

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
December 9, 2021
7:00 p.m.

BEFORE:

THOMAS GUBITOSA, CHAIRMAN
JAKE CATALDO, BOARD MEMBER
MICHAEL FERGUSON, BOARD MEMBER
ERIC JASLOW, BOARD MEMBER
MARK JOHNSON, BOARD MEMBER
JERRY ROGERS, BOARD MEMBER

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

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

Proceedings

CHAIRMAN GUBITOSA: All right. First item on the agenda is going to be Eagle Bay. This is a preliminary review, a preliminary. One thing I'm going to do tonight, since this is going to be my last meeting, Mark's going to -- he's my Vice Chair. I'm going to have him lead a little tonight. But I'll be still doing the chairing tonight.

So, Eagle Bay. Who wants to come up?

MS. MELE: I'm the one. Your last meeting. I'm sorry to hear that. Thank you for your service.

CHAIRMAN GUBITOSA: Thank you.

MS. MELE: Amy Mele, 100 Dutch Hill Road, Suite 330, Orangetown, New York, 10962, on behalf the applicant this evening.

The details are all right there in front of you in these drawings that Mr. Zigler has provided to the Board. We did have a TAC meeting earlier this month. And I think it's safe to say that from a consultant's standpoint and the applicant's standpoint, we feel that we've provided enough information

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

Proceedings

to receive preliminary approval this evening.
That will allow us to move forward with
several of the permit applications, and we
can wrap up the loose ends that are required
for final.

So without any further ado, I'll sit
down, unless you have any questions of me.

CHAIRMAN GUBITOSA: All right. Max,
any?

MR. STACH: So I have received the
revised drawings, and we are going through
them. At this point, it's details. It's --
and I will have you my review before the next
TAC meeting.

CHAIRMAN GUBITOSA: Thanks, Max.

MS. MELE: Thank you.

MR. STACH: You're welcome.

CHAIRMAN GUBITOSA: John Hager, any?
I'll give that John first.

MR. HAGER: No, I don't have any.

MR. O'ROURKE: If Max is going to have
his comments by the next TAC meeting, that's
going to put the pressure on me to have mine
done by next TAC meeting.

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

Proceedings

MS. MELE: We appreciate that.

MR. O'ROURKE: We've only got a thousand pages.

MR. HAGER: I don't have any comments.

MR. O'ROURKE: But yeah. This is all the details. We've previously given you our comments. It should be pretty straightforward. They seem to address them all.

We recently, I think, received today the flood warning sign, which we had been waiting for. So we're certainly satisfied with the plans as they are. And certainly, for a preliminary so they can go to the outside agencies, because those are going to be their big hurdles, especially, honestly, with the train.

CHAIRMAN GUBITOSA: Right.

MR. O'ROURKE: It's going to take a lot of time. So I'm satisfied with the plans to date.

CHAIRMAN GUBITOSA: All right.

MS. MELE: Thank you.

CHAIRMAN GUBITOSA: Good. I think the

1 Proceedings

2 Board -- does the Board have any comments?

3 John. John, I'm sorry.

4 MR. HAGER: No, I don't have any
5 comments.

6 CHAIRMAN GUBITOSA: Thank you, John.
7 How about from the Board, any? I know we've
8 been looking at this for, what, two and a
9 half years. And like I've said, like you
10 said, John, this is the preliminary just so
11 that they can get things going with permits
12 through all the other agencies.

13 So if the Board doesn't have any other
14 comments, what we'll do is we'll go through
15 the resolution, a resolution granting
16 preliminary site plan for the project. And
17 then we'll give a vote on that. I'll read
18 this one.

19 All right. This is a resolution
20 granting preliminary site plan approval for
21 the project Eagle Bay Mixed Use Development,
22 the application Breakers on the Hudson, LLC.

