

Town of Stony Point

Department of Planning

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PLANNING BOARD MINUTES

JUNE 28, 2012

RHO BUILDING at 6:00 P.M

Present:

Thomas McMenamin, Member

Peter Muller, Member

Michael Puccio, Member

Gene Kraese, Member

Gladys Callaghan, Member - absent

Gerry Rogers, Member

Thomas Gubitosa, Chairman

Also Present:

Ferrick, Lynch & MacCartney, Esq.

By Steve Honan, Esq.

Turner Miller Group, Principle Planner

By: Mr. Stu Turner

Kevin Maher, Town Engineer

CHAIRMAN: Good evening. This is the June 28, 2012 Planning Board Meeting. Can we all stand for the Pledge?

CHAIRMAN: Mary, can you call the roll, please?

Mr. McMenamin – Here

Mr. Muller – Here

Mr. Puccio – Here

Mr. Kraese – Here

Mr. Callaghan – absent

Mr. Rogers – Here

Chairman Gubitosa - Here

CHAIRMAN: We are going to do Hudson Bay on the agenda first this is a new application, Mr. Zigler could you tell us what you are looking for.

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. Zigler: Dave Zigler from Atzl, Scatassa and Zigler with this handsome gentleman Pat Magee. Hudson Bay Complex was approved about 4 years ago we had an amended map we had gone back to the ZBA so this has been review at least three times since the original approval in the beginning the front of the property had one building on it. The building was a combination of office and warehouse basically that has no interest to have Mr. Magee invest in that. Being that the storage facility in back is doing strong and is a better business we applied for revision approval. Basically take that one building out and replace it with small storage facilities that are nearer the buildings that are on the north side of the property. What you end up with is what you have approved 28, 000 square foot building in the front and that would change to about 49,000 square foot of storage facilities. We would still maintain the parking although in the original calculations the storage facilities didn't have any parking the parking is there for the offices but we still want to maintain that dirt parking lot that you see when you pull into the site. So with that we applied to the Board for a revised site plan. The plan itself has two libels it needs variances for the buildings to be sitting as shown on the plan the buildings are too close to the road for the zone but they match the distance of Shop Rite from the drive. So if you pulled into Shop Rite and looked to your right these buildings will line up that requires a variance the same as we did with Shop Rite the other thing that it requires is that we are changing the property line. Now you have been down there long enough that you know that the property line between Bay View and Hudson has a bend in it and it basically follows a bypass road to get around to the railroad tracks. What we are proposing to do is to make a straight line between the two businesses that affects Bay View and none because there is an area between the easement of the road and the property line and all we are doing is moving the property line down to match. It is shown on the site plan it is actually shown on the subdivision map. Hudson Bay picks up about thirteen thousand square foot and Bay View picks up about three losing ten thousand square foot, it allows for the entrance to be wider coming out of Bay View so it does help with that. As you know now when you go down it kind of like a little weird left to go around the parking lot so that will be a little better for entering and exiting. That entrance that right away that takes you over the railroad tracks. This is the first time it is in front of the Board what we would like to do is go stake the building out so you can see them on site and see how they fit to Shop Rite because we are all working on a curve, so when I say it is 40 foot so actually if you stand at Shop Rite and look down they will actually will be behind the facade of Shop Rite. We like to stake the buildings out and then also like to show you the change in the property line doing a field trip as soon as possible and hopefully you will think that the variances aren't that large and that the storage facility being that it being used will be a better product than a warehouse and storage building that seems to have no interest.

Chairman: Before we get started for the record the attorney Kevin Odell will be handling this application. Also, for the record one of the members Mr. Puccio has done business with Mr. Magee and I wanted to put that on the record.

Mr. Stach: You need Notice of Intent to be Lead Agency and refer that to the Zoning Board of Appeals.

Mr. Kraese: Can the Zoning Board join us for the site visits.

Chairman: First I need a motion for lead agency.

