

# *Town of Stony Point*

## Department of Planning

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## **PLANNING BOARD MINUTES**

**JULY 26, 2012**

**RHO BUILDING at 6:00 P.M**

### Present:

Thomas McMenamin, Member  
Peter Muller, Member – acting chairman  
Michael Puccio, Member  
Gene Kraese, Member  
Gladys Callaghan, Member - absent  
Gerry Rogers, Member  
Thomas Gubitosa, Chairman - absent

### Also Present:

Ferrick, Lynch & MacCartney, Esq.  
By, Steve Honan, Esq.  
Harold McCartney, Esq.

Turner Miller Group, Principe Planner

By: Mr. Max Stach

Kevin Maher, Town Engineer

Chairman: Good evening everybody, first on the agenda we have Crickettown Ridge, Mr. Zigler.

Crickettown Ridge – SBL 15.03-3-2 RR District, 3 lot minor subdivision, located at the northeast corner of Crickettown Road and Heights Road

Mr. Zigler: When we were at the workshop a couple of weeks ago I mention that there was an opportunity that one of the other neighbors was going to offer to take the conservation easement. So that has come true that we do have a neighbor, Mr. Jacobson who will take the conservation easement which we will call a conservation buffer. Take that lot and merge with this property so there will be no changes in anything but the ownership of this. These are the two lots we went for the variance on one access off the Heights one access off Crickettown both conform a variance would make these more in line with your code subdivision 26d which states that the lots should be (inaudible) we didn't get the variances so we revised this and we made this lot wider

and we made it into a pie shape going all the way back to this conservation easement buffer. So now we have one lot which meets the code for your average density zone. The zone has a very strict code for the square footage and lot width we meet that. Lot 2 does because it is very wide and this is the Culhane lot they are going to need property to the north side of their property so now their driveway is going to be on their property. So now the two new lots one and two meet the code for your average density the Culhane lot is about 55,000 square foot it is a big lot but everything he has today is within his lot, his driveway on both sides. Now the conservation buffer is what we are discussing and Mr. Jacobson lives right here this will be the first house, then it ends at the house on the corner right here. We are going to have it merging with this existing lot, so again whether Culhane owns it or Mr. Jacobson it is still under the same restrictions and that is what we are asking. With an easement basically you can't do anything with it you can't put a fence around, it can't trim any dead trees, can't landscape it where as a buffer by your code he is allowed to put a fence around it (inaudible) and he is allowed to landscape it, he is allowed to go in and clear dead trees if he wants but he still cannot build a carport, shed or anything no construction of any improvement but he can make it actually in a better state. So that is what we are asking the Board to adopt a new short form and next month we are going to have Mr. Jacobson on, so you will have Anne Kennedy, the Calhan's and Mr. Jacobson and we will re-notify for a Public Hearing and make that amendment to the notice and have a Public Hearing Next month. There are no changes other than ownership of that buffer lot.

Mr. Rogers: He would not be able to park any construction vehicles or anything on that property?

Mr. Zigler: No, neither person could. No parking no driveways just basically to use it in its natural state and enhance it in its natural standing, no structures.

MOTION: ADOPT AMENDEN NEGATIVE DECLATION  
Made by Gene Kraese and seconded by Gerry Rogers, all in favor.

Proposed Draft  
State Environmental Quality Review  
**AMENDED NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance  
**PROJECT:** Crickettown Ridge  
**TOWN OF STONY POINT, NEW YORK**  
**DATE:** JULY 26, 2012

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Planning Board of the Town of Stony Point, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Crickettown Ridge Subdivision

**SEQR Status:** Unlisted

**Condition Negative Declaration:** No

**Description of Action:** Average Density Subdivision of three existing lots into

four lots, for two new single-family detached building lots, one existing building lot and one lot with a conservation buffer.