23 Whereas, an application for preliminary
24 and final site plan approval and conditional
25 use approval for a waterfront mixed use

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

Proceedings
development, pursuant to 215-92.3 of the Town
Code, dated May 21, 2017, and revised June
26, 2018, a full EAF and a project narrative,
dated May 24, 2017, seeking the
re-development of an existing
commercial/industrial area, and the applicant
seeks to construct four multi-unit
residential buildings, for a total of 264
residential units, a commercial center
building for various commercial uses, a
minimum of 100 boat slips, and a pedestrian
esplanade along the Hudson River which will
provide the public with access to and
enjoyment of the Hudson River waterfront, and
the construction of at least 611 parking
spaces to support the aforesaid uses, and
upon a submitted proposed site plan for the
project entitled Eagle Bay, consisting of 23
sheets, prepared by Atzl, Nasher and Zigler,
P.C., dated August 1, 2019, and last revised
February 4, 2021, in addition to submitted
plans for landscaping, lighting, and traffic,
signage and offsite improvements; and
Whereas, the proposed action project

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

Proceedings

site is a waterfront development located on Hudson Drive approximately 600 feet north of the intersection of Tomkins Avenue in the Town of Stony Point, Rockland County, New York, and is bound by train rails of the Consolidated Railroad Corporation to the west, the Palisades Interstate Park, Stony Point Battlefield to the north, the Hudson River to the east, and private properties to the south. The site consists of a total of 41 acres, of which 26.5 plus or minus acres consist of environmentally restricted areas, the remaining 14.5 plus or minus acres consists of buildable land area. The site is located upon three tax parcels identified on the Stony Point tax map as 15.04-6-3, 15.04-6-4, and 15.04-6-6, and which are commonly known as 31 Hudson Drive, 36 Hudson Drive, and 22 Hudson Drive, Stony Point, New York, respectively. The project site is in the Planned Waterfront, PW, Zoning District, and this zone is designated for land along the waterfront of the Hudson River in Stony Point, hereinafter,

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

Proceedings

subject premises; and

Whereas, pursuant to the provisions of the New York State Environmental Quality Review Act and its implementing regulations, the Planning Board of the Town of Stony Point on June 26, 2018, issued a Notice of Intent to act as Lead Agency, and the project was classified as a Type I action; and on June 28, 2018, this Board issued a Positive Declaration and Notice of Intent to Prepare a Draft EIS, as the proposed action may have a significant impact upon the environment, and directed that a Draft Environmental Impact Statement, DEIS, be prepared, and that scoping would be conducted and a draft scope was submitted; on September 27, 2018, this Board, acting in its capacity as Lead Agency on this application, adopted the Final Scope for the project; and on December 12, 2019, this Board accepted the DEIS for the project; and thereafter, this Board conducted a public hearing on the DEIS, at which time comments were received from the public, and the public comment period was held open for receipt of

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

Proceedings

additional written comments from the public and from involved agencies; and thereafter, the Final Environmental Impact Statement, the FEIS, for the project was supplied at the direction of the Planning Board; and by resolution of September 24, 2020, this Board accepted, approved, and adopted the FEIS for the Eagle Bay Mixed Use Development Project; and

Whereas, subsequent to the aforesaid resolution of September 24, 2020, it was brought to the attention of this Board and to the applicant of the existence of a letter from the Palisades Interstate Park Commission, the PIPC, dated February 13, 2020, which contained comments upon the DEIS and identified areas of concern, but which letter had not been specifically acknowledged; and the applicant responded to the comments contained in the PIPC letter of February 13, 2020, and this Board considered the responses to the comments, and the identified areas of concern contained in the PIPC letter of February 13, 2020, were

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

Proceedings

included in an addendum to the FEIS which was adopted by the Planning Board as Lead Agency on December 10, 2020, and an FEIS addendum was issued, dated January 7, 2021, and the Lead Agency's findings statement was issued by the Planning Board dated February 4, 2021; and

Whereas, the applicant commissioned a traffic impact study and traffic signal concept plan which was performed by Maser Consulting, P.A., which studied anticipated traffic on-site and upon off-site area roadways and intersections, and which plans and studies were reviewed and accepted by the Town's traffic consultant, Provident Design Engineering, and emergency and secondary access to and from the site was also studied and verified as sufficient; and

Whereas, the applicant conducted studies and inspections of the existing area sanitary and storm sewer systems, including the potential to improve and repair the existing sanitary sewer system and pump station, and has submitted a site plan including the

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

Proceedings

construction of sanitary and storm water sewer systems to accommodate the project, as well as the construction of a water main on-site and improvements to the existing water main; and

