

Town of Stony Point

Department of Planning

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STONY POINT, NEW YORK 10980

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PLANNING BOARD MINUTES

October 25, 2012

RHO BUILDING at 7:00 P.M

Present:

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

Also Present:

Turner Miller Group, Principle Planner
By: Max Stach

Kevin Maher, Town Engineer

PLANNING BOARD AGENDA

October 25, 2012

Public Hearings:

1. 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.
2. Hudson River View Industrial Park Building D – SBL 20.02-11-25 LI District, Site Plan located on the east end of Holt Drive, 1800 feet east of South Liberty Drive/Route 9W

Pending Applications:

3. Jessup Valley Subdivision – SBL 19.01-2-45.7,45.8 & 45.9 RR District – Sketch, Preliminary approval, located on the west side of Margarita Drive 60 feet west of Jessup Lane
 - Three lot minor subdivision
 - New application
4. Hudson River View Open Field Agriculture – 20.04-3-11 LI District Site Plan, Conditional Use located on the east end of Holt Drive 1800 feet east of South Liberty Drive then 600 feet east on an unnamed private road
 - New application

OTHER BUSINESS:

November/December Meeting Dates
Deadline: November 8, 2012
Tac Meeting: November 15, 2012
Planning Board Meeting: December 13, 2012
Accept minutes of September 27, 2012

Minutes for Hudson River View Industrial Park were taken by Court Reporter, Patricia Puleo which will be included with these minutes.

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STATE OF NEW YORK : COUNTY OF ROCKLAND
TOWN OF STONY POINT : PLANNING BOARD

----- X

In the Matter of the Application

RE: EXPEDITED

HUDSON RIVER VIEW INDUSTRIAL PARK,

Applicants.

----- X

7 o'clock p.m.
October 25th, 2012
RHO Building
Five Patriot Drive
Stony Point, New York 10980

HELD BEFORE THE PLANNING BOARD OF THE
TOWN OF STONY POINT:

B E F O R E : Thomas Gubitosa,
Chairman

A p p e a r a n c e s:

THOMAS MC MENAMIN, Member
GLADYS CALLAGHAN, Member
EUGENE KREASE, Member
GERRY ROGERS, Member
Michael PUCCIO, Member
PETER MULLER, Member

MARY PAGANO,
Secretary to the Board

Reported by:
Patricia A. Puleo,
NYS Certified Court Reporter
and Notary Public

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Appearances continued: 2

BY: Chris Walsh, Esq., Special
Counsel

KEVIN P. MAHER, P.E, Town Engineer

Turner Miller Group,
Planning Consultants
Two Executive Boulevard - Suite 108
Suffern, New York 10901
BY: MAXIMILIAN STACH, Town Planner

ATZL, SCATASSA AND ZIGLER
Surveyors/Architects for Applicant
234 North Main Street
New City, New York 10956
BY: DAVID M. ZIGLER, P.E.

And the Public.

PULEO REPORTING & TRANSCRIPTION SERVICES

61 Crickettown Road

Stony Point, New York 10980

(845) 429-8986 FAX and Phone

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2 THE CHAIRMAN: Good evening. Can
3 we all stand for the Pledge?

4 (At this time the Pledge of
5 Allegiance was recited.)

6 THE CHAIRMAN: Okay, Mary please
7 call the roll?

8 MS. PAGANO: Mr. McMenamin?

9 MR. MC MENAMIN: Here.

10 MS. PAGANO: Mr. Puccio?

11 MR. PUCCIO: Here.

12 MS. PAGANO: Mr. Muller?

13 MR. MULLER: Here.

14 MS. PAGANO: Mr. Krease?

15 MR. KREASE: Here.

16 MS. PAGANO: Mrs. Callaghan?

17 MRS. CALLAGHAN: Here.

18 MS. PAGANO: Mr. Rogers?

19 MR. ROGERS: Here.

20 MS. PAGANO: Chairman Gubitosa?

21 THE CHAIRMAN: Here.

22 Okay, before we get start if you
23 have a cell phone, please turn it off
24 or put it on vibrate for me.

25 All right, the first item on the

1 - Proceedings - 4

2 Agenda is the Public Hearings.

3 The first item is Hudson Bay,
4 but we are going to be the Hudson River
5 View, which is item 2, but which is
6 what most people are here for tonight.

