

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
December 14, 2023
7:58 p.m.

BEFORE:

MARK JOHNSON, CHAIRMAN
ROLAND BIEHLE, BOARD MEMBER
MICHAEL FERGUSON, BOARD MEMBER
ERIC JASLOW, BOARD MEMBER
JERRY ROGERS, BOARD MEMBER

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

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CHAIRMAN JOHNSON: All right. Town Line is off. Other business. Got a motion to accept the meeting minutes from the October meeting?

BOARD MEMBER JASLOW: I'll make that motion.

BOARD MEMBER FERGUSON: Second.

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

(Response of aye was given.)

CHAIRMAN JOHNSON: Any opposed? Motion carries.

All right. Next we've got -- all right, 111 South Liberty. Steve, you want to?

MR. HONAN: Yeah. There was some questions, particularly by the Zoning Board of Appeals at their last meeting. The 111 South Liberty appeared on their agenda, and some of the Zoning Board Members were unclear as to whether our last vote on it on October 26, 2023, was a dispositive of the application.

As a matter of law, essentially it is,

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because in order for this application to proceed forward and be approved, this Board would have to override the County Planning's letter of disapproval of the application. We attempted to override it at the last meeting of October 26th, and the motion did not pass. It was denied.

CHAIRMAN JOHNSON: Right.

MR. HONAN: So that essentially, by operation of law, by the General Municipal Law, would terminate it. But in order to make it clear, I've drafted a resolution which basically outlines what we did at the last meeting, and that at this meeting, we're going to propose to affirmatively deny the application.

CHAIRMAN JOHNSON: Okay.

MR. HONAN: So if you were to vote yes for this resolution, that would mean that we are, we are basically denying the application of 111 South Liberty Drive.

CHAIRMAN JOHNSON: Okay. All right. Can I get a motion to read the resolution?

BOARD MEMBER ROGERS: I'll make a

1 Proceedings

2 motion.

3 CHAIRMAN JOHNSON: I got a motion and a
4 second? All in favor?

5 (Response of aye was given.)

6 CHAIRMAN JOHNSON: Any opposed? All
7 right.

8 Resolution, denial of application for
9 final site plan and conditional use approval
10 for the project 111 South Liberty Drive, by
11 application of Mr. Jack Lieberman of
12 305 Airport Executive Park, Nanuet, New York
13 10954.

14 Whereas, an application and a full
15 environmental assessment form dated
16 January 28 of 2021 have been submitted to the
17 Planning Board of the Town of Stony Point for
18 preliminary purposes -- no, I'm sorry, for
19 preliminary and final site plan and
20 conditional use approval to redevelop the
21 site for the project which proposes the
22 construction of a U-shaped four-story
23 building, with the first floor providing
24 commercial offices and the second through
25 fourth floors to be a mix of one and

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two-bedroom residences, totaling approximately 86 residential units, along with parking spaces provided for the residential units and for the office use, and upon a submitted proposed site plan entitled 111 South Liberty Drive, prepared by Brooker Engineering, and concerning premises designated as Section 20.11, Block 2, Lot 29 on the tax map of the Town of Stony Point, County of Rockland, consisting of 4.348 acres and located in the BU and R1 zoning districts at 111 South Liberty Drive, which is Route 9W in Stony Point, 10980; and

Whereas, by a letter dated March 21 of this year, the Rockland County Department of Planning pursuant to the requirements of the GML Law 239-1 and M, issued a recommendation of disapproval of the project and application; and

Whereas, pursuant to the provisions of GML 239-M5, this Board shall not act contrary to the Rockland County Department of Planning's recommendation of disapproval of the proposed action except by a vote of a

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majority plus one of all the Planning Board Members; and

Whereas, on October 26th of this year, the above application came before this Board as an agenda item at a regularly scheduled Planning Board meeting at 7:00 p.m., at which time a motion was made and seconded to override the Rockland County Department of Planning's letter of March 21 of this year and its recommendation of disapproval of the subject application, at which time the motion to override was denied by a unanimous vote of those members present, with six votes against and one member being absent; and

Now, therefore, be it resolved that the instant application for the preliminary and final site plan and conditional use approval be and hereby is denied, and all whereas paragraphs are incorporated herein by reference as though set forth in full herein, and the Chairman is hereby authorized to sign same and to permit same to be filed in the Office of the Town Clerk.

The question of the adoption of the

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foregoing resolution was duly put to a vote on roll call on December 14 of this year, which results as follows. Mary, poll the Board, please.

THE CLERK: Mr. Biehle?

BOARD MEMBER BIEHLE: Yes.

THE CLERK: Mr. Jaslow?

BOARD MEMBER JASLOW: Yes.

THE CLERK: Mr. Rogers?

BOARD MEMBER ROGERS: Yes.

THE CLERK: Mr. Ferguson?

BOARD MEMBER FERGUSON: Yes.

THE CLERK: Chairman Johnson?

CHAIRMAN JOHNSON: Yes. The resolution is thereby duly adopted. All right.


(Time noted: 8:05 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