MOTION: Motion was made for Planning Board to be lead agency
Made by Peter Muller and seconded by Gerry Rogers

Mr. Muller: I would like to make a recommendation to invite the Zoning Board to come on the site Visit so that they are aware of what we are doing.

Chairman: What I usually do is I usually keep Mr. Wright informed when our Tech meeting is and I will make sure Mary lets the Zoning Board secretary know when our site visit is

Mr. Kraese: I would like to make a motion for as soon as possible to make the site visit.

MOTION: Set Site Visit July 7th, 2012 at 8:00 AM.
Made by Gene Kraese and seconded by Gerry Rogers

Mr. Kraese: And notify the Zoning Board of Appeals Mr. Wellington you are so notified.

Mr. Kraese: Meet at the site?

Chairman: Yes meet at the site.

Mr. Zigler: I would like the Board to be happy with the application before we get into that and we need the SEQRA to be done and I think the thirty days is not up at the next meeting.

Mr. Stach: It is an unlisted action you do not need to make that determination (inaudible).

Chairman: Alright will see you on the seventh. Next on the agenda we will do Crickettown Ridge.

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: Dave Zigler from Atzl, Scatassa and Zigler last Thursday we went to Zoning Board of Appeals and the application for the variances for lot width and area for lot one was denied. So very early this week we revised the plan the last one you received has the changes on both lots. Lot one and two the revision on the lots the bulk it does make the one lot very long and kind of splits behind the Culhane lot and the other lot ends up having a bend it. We had to put the bend in the lot to require the lot width. In Stony Point the lot width is at the set back lot so that is why we have that bend in between one and two back about 40 foot. The second long spur into the back of lot one there that requires the area. So basically what you have is you have lot one now

conforms and lot two always conformed and then the Culhane lot is still the same and we readjusted the property line on the north side to offset the property behind the house that we utilized from a previous map. So with the variances if we were granted we would have had say conforming type design lots, the lots would be square to the road and square back yard. With this revision we meet the code as required by average density but they do have a different look to them it is not as the Board wanted but the applicant was kind of stuck going for design variances and we didn't receive them. So we are back asking for direction to that aspect whether the Board would want to re-notify or just review this – however the Board wants to accept this. This is an average density it does meet code. There are two other things that was in the packet that you received one was our time log that we have provided to the Zoning Board of Appeals chronological order of maps neighboring subdivisions so on and so forth. The second thing was an actual foil that we had with the Stony Point Police Department for the last five years that foil was from March it is not from June so it does have about a three month lapse in it. That was a foil to the Stony Point Police Department for accidents on Heights Road and Crickettown there was eleven accidents you received only copies of five the other six had to do with deer I didn't think that was really significant, so we just gave you the five for accidents in that area, there was one accident near our site and that was an accident of somebody pulling out of Victor and getting hit on Crickettown. The rest of them were either down Crickettown or on Heights one was at the corner of Madison the only one that was in front of our site the last five years was the one on Victor where the girl pulled out and somebody coming down Crickettown hit her. That is what we have there is no change in the grading there is no change in the sewer line in the street that is the same the only thing different is this map now conforms to your average density and if the Board still wants to follow through with the average density this is the map we would request them to vote on if not we go back to the standard layout where we will ask you to vote on that. It is still the decision of the Board and you can do what you want.

Chairman: Does the Board have questions.

Mr. Kraese: We have a lot of people here in the audience and I know it's not a public hearing but Mr. Prespestino came to show us some pictures I think we should show him some courtesy and let him say his piece. Am I wrong here Mr. Chairman?

Mr. Stach: Mr. Honan and I spoke about the application and since the project has been through change maybe (inaudible) a public hearing for the application.

Mr. Kraese: That was my second request that would be being there was some concern prior to this meeting tonight with Zoning and whatever I thought it would be fair to the public that we have another public hearing at which time Mr. Prespestino can come forward with whatever comments he may have for or against the project. Should we make a motion for the public hearing? I'll made that motion in light of the fact that this thing has been bouncing around for the last year or so and to get it out in the open and let all participants have a say how they fell for or against it.