7 It is a Public Hearing, site plan
8 for Hudson River View Industrial Park,
9 Building D, Site Plan, located on the
10 east end of Holt Drive, 1800 feet east
11 of South Liberty Drive and Route 9W.

12 Mr. Zigler is here for Hudson
13 View.

14 MR. ZIGLER: Yes. Pardon me while
15 I am putting up a map.

16 Good evening. Dave Zigler from
17 Atzl, Scatassa and Zigler, P.C.,
18 representing the Applicant here on
19 Hudson River View Industrial Park,
20 Building "D", Phase Three.

21 Basically, we submitted a site
22 plan, SEQUA long form, to the Planning
23 Board for use in an LI zone.

24 This is a public hearing. There
25 has been quite a bit of information in

1 - Proceedings - 5

2 the newspaper on this.

3 What I'd like to do is introduce
4 the information that can bring you from
5 9W, right into the front door of the
6 building, and explain the use of the
7 building, the use of the parking lot,
8 and address some of the comments that
9 we received.

10 Then I will turn it over to the
11 doctor who, just generically, can
12 correctly give you a breakdown of what
13 sort of goes on inside the building, if
14 you would.

15 We have a steno here tonight to
16 take the comments from the public who
17 are here tonight and we would wish
18 after that to address separately the
19 comments of SEQRA, the comments from
20 the Rockland County Planner and the
21 comments from the public in the
22 narrative and then come back to this
23 Board with those answers in December.

24 That is our outline of what we
25 would like to do tonight.

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2 Basically, to start out, that is
3 9W up in there at the top (indicating)
4 right there.

5 Right here, (indicating) that
6 building here is Insl-X and that is
7 all Holt Drive.

8 Basically, what we are talking
9 about is the LI zone which was
10 established in the '70's.

11 It is an industrial park and
12 to-date there's still two empty lots in
13 this industrial park.

14 About four years ago, the Town
15 changed the code text to allow
16 additional uses in that industrial park
17 and that's how the Shop Rite shopping
18 center was built.

19 In addition to that, you had a
20 site plan approval for the senior
21 project up on the corner; I called it
22 the poster child of Stony Point because
23 that would have been the first piece of
24 property in Town of Stony Point, as you
25 come across the Town line.

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2 In addition, we have done site
3 plan for Town Line, which is a mini
4 warehouse storage facility at the end
5 of Holt Drive.

6 Five or six years ago is was
7 approved, but never constructed.

8 We have done Hudson Bay, which is
9 mini-storage and there was a public
10 hearing, which is the second thing on
11 the agenda, which at this time we are
12 trying to revise the plan that was
13 approved ten years ago.

14 That second phase was approved
15 ten years ago, and that is not fully
16 constructed yet.

17 The building that we are talking
18 about is a part of the old Kay Fries
19 and used by Insl-X.

20 Insl-X was there for about twenty
21 years and manufactured paint; not the
22 paint that you would put on wall.
23 Specialized paint; paint for steel
24 floors and different metals; industrial
25 use paint.

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2 Trucks brought in materials.

3 They manufactured the paint there and
4 the paint was shipped out of this
5 building, (indicating on a diagram.)

6 Now, if you travel 9W enough, you
7 would remember their trucks; eighteen
8 wheelers, they were totally black, that
9 would have the big splotches of paint
10 on them. That was their own trucks
11 delivering materials into the site and
12 taking paint out of the site.

13 Now, they recently moved out.
14 They have still have a little operation
15 there, cleaning up.

16 About six years ago we had done
17 an addition to that building, got site
18 plan approval, but it was never
19 constructed, and they moved out.

20 So, we are talking about an
21 industrial park that has not been very
22 successful since the early 1970's.

23 In this case, because it was in
24 the paper and it draws a lot of
25 interest, and usually you will see ---

2 well, that's not what the Town's
3 Comprehensive Plan was about. That is
4 not what the forefathers of the Town of
5 Stony Point wanted; So on and so
6 forth.