**Location:** South Side of Crickettown Road approximately east of Heights Road.

**Reasons Supporting This Determination:**

The proposed action is not anticipated to result in any adverse environmental impacts based on the following:

1. On or about February 4, 2011 the Planning Board received a Part 1 Full Environmental Assessment Form (EAF) providing project information;
2. On or about March 24, 2011 the Planning Board assumed lead agency status and declared the action unlisted.
3. On or about December 8, 2011, the Stony Point Planning Board adopted a Part 2 EAF indicating a potential large drainage/erosion impact;
  
4. On or about December 8, 2012, the Planning Board adopted a Notice of Determination of Non-Significance determining that:
  - a. The proposed average density subdivision will concentrate development on a smaller portion of the lot downhill from and on the portion of the property furthest from the existing potential wetland and areas identified by neighbors as being subject to existing stormwater runoff;
  - b. The Town Engineer has reviewed the application and finds that stormwater controls may be developed to adequately prevent any increase in the rate of runoff to neighboring properties and no stormwater impacts are anticipated as a result of the average density plan;
5. On or about July 26, 2012, the Planning Board received an amended Short EAF describing a change to the project in which an additional property owner has been included in order that the open space conservation buffer created by the proposed subdivision be maintained by a resident that has the largest interest in ensuring its maintenance due to drainage concerns;
6. No other potential large impacts were identified for the site.

Chairman: We are going to open the Public Hearing we are going to keep it open and we are going to notify all neighbors adjacent to these properties so they will have the opportunity to speak either tonight or next week so if you have anything to say on this project please step forward and just state your name. I'm sorry till next month at the meeting. No Public input at this time.

**MOTION: CONTINUE PUBLIC HEARING TILL THE AUGUST 23, 2012 MEETING.**  
Made by Gerry Rogers and seconded by Gene Kraese, all in favor.

Chairman: Second on the agenda is Hudson Bay Complex Building E.

Hudson Bay Complex Building E – SBL 20.04-11-2.3 LI District, Amended Site Plan and Lot Line Change, located on the north side of Holt Drive 1,200 feet east of Route 9W.

Mr. Puccio: I Michael Puccio will recues myself form this application.

Mr. Zigler: I'm Dave Zigler from Atzl, Scatassa & Zigler representing Magee's on Hudson Bay Storage, two weeks ago we went out for a field trip it's down on Holt Drive it's the storage facility that is behind Shop Rite and if you remember about 10 or 11 years ago the original site plan had a big building in the front it was a very high building with warehouse and offices above it that has not had any interest and Mr. Magee did not build it so instead of continuing on with that building we want to revise the Site Plan and make more storage facilities. As you know the storage facility actually sits on the north half of the property the back building is two stories high because it is the grade of the slope of the hill and the front buildings are only one story high. That is the same thing we are going to do with this as we staked it out and looked at the entrance to the storage facility and there is a parking area right here you start there at the first building on the west side so you have an entrance to the top of the parking area and to the bottom. Then the next two building will be a one story they are all narrow like the buildings in the back and they would mimic that architectural plan. They will have the fence extended and most likely he would move the office maybe out front it just will become one site with all storage facilities. The plans we produced and shown to the Planning Board requires variances it would require variances for front yard, the zone itself is 75 foot were we have about 40, the 40 foot was not just drawn out of the air but that is what Shop Rite is so if you went down and looked at Shop Rite and you went down and looked down the road off the front of Shop Rite this site would match that. There is not going to be any closer it will equal to that. That is about 55 to 60 foot off the pavement so it is a long ways form the pavement and it is 40 foot by the survey but in physical look it sits back quite away and besides that are curb views so these fillings will be staggered away from the line of site. The second request would be a variance for the side yard also included in this application is an amendment of the property line. That amendment of the property line would require a variance of the side yard. The third variance which I think we are going to need when we develop this is coverage we are going to exceed the coverage and it is pretty easy to see why because we are asking for variances for the front yard. So that would exceed the coverage so we will be asking for three variances and coming back for site plan approval and an amendment of a site plan and also attached to that is another application side by side because if one does not pass the other one doesn't pass they go together but separate applications is the amendment of this property line. This is the property line between overlook – something like that – the existing property line now goes like this which is a little bit weird because there is an access easement right here so the access easement which is basically with the road there is a strip of property on the other side which has no value to this site. So the idea was to realign that property line take that strip of property that has no value over there and then bring the property line out straight so we don't have this encroaching condition that we have now and we can actually fix this intersection a little bit better make it more raise so you can get in and out. Right now you can't do that because it hasn't existed when you were down there it's there but beyond the easements right now so this second potion of the application is the amendment of the