Chairman: Any questions before we vote? All in favor? Vote was all in favor. Ok we will have the public hearing next month same time 7:00 PM, July 26, 2012 we will take the comments then.

MOTION: Set Public Hearing for July 26, 2012.
Made by Gene Kraese and seconded by Peter Muller

Mr. Zigler: The applicant would not mind if the gentleman spoke tonight and returned.

Mr. Honan: Inaudible

Mr. Kraese: Mr. Chairman this applicant applied to the Board before this meeting to have his voice even though we don't have a public hearing I respect a Stony Point resident having some concern but would also like to advise him that there is a public hearing next month and he should come back and repeat himself.

Chairman: Since you are here if you just want to say something just state your name for the record and then come back next month too but at least we will have it on the record that you were here.

Mr. Prespestino of Crickettwon Road, Stony Point, New York

Mr. Prespestino: I am in favor of the plan you have right now coming out on Crickettown Road by me near Heights Road. If you put the driveway after Culhane's you we going to have a problem if somebody builds there they can raise the property, fill in and create a bigger problem. These pictures are of water coming off the hill and off the other side of the road. If you let them do it the other way we are going to have a big problem. I am satisfied with what I saw.

Chairman: Mr. Prespestino your property is right across the street from Calhane. So you are right in front of lot two so you are right there. So the way this plan is right now in front of us similar to the last plan that need variances this plan the one you are looking at now does not need variances.

Mr. Kraese: Mr. Prespestino being that this is not a public hearing would you be kind enough to come back next month and state the same thing again? This is like on the record but off the record.

Mr. Prespestino: Yes.

Chairman: I see some more people in the audience does anyone want to say anything before next month? No, ok. Next on the agenda is two items referred to us by the Town Board one is Proposed Clean Up of Vacated and Abandon Building Law. Basically this one the Town Board is looking for our input they have some language that they changed about inadequate landscaping and it is meant for some of the homes that are unoccupied, if some of the grass gets higher than ten inches I think this gives the Town the right to go in after 5 days. Under this new law the Town can go in trim someone's grass and put it onto their taxes. So they just want to see if we had any comments. If we are ok with the language of this law, anyone have any problem with this. Ok, no I will get a letter to the Town Board saying we are ok with that language. Kevin do you have anything to say?

Mr. Maher: No, I have seen a couple of the house where you have either absentee landlords or absentee owners every effort should be made to make them clean up.

Chairman: So we will get that letter out to the town Board. The second one was the Sign Law they have made some changes to the Sign Law and I think it has to do with temporary signs in the public right-a-way. They are tiring to eliminate people putting signs up in the public right-a- way were you see political signs off exit 15 and up on Filors so they want to get rid of that. So if anyone has comments on anything they don't like otherwise we will send a letter to Town Board saying we are OK with it. Does anyone have any comments or are you alright with it. Alright we will send a letter to the Town Board.

MOTION: I make a motion to accept minutes of June 5, 2012
Made by Gene Kraese and seconded by Gerry Rogers

Mr. Kraese: Mr. Chairman before you close, have you been in touch with Jim McDonald regarding some disparity between so of the Boards.

Chairman: We talked about it and he wants to do another welcome or a meet and greet like we have done in the past, it is like a training session both Boards get together.

Mr. Kraese: The last time I had a conversation with him at the last Town Board Meeting he would like to do something with the Boards on July 11 so I would just like to notify the Board that it is possible that Jim McDonald would get back to the Chairman.

Chairman: I will just have to reach out because I know it is the start of Wayne Day.

Mr. Kraese: Whatever the case may be I would like to hear from the ZBA that we can all get together.

Chairman: I will make sure, thank you Gene.

MOTION: Close Meeting
Made by Gene Kraese and seconded by Gerry Rogers.

Chairman: Meeting closed.

Respectfully Submitted,
Mary Pagano, Clerk to the Planning Board