7 In this case, this is a use that
8 is in the Comprehensive Plan and it is
9 a direct arrow into what the Town has
10 tried to do with that one area of a
11 mass industrial park.

12 In addition to that, if you go on
13 the Rockland County Planner's website,
14 about a year ago the County finished
15 their Comprehensive Plan dated 2011,
16 and it was three hundred seventy some
17 pages. If you get the summary, it is
18 about thirty or forty pages.

19 The summary has bullet points of
20 what the County would like to have in
21 the future; would like to see done.

22 Out of the bullet points, unfortunately
23 the bullet points, they're not
24 numbered.

25 So, there are fifty something

2 bullet points, so I can't tell you to
3 go back to 27 or 38 or what number to
4 look at, but this project right here
5 (indicating) is about six to seven or
6 eight of those bullet points, depending
7 on the interpretation of what you call
8 "use" because we are talking about
9 something that is leaving the Town,
10 it's dormant and the possibility of
11 starting up a plant back up and we are
12 talking about jobs, and so on and so
13 forth.

14 So, in this case, this project
15 site plan is hitting the Comprehensive
16 Plan for Stony Point and the
17 Comprehensive Plan for the County
18 Planning.

19 Access to the building itself is
20 down Holt Drive. You either make a left
21 to go around to the grade crossing or
22 the make a right and go under the
23 trestle underneath.

24 Usually --- when Insl-X was
25 working anyway, would keep it one way,

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2 to try to keep the circulation around
3 the site going one-way. Right now the
4 signage isn't there and you can go
5 either way.

6 The Rockland County Planner has
7 probably three pages of comments.

8 If you broke it into two
9 different sections, the first section
10 would be the railroad crossings,
11 crossing the railroad, the amount of
12 trucks, and so on and so forth.

13 The second section will be the
14 rest of the questions.

15 Basically, when we did the Insl-X
16 addition, there were questions from the
17 Board, this Planning Board about access
18 over the railroad tracks.

19 In addition to that, we have
20 processed three different site plans in
21 some form or fashion with the Tracy
22 property, which is east of the Insl-X.
23 Right here (indicating on a diagram.)

24 One of those projects was a
25 recreational facility; which was going

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2 to have baseball fields, a soccer
3 field, a multi-plex field for the
4 different seasons; a dome for a
5 miniature field for soccer and
6 lacrosse.

7 That was processed probably for
8 about three or four months in this
9 Planning Board and it was denied
10 because the Planning Board did not want
11 the public crossing the railroad
12 tracks, either on the grade crossing
13 or what we had set up through Phil
14 Collins, of the Collins Traffic Lab,
15 which brought a traffic set up to
16 monitor traffic through the underpass.
17 That was not looked at favorably by the
18 Planning Board and the project died.

19 So, we are here with a project
20 that really, is in the zone, in the
21 Comprehensive Plan and the only
22 question we see is, what goes on inside
23 the doors, inside the building and
24 truck traffic?

25 The truck traffic we will

2 mitigate. There's things we can do.
3 We can study the truck traffic after,
4 after it opens and you could it then,
5 or you can come up with mitigating
6 factors, a flag man there by the
7 trestle, you can come up with a blinker
8 system, with arrows coming down, just
9 like at a regular crossing.

10 We can come up with, --- again,
11 the elaborate traffic signal we had set
12 up for the recreational facility, that
13 will work and that would take out a
14 lot of the to questions.

15 That is what we will answer in
16 our mitigations in the Part II.

17 We will address those questions.

18 The site itself will not change.
19 There is no additional paving, there is
20 no additional building for the foot
21 print. It is the use of that building
22 and the parking.

23 One of the reasons, that this
24 project is even before the Board, is
25 because we are asking for a parking

2 reduction.

3 As I said in the beginning, this
4 is Phase Three.

5 Phase One and two is Good Luck
6 Auto.

7 With that, we had used the
8 parking on-site.

9 With this use, Phase Three, we
10 are out of parking spaces. If we want
11 to construct more parking spaces, we
12 have the area to do it, but the thought
13 is with what's on-site, we would work
14 within this plan.