Whereas, the applicant has proposed easements for ingress and egress, utilities and for public access including an esplanade with amenities along the Hudson River, including a fishing pier and parking for the public's use and enjoyment, and which improvements will permit increased public access to and recreational opportunities along the riverfront, as well as a 50 foot wide easement from the north of the site to the Historic Stony Point Battlefield, which may facilitate the potential future construction by third parties of a footpath through the DEC wetlands and adjacent area; and

Whereas, the applicant has submitted its proposed site plan and architectural drawings and renderings, landscape designs and lighting plans to the Town of Stony Point

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

Proceedings

Architectural Review Board, and the submissions have undergone extensive review by the ARB, and which plans and proposals have been deemed satisfactory to that Board for the limited purposes of concept approval and preliminary site plan approval; and

Whereas, pursuant to the General Municipal Law referrals, this Board has received responses from the Rockland County Department of Planning, the Rockland County Department of Health, the Rockland County Department of Highways, and the Rockland County Drainage Agency, which applicable concerns and observations the applicant is presently working to satisfy; and

Whereas, there has been considerable public input and comments received by this Board concerning this project, and in addition to conducting a public hearing, which was opened and conducted on April 22, 2021, and continued to May 27, 2021, and continued to June 24, 2021, at which date the public hearing was concluded and closed, but extended for ten days for receipt of written

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

Proceedings

comments, special meetings and numerous work sessions of this Board were conducted before the public so as to afford transparency and full disclosure to the public of this Board's review process concerning this project; and

Whereas, the applicant has requested at this time that this Board issue a resolution of preliminary site plan approval pursuant to Town Code Article X, Site Development Plan Review, at Section 215-62; and

Whereas, the Town Code Section 215-62 authorizes this Board to issue a resolution of preliminary site plan approval where the proposed plan is generally acceptable in concept at this juncture, and with the understanding that the applicant will be required to seek final site plan approval and at that time satisfy all provisions for such approval under the Town Code and meet various conditions of approval imposed by this Board and to be set forth and indicated in a resolution of final site plan approval; and

Whereas, this application appeared as an agenda item at a Planning Board meeting on

1 Proceedings

2 December 9, 2021.

3 Now, therefore, be it resolved that the
4 subject application for preliminary site plan
5 approval relative to the subject premises is
6 approved, and the Chairman is hereby
7 authorized to sign same and to permit same to
8 be filed in the office of the Town Clerk,
9 upon payment of any and all outstanding fees
10 to the Town, subject and conditioned upon the
11 following:

12 One, all of the whereas paragraphs are
13 incorporated herein by reference.

14 Two, the applicant shall comply with all
15 provisions of the Town Code, and all rules
16 and regulations of the Town of Stony Point.

17 All right, so I have a resolution that
18 I've read. I need a motion to accept it.

19 BOARD MEMBER ROGERS: I'll make that
20 motion, Mr. Chairman.

21 CHAIRMAN GUBITOSA: Second?

22 BOARD MEMBER FERGUSON: I'll second it.

23 CHAIRMAN GUBITOSA: Any comments, or any
24 additions, any changes? All right. I have a
25 motion and a second. Mary, just poll the

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

Proceedings

Board?

THE CLERK: Mr. Johnson?

BOARD MEMBER JOHNSON: Yes.

THE CLERK: Mr. Jaslow?

BOARD MEMBER JASLOW: Yes.

THE CLERK: Mr. Cataldo?

BOARD MEMBER CATALDO: Yes.

THE CLERK: Mr. Ferguson?

BOARD MEMBER FERGUSON: Yes.

THE CLERK: Mr. Rogers?

BOARD MEMBER ROGERS: Yes.

THE CLERK: Chairman Gubitosa?

CHAIRMAN GUBITOSA: Yes. All right.

You're all set. Now the fun begins.

MS. MELE: Thank you.

MR. ZIGLER: Thank you.

CHAIRMAN GUBITOSA: Thank you.

MS. MELE: Happy holidays, everyone.

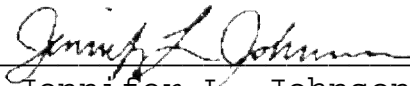
(Time noted: 7:15 p.m.)

oOo

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

Proceedings

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



Jennifer L. Johnson

