

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

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IN THE MATTER

OF

111 SOUTH LIBERTY DRIVE

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Town of Stony Point
19 Clubhouse Lane
Stony Point, New York
October 26, 2023
7:02 p.m.

BEFORE:

MARK JOHNSON, CHAIRMAN
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: All right. First, first up this evening, I got an announcement. The public hearing for 111 South Liberty Drive, at the request of the applicant, the public hearing has been adjourned to the November/December Planning Board meeting to be held on December 14th of 2023 at 7:00 p.m. So there will be no public hearing on 111 South Liberty Drive this evening.

(At this time, the Board conducted other business as listed on the meeting agenda.)

CHAIRMAN JOHNSON: All right. Next up -- that's, that's all the public hearings we have this evening. Next up is 111 South Liberty Drive is still an agenda item open for discussion. Do we have any, any Board Members who have any questions or comments? Well, it doesn't have to be comments, I guess. We just need to address questions.

BOARD MEMBER JASLOW: I'd like to ask the Board if we're open to discussing the Rockland County Department of Planning letter of March 21st with them disapproving the

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applicant's site plan for this project. Any of the Board Members have any comments they'd like to discuss?

CHAIRMAN JOHNSON: I think the County had a lot of interesting and valuable input. Actually, I've got the letter right here. And one of their biggest concerns was just the sheer size of it.

PUBLIC SPEAKER: Excuse me. Can you, can we speak up? We can't hear you out here. I'm in the front row.

CHAIRMAN JOHNSON: I'm sorry. Better? Thank you.

BOARD MEMBER JASLOW: They definitely didn't approve of the size of the building.

CHAIRMAN JOHNSON: Right. And if I remember, most of the Board -- I mean, I don't want to speak for you. But I believe most of the Board had similar comments during the back and forth we've had over the last couple of months.

BOARD MEMBER JASLOW: Even during the public hearing, some of the public brought up comments that we made over the last, over the

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last six or eight months.

CHAIRMAN JOHNSON: Some of them.

BOARD MEMBER JASLOW: Regarding --

CHAIRMAN JOHNSON: Yeah, it was --

BOARD MEMBER JASLOW: -- the impact of the building potentially on the community.

CHAIRMAN JOHNSON: Yeah, I do recall. Some of the, some of the information that they had put up there is, I believe, still valid. And I think we need to discuss our, our willingness to override the County on this. Does --

BOARD MEMBER JASLOW: Maybe I can make a motion to poll the Board to see what --

CHAIRMAN JOHNSON: Sure.

MR. HONAN: Before you do that, Eric, let me just remind the Board that in order for this application to move forward, this Board would be required to override the concerns of the County. The County's March 21, 2023 letter consists of about five pages, very detailed critique of this, this plan. Many of their criticisms have been echoed by the Members of this Board primarily

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due to the sheer size and imposing nature of the structure, and the impact it's going to have on the environment immediately and town-wide. If we do not override this, this County finding of disapproval, a failure to override it will mean essentially that this application is over.

CHAIRMAN JOHNSON: I know, I know

we're --

MR. HONAN: However, in order for the application to be approved, we would have to override it by a super majority of this Board. That means not a mere four people voting for it, but at least five members voting to override. And that basically by overriding, you're basically telling the County that their concerns are not meritorious.

So I think we've had the public hearing delayed and adjourned since, since July, I believe was the last time it was on. So it may be an appropriate time to consider whether this Board has the appetite to override this, or whether the Board agrees

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with the County Planning and that they'll
abide by the disapproval.

CHAIRMAN JOHNSON: All right. How about
I propose we, we take a vote on this. Do we
poll the Board?

MR. HONAN: You can make a, you can make
a motion.

CHAIRMAN JOHNSON: All right.

MR. HONAN: And with respect to an
override. And that would be in the nature of
making a motion, a very simple motion, that
the Planning Board override the
Rockland County Department of Planning's
letter of March 21, 2023, and its
recommendation of disapproval of the
application. And that basically all those
who vote yes will be seeking to override.
And those who vote no would say no, we agree
with the County Planning. We're not going to
override their concerns.

CHAIRMAN JOHNSON: All right, so.