15 So, we have asked the Board for
16 a twenty-five percent reduction in the
17 parking lot for the overall site.

18 You are allowed to do that one
19 time and this is the time we are doing
20 it on Phase Three.

21 So, we are talking the total site
22 parking and we are asking for a
23 twenty-five percent reduction, which is
24 on the Phase Three, but taking into
25 account the entire piece of the

1 - Proceedings - 15

2 property.

3 If we didn't have Good Luck Auto,
4 Phase One, Phase Two and Phase Three,
5 in some ways you can say it's just a
6 building permit to the Town of Stony
7 Point because it's for the same use.

8 It's just like the shopping
9 center. We come in to the Town and we
10 proposed the shopping center.

11 At that time, we really didn't
12 know what the other users were in
13 those, what I call the Mom and Pop
14 strip center, the stores to the sides
15 of this building. We didn't know what
16 they would be.

17 Well, this building is there.
18 It's for manufacturing and that's what
19 was done there, by Insl-X;
20 manufacturing.

21 The interpretation of the
22 Building Inspector of Stony Point, Bill
23 Sheehan, is that this is the same use
24 and what was done there before.

25 So, if we didn't have Good Luck

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2 Auto hanging out on the south side of
3 the side and if we didn't need the
4 twenty-five percent parking reduction,
5 it is possible it will just be a
6 building permit.

7 But that's not what the Applicant
8 wanted to do. The Applicants want to
9 be straight forward with the Board and
10 straight forward with the public and
11 let everybody know what is going to
12 happen.

13 If I had the ability to snap my
14 fingers and now and this was approved
15 tonight, he couldn't start building
16 tomorrow.

17 This is only the beginning of the
18 process, so the day that this
19 application is approved, it just steps
20 off and goes into the various permits
21 that are required.

22 The State of New York and most
23 agencies will not even review the
24 permit until you have final approval
25 for site plan.

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2 If this happens to get final
3 approval, all it does, it just starts
4 the process of the different permits
5 that will be required from the DEC,
6 national permits, Federal permits,
7 Rockland County Health Department
8 permits; so on and so forth.

9 Now, that could take maybe a year
10 or two.

11 In addition, they need to have
12 product. They're going to burn
13 products. They need to have that.
14 That's the design of the building, so
15 they would have to bring in contracts.

16 They need to go out and get
17 contracts and take money and so on.

18 So, all of these things --- this
19 is just only the first step, but
20 everybody wanted it to be explained,
21 to know what's happening so they will
22 embrace the project on and then it can
23 step out into these other areas for
24 permits.

25 Everybody would know where it

1 - Proceedings - 18

2 stood and it possibly could go on.

3 With that, I'll introduce the
4 Doctor.

5 He has a short presentation for
6 you about what goes on inside, so
7 everybody understands how this works.
8 The popcorn is in the back.

9 (Laughter.)

10 MR. KREASE: Will you please
11 introduce yourself for the
12 stenographer?

13 * * *

14 DOCTOR CERVINO: Dr. James
15 Cervino. If you will give me a moment
16 to set up.

17 THE CHAIRMAN: Of course.

18 (Power point screen set up for
19 audience and Board.)

20 DR. CERVINO: Good evening,
21 Ladies and Gentlemen.

22 Tonight I am going to talk to you
23 a little bit about an alternative
24 energy concept.

25 I think maybe you will be

1 - Proceedings - 19

2 delighted to see what the objectives
3 are with this type of facility.

4 I am a visiting scientist from
5 the Roosevelt (phonetically written)
6 Environmental and Oceanic Institute and
7 on the faculty of Columbia University
8 where I teach Climate Change, Staple
9 Development, Rain Science and many
10 other types of classes related to the
11 environmental issues.

12 Tonight I am here to talk about
13 syngasification and basically how it
14 works.

15 I will try to keep this short,
16 as I know it is late and many of you
17 want to go, Syngasification, basically
18 is unique and what is needed to jump
19 start this gas fire, (indicating).

20 I will show you the image. I
21 apologize.

22 (Technical problems.)

23 DR. CERVINO: You need to get
24 this hot. (Indicating).

25 You need to get it hot and jump

1 - Proceedings - 20

2 start it with natural gas or
3 electricity; preferably natural gas.

