCELL: Code.

13 CHAIRMAN JOHNSON: Yeah. And I think
14 it's still 45 --

15 BOARD MEMBER BIEHLE: It's 45 on the
16 northern corner. On the north corner, it's
17 45.

18 CHAIRMAN JOHNSON: Part of the lot, it's
19 still 45. And it's, I don't remember the
20 calculation. But they averaged --

21 BOARD MEMBER PURCELL: 38.

22 CHAIRMAN JOHNSON: Yeah.

23 MR. O'ROURKE: Yeah. Like, the front
24 half of the building is four stories. The
25 back is three stories. They kind of built it

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2 back into that.

3 BOARD MEMBER BIEHLE: Can you look into
4 that? If you were to take off one story, you
5 could buy back some of the building. You
6 have less -- you don't have to do parking in
7 the building and see how that affects you.

8 CHAIRMAN JOHNSON: I mean, if you drop
9 one floor and put additional commercial
10 downstairs, will that, you know, make up for
11 your loss of the fourth floor?

12 All right. I guess we should poll the
13 Board on where they're thinking right now.

14 BOARD MEMBER ALESSI: I, for one, would
15 like to wait and hear John's, his thoughts
16 after he has a chance to look at the code --

17 CHAIRMAN JOHNSON: Okay.

18 BOARD MEMBER ALESSI: -- on the balcony
19 and recreational area issue before issuing a
20 use permit.

21 CHAIRMAN JOHNSON: Yeah. I'm inclined
22 to put a hold on it as well, until we get
23 some answers from John. Maybe get a little
24 bit more feedback from you guys.

25 BOARD MEMBER BIEHLE: I agree.

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BOARD MEMBER JASLOW: I agree.

BOARD MEMBER ROGERS: I agree, too.

BOARD MEMBER PURCELL: I agree.

BOARD MEMBER FERGUSON: I agree.

CHAIRMAN JOHNSON: Okay.

MR. PALMIERI: Can I just make a comment
on the balconies?

CHAIRMAN JOHNSON: Sure.

MR. PALMIERI: I know it was discussed
before. I mentioned, like, eight balconies.
I'm looking at the floor plans right now.
And since the, since the units are basically
all to the outside of the building and
there's, like, a hallway running through the
middle, if you do look at the floor plan, you
kind of see that the balconies are split. So
it looks like one balcony on the site plan.

CHAIRMAN JOHNSON: I've got it.

MR. PALMIERI: So, yeah. So every unit
does have --

BOARD MEMBER ALESSI: No, no, I get
that.

MR. PALMIERI: Okay. I just wasn't sure
if --

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2 BOARD MEMBER ALESSI: No, right. But
3 instead of the folks and kids having an extra
4 5500 to play ball, to do whatever, to run
5 around, to just sit and read a book, now you
6 have your balcony, your whatever the square
7 footage is of the balcony. That's very
8 different than having an extra 5500 square
9 feet that's accessible to everyone.

10 MR. PALMIERI: Yes, I understand.

11 BOARD MEMBER ALESSI: You know what I
12 mean.

13 MR. STACH: Mr. Chairman?

14 CHAIRMAN JOHNSON: Yes, sir.

15 MR. STACH: Could I just suggest, you
16 know, a lot times it's just helpful for the
17 applicant to hear -- you know, I don't know
18 if the applicant goes and gets
19 interpretations, and figures out where to
20 put, you know, more recreational area outside
21 of these balconies.

22 CHAIRMAN JOHNSON: Right.

23 MR. STACH: Is that going to satisfy
24 your concerns? Or, you know, I would
25 think -- it sounded to me like there might be

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other concerns that are --

CHAIRMAN JOHNSON: I agree.

MR. STACH: -- driving us, yeah.

CHAIRMAN JOHNSON: My concern is the size and, you know.

BOARD MEMBER ROGERS: Yeah.

CHAIRMAN JOHNSON: And the scope, you know. It's, I think it's, I personally think it's a little big for, for the property.

BOARD MEMBER BIEHLE: I agree.

CHAIRMAN JOHNSON: And I would, you know, I can't speak for the neighbors around it, but I bet you they think the same thing.

BOARD MEMBER JASLOW: It's, if you took away, rough math, 5500 square feet of balconies, it's 27 apartments less. If there's no room to put it. That's got to be a floor.

MR. STACH: How many are proposed, then?

BOARD MEMBER JASLOW: 88.

CHAIRMAN JOHNSON: 88.

MR. STACH: How many on each floor? How many on the top floor, let's say that.

MR. PALMIERI: Like, 28, 30.

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2 CHAIRMAN JOHNSON: Almost 30, yeah.

3 MR. STACH: This is the old drawing.
4 This is from June.

5 CHAIRMAN JOHNSON: Yeah. I think -- do
6 you have any other questions for the Board?
7 I mean, you probably see where we're sitting
8 right now. Try to understand where we are,
9 right?

10 MR. PALMIERI: Yes. I guess my question
11 is, what would be the next step for us, just
12 to clarify?

13 MR. HAGER: Max, have you compared this
14 proposal to other districts that allow
15 multiple housing? What kind of density is
16 allowed, going units per acre, has anybody
17 looked at that?

18 MR. STACH: You mean within the town of
19 Stony Point.

20 MR. HAGER: Yeah.

21 MR. STACH: I have not taken it from
22 that instance. Frankly, other than the PW
23 district, I don't think we really allow
24 multifamily that I can think of. So I would
25 have to probably compare with the PW.

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2 MR. HAGER: Senior, some of the senior
3 housing.

4 MR. STACH: There are some senior
5 housing, right, that density. I could
6 certainly do that work for the Planning Board
7 if you find it useful to look at what
8 densities are allowed elsewhere in the town
9 as a comparison.

10 CHAIRMAN JOHNSON: That would probably
11 help.

12 BOARD MEMBER BIEHLE: Wouldn't hurt.
13 Yeah.

14 CHAIRMAN JOHNSON: I think so.

15 BOARD MEMBER ROGERS: The only similar
16 one to this is the one by the Fireside, at
17 Fireside now, which was a commercial below
18 and apartments above. And that, to me, was
19 the only one we basically approved on this
20 styling.

21 BOARD MEMBER JASLOW: Pearsons.

22 BOARD MEMBER ROGERS: I'm sorry?

23 BOARD MEMBER JASLOW: Pearsons.

24 BOARD MEMBER ROGERS: Yes, yeah. The
25 Pearson property.

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CHAIRMAN JOHNSON: Yeah.

MR. STACH: The -- I don't think there is a density standard for that. It's, you know.

CHAIRMAN JOHNSON: All right.

THE CLERK: Is that it?

CHAIRMAN JOHNSON: Yup. I think so. Unless anybody else has anything else?

MR. O'ROURKE: Nothing on my end, no. Not at this time.

THE CLERK: Okay.

CHAIRMAN JOHNSON: All right. Thank you very much.

MR. PALMIERI: Thank you.

CHAIRMAN JOHNSON: I appreciate it. Appreciate your time. Thanks.

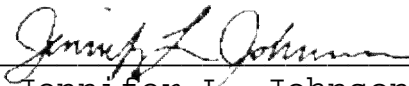
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THE FOREGOING IS CERTIFIED to be a true
and correct transcription of the original
stenographic minutes to the best of my ability.



Jennifer L. Johnson