BOARD MEMBER JASLOW: Steve, can we ask
if any of the Board Members have any other
comments --

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MR. HONAN: Absolutely.

BOARD MEMBER JASLOW: -- before we make
a motion.

MR. HONAN: Absolutely.

CHAIRMAN JOHNSON: Yeah, absolutely.

BOARD MEMBER JASLOW: Any of the Board
Members have any comments?

BOARD MEMBER PURCELL: I will say that
I'd like to thank everybody involved in the
process. Not just this Board, but the
public, the County, the applicant itself, all
the professional groups that work with them.
As we know, local municipalities try to have
their home rule, but also work close with the
County because everybody wants as much as
possible to be in harmony.

A lot of concerns are out there. A lot
of issues are out there. And in the County
letter, some of the issues were addressed by
the applicant and some weren't.

But at the end of the day, I think the
County and ourselves, the one common
denominator is the size of the project. It's
a problem. Or, excuse me, I'll use the words

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concern, so. I feel all the agencies involved and both parties have done their due diligence at this time. And now we as a Board have to make that decision on where we want to go on the next step.

I want to thank everybody through the process was pretty coolheaded and listened to everybody. I think it's important that we communicate well. But at this time, you know, we will have to make that decision right now, and then we'll take it from there. So I just want to thank everybody on all parties on all sides. Thank you for your time and your patience through this process.

CHAIRMAN JOHNSON: Thank you, James.

BOARD MEMBER PURCELL: You're welcome.

CHAIRMAN JOHNSON: All right. So just to clarify so everybody is crystal clear on how this vote lands. A yes vote will mean that you're going to vote to override the County and let the project proceed, and a no vote is to not override the County, which pretty much ends the review of this Board for this project. So I just want to make sure

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everybody's clear the way that goes. Mary,
do you want to poll the Board?

THE CLERK: You have to make a motion.

BOARD MEMBER JASLOW: I'll make that
motion.

CHAIRMAN JOHNSON: Yeah.

BOARD MEMBER JASLOW: I'll make that
motion on a roll call vote of the Board.

BOARD MEMBER ROGERS: I'll second it.

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

(Response of aye was given.)

THE CLERK: Okay.

CHAIRMAN JOHNSON: Any opposed? Go
ahead, Mary.

THE CLERK: Mr. Biehle?

BOARD MEMBER BIEHLE: No.

THE CLERK: Mr. Jaslow?

BOARD MEMBER JASLOW: No.

THE CLERK: Mr. Purcell?

BOARD MEMBER PURCELL: No.

THE CLERK: Mr. Rogers?

BOARD MEMBER ROGERS: No.

THE CLERK: Mr. Ferguson?

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BOARD MEMBER FERGUSON: No.

THE CLERK: Chairman Johnson?

CHAIRMAN JOHNSON: No.

THE CLERK: Okay.

MR. HONAN: We actually need a motion
seconded.

BOARD MEMBER PURCELL: Seconded, we
didn't second the motion.

THE CLERK: Jerry, did you --

CHAIRMAN JOHNSON: Yeah.

BOARD MEMBER JASLOW: Jerry seconded.

MR. HONAN: I didn't hear the second.

CHAIRMAN JOHNSON: I'm sorry.

THE CLERK: Okay.

CHAIRMAN JOHNSON: All right, so.

THE CLERK: We have six nos. Steve,
anything else? We have six nos.

MR. HONAN: No, that's it. If we have
six nos on it, the motion fails. We do not
override the County Planning letter of
March 21, I believe, of 2023.

CHAIRMAN JOHNSON: Yes, sir.

PUBLIC SPEAKER: Thank you guys.

MR. HONAN: That essentially concludes

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our review of this application because we cannot move forward unless this Board was willing to override the County Planning letter of disapproval.

PUBLIC SPEAKER: Great job.

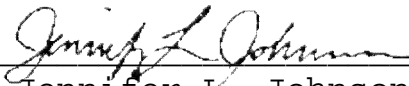
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THE FOREGOING IS CERTIFIED to be a true
and correct transcription of the original
stenographic minutes to the best of my ability.



Jennifer L. Johnson