4 Once it is hot, this feeder, this
5 enclosed container, (indicating) made
6 from stainless steel, the gasifier,
7 needs to be fed industrial waste,
8 household waste, mainly MSW's and
9 vegetative waste.

10 Once it is hot, that natural gas
11 can be turned off, so the fossil fuel
12 that is used to heat it up is turned
13 off and the waste gets burned.

14 The carbon is then captured.
15 So it is actually capturing carbon and
16 that will be converted into power.

17 So, your carbon monoxide, carbon
18 dioxide contaminants will be contained
19 and will be utilized and then
20 converted into electricity.

21 There is another stage that I
22 would like to talk to you about.

23 What takes place in the
24 fermentation process, which is really
25 cool, because what you are doing, after

1 - Proceedings - 21

2 you feed the gas fire garbage, we are
3 really rich, we are rich in garbage and
4 organic waste here, and in many Third
5 World countries, it's very difficult.
6 You need a component of vegetation,
7 food waste ---

8 (Off the record.)

9 SUPERVISOR FINN: I have this
10 board if you want, it may help to make
11 the screen bigger.

12 (Indicating a board screen.)

13 (Off-the-record.)

14 DR. CERVINO: Thank you. That is
15 a bit better.

16 So, that carbon compound, that
17 gas from the burning waste, is
18 converted into carbon dioxide, carbon
19 monoxide, hydrogen and then it's put
20 into this --- the gasifier, where it
21 is immediately captured and the feeder
22 stops and eventually turns it into
23 ethanol in the fermentation process.

24 So, now you are going to be ---
25 so, in the thermal, chemical

2 gasification step, the feed flexibility
3 enables this bio mass to be converted
4 through the fermentation process and
5 you are sealing in a lot of oxygen and
6 the waste product will be ethanol.

7 We --- here we have created two
8 alternative energy sources; we are
9 creating ethanol and we are creating
10 electricity that can be put back into
11 the local grids.

12 Not only is the ethanol sold, but
13 it can be used for an ethanol/gas
14 mixture at the pumps.

15 Basically, it is sold. That is
16 how they will survive to make this
17 happen.

18 The other --- there were some
19 questions that came up regarding water.

20 The great thing about this
21 process is that it needs water, but we
22 don't need aquifer water. We can take
23 gray water.

24 It has been never been mentioned
25 in this, but based on my work and

2 research in marine science, we will be
3 taking that nitrogen enriched water
4 that would otherwise go into the
5 Hudson, or otherwise it can be put into
6 the wetlands, the fresh water wetlands,
7 that is so rich up in this area.

8 That water will be used for the
9 gasification plan. So, we are going to
10 be taking that nitrogen enriched water
11 and using it.

12 The ratio of gray water to some
13 of the clean water that we will need is
14 minimal.

15 I think it's about -- but don't
16 hold me to it --- seventy- five percent
17 gray water to twenty-five percent
18 aquifer water.

19 So, we all know why this is
20 important.

21 Of course coal, we are very rich
22 in coal here in the United States.

23 However, it is a strong green
24 house gas, and that coal, we don't want
25 to burn coal. For every one gram of

1 - Proceedings - 24

2 coal that you burn, you get out sulphur
3 and you have to get rid of the sulphur
4 and once you get rid of the sulphur,
5 it produces acid rain, and you still
6 have the carbon.

7 The carbon lags in the atmosphere
8 for a hundred years, so coal, the only
9 reason they say it's clean, is because
10 it cleans out the sulphur which will
11 reduce the acid rain, but they are
12 still going to be dumping the carbon
13 content of that one gram of coal and it
14 will be trapped in the atmosphere.

15 Oil, well, we know what's
16 happening with oil.

17 We need to utilize the energy
18 sources we have here at home. And what
19 is better than using our garbage to
20 convert into energy?

21 In that movie, "Back to the
22 Future" with Michael J. Fox, I remember
23 him feeding his car garbage and that
24 was twenty-five years ago when that
25 movie was out.