property line. Hudson Bay gets around 13,000 square foot and this triangle piece will go over which is about 3,000 so there is a change in 10,000 square foot. The site plan of Hudson Bay will be this sheet there will be a second sheet that will be an amendment of the property line and that sheet will also break down both tables for the sites because this request of the property line does not bring out any variances need for the second sight so we will prove that everything that has been approved on that site with the Church and Good Luck Auto there are probably about four site plans down there we will still adhere to all that. With that we would like to proceed and develop more detailed plans for Hudson Bay and develop a little bit better subdivision map you have in your package. Detailing parking and everything else and then we would also as if this plan seems to be good for a sketch you would send us to the ARB so we could get the ARB going. That would be in our best interest right now to get to the ARB so everything matches up.

Chairman: Just for the record we had done a site visit and we had the Planning and Zoning Board down there at the same time and the sites makes a lot more sense in line with Shop Rite moving that piece over which is unusable to the other lot and the general consent that day and I didn't hear anything negative was this was a good plan. So I believe that is the direction that we are moving so we can give you permission to go to the ARB. Then get us another sketch.

Mr. Zigler: We will develop another plan, I really don't think I could make the next agenda because your deadline is next Thursday and I have this habit of like sleeping and eating so I don't think we will be able to make that we have to actually develop complete site plans for Hudson Bay and then again we have to do the subdivision map. If we resubmit in September and then get a referral out to the Zoning Board on what variances we need we will still be on the same track because the ZBA does not meet in August so I think it will be better for us to come back in September with the full set of plans have the variances down with the a little bit harder facts and then proceed from there during that time he can go to the ARB and we can't get final till we have an ARB approval. So we would be in line to come back to the Board for September and October.

Mr. Kraese: Just for the record as Pete says we were down there and basically it will all look the same as is there now with the fencing the shrubbery the columns in between and you are going to open up that intersection eventually to make it a better safety feature as far as moving that little piece of property.

Mr. Zigler: In moving the fence over the light poles and the fence will supply the security for that so that would be good. I would just like to leave open if I am so lucky to finish the maps that I might submit for Thursday but I don't know if it is going to happen.

Mr. McMenamain: You seem to cover every inch of the property in impervious surface could you take a minute to go over your drainage.

Mr. Zigler: Basically the drainage for this plan was approved about 12 years ago and the only difference in what we are doing now and in that approval would be the difference of the impervious coverage which we don't have the answer for but the system is already built and built out and then this is a pipe going through here and there is a system here for filtration underneath the ground. So that was originally part of this plan.

Mr. McMEnamin: The rest of the structures?

Mr. Zigler: There is a filtration system.

Mr. McMEnamin: So what is that for?

Mr. Zigler: It was built out the drainage on this site was built out till to the approved site plan even though this area was never built and this was upgraded when Shop Rite came in. So the only undersize part of this system would be whatever we have in impervious coverage and I do believe that system was overdeveloped by 10 -15 percent so we will know better when we get to it.

Chairman: Motion to send them to the ARB.

**MOTION: REFER APPLICANT TO ARCHITECTURAL REVIEW BOARD**

Made by Gene Kraese and seconded by Gerry Rogers, all in favor

Chairman: We have on other business Virgin Mary Church, is anyone for the Church here tonight, Mr. Zigler, ok.

Virgin Mary and St. Pachomius Coptic Church SBL 14.02-1-30 - Field Change

Mr. Zigler: Basically they put up a temporary patio they put addition on in back of the building that they had approval for and were the Church sits out towards the PIP that's call a temporary patio and the Church Board was upset that nobody would have a record on this so I asked Bill Sheehan, Town Building inspector and he said it would be a field change. It is just a temporary patio because it sits where extension to the Church would go we just want to put it in the record and the day that they come for the building permit for the Church they will have to take the patio up. It's slate stone loose patio.

Chairman: I spoke with the building department and they said you did not need a permit and everything was fine so we are just going to make it part of the record. Does the Board have any questions? No

Mr. Kraese: Mr. Chairman before you close there is a lot of people here tonight that have not said much would you like to voice any concerns on the record off the record?

Chairman: No public input at this time, motion to close meeting.

**MOTION: TO CLOSE THE MEETING**

Made by Gerry Rogers and seconded by Michael Puccio, all in favor.

Respectfully submitted,

Mary Pagano, Clerk to the Planning Board