1 - Proceedings - 25

2 Imagine if we actually could do
3 that?

4 Imagine having this jump started
5 program happening here in Rockland
6 County now?

7 It would be pretty amazing.

8 We know what's happening here. I
9 am here. I am a strong advocate
10 against global warming and climate
11 change.

12 When these folks were interested
13 in doing something like this, I
14 immediately jumped onto it and wanted
15 to persuade them to do it and really
16 wrap their arms around something like
17 this, because of the environmental
18 implications behind it.

19 So again, we talked about coal;
20 we talked a little bit about how we
21 need to deploy other technologies to
22 combat climate change; U.S. technology
23 and leadership will progress.

24 However, it is very difficult to
25 jump start these programs because it is

1 - Proceedings - 26

2 approximately five hundred million
3 dollars to do something like this. The
4 money that it would take to actually
5 make this happen is enormous.

6 However, once we get something
7 like this feeder started, and you get
8 to where you're going and you get it
9 hot enough, I mean, we are rich in
10 garbage and rich in organic and
11 vegetative waste.

12 We can feed this beast; well, I
13 really don't want to call it a beast;
14 this helpful beast. We can feed it
15 because the United States, it has the
16 feed stock to be able to utilize this
17 facility.

18 This is just another example, and
19 I know many of you are interested in
20 how we will contain it inside, so I
21 will get right to those stages. I know
22 I've been rambling.

23 This is, another --- these
24 pictures --- this is just another
25 diagram of how the combuster is going

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2 to continuously feed with the garbage
3 and it will continuously feed the
4 gasifier.

5 This combustion and compressed
6 air will convect all the waste in there
7 and (indicating on a diagram) I am
8 trying to have you see it a little more
9 clearly here because I know that it is
10 hard to wrap your arms around it, to
11 see how it's actually going to do that.

12 But, if you are dealing with a
13 contained system, you will pull all of
14 that carbon out and all of that will
15 convert to energy and that's how it
16 will be put back.

17 MR. POTANOVIC: Can we ask
18 questions? Or do we have to wait for
19 them to come back with ---

20 THE CHAIRMAN: No. We will let
21 them come back. Let him finish. We
22 will go back to you.

23 I understand we all have
24 questions. We will get to the public
25 part and you can ask them.

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2 DR. CERVINO: Oh yeah, I'll be
3 glad to --- this is not incineration.

4 This is --- if you think about
5 incineration; incineration is when you
6 are burning something and you are
7 releasing something.

8 We are not releasing.

9 We are going to use the natural
10 gas, turn it off, get that hot enough
11 and it takes on a life of its own
12 because of the bacteria and the lack of
13 oxygen and containing it in the
14 stainless steel cylinder, all of that
15 energy will not be released.

16 What will be released is steam.

17 Steam.

18 Incineration means we will be
19 burning carbon monoxide. Burning
20 sulphur dioxide.

21 We are not doing that.

22 There is --- in that steam -- --
23 I can't give you or anyone the ratio of
24 the -- these (indicating on a display)
25 are just some examples of some of the

1 - Proceedings - 29

2 other plants, gasification plants.

3 You can see some of these plants,
4 without, well due to legal
5 implications, I can't -- without
6 mentioning their names, as there are
7 legal implications, some of these
8 plants have--- some of them release NOX
9 (phonetically written). Some of them
10 are low NOX, mercury, et cetera,
11 they're very low.

12 There are some plants that are
13 very, very low.

14 There's even a zero release of
15 sulphur and mercury and very minimal
16 NOX and even here (indicating) you are
17 still, compared with traditional
18 incineration plants, we are still
19 within --- not we --- but some of the
20 concepts that I don't think are great,
21 are still within the EPA's standards
22 and comply with OSHA.

23 So, what we are going to do, we
24 are going to comply with the most
25 strictest of standards; OSHA, the EPA

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2 and the New York State DEC.

3 You have three regulatory
4 agencies looking over something like
5 this and right now, a project like this
6 and right now there is a company of
7 interest, a very good company, that is
8 from very interested.

9 However, we are leaving our
10 alternatives open right now because we
11 want to make the reality of what we are
12 actually bringing to the table, make
13 sure it is going to work.

14 I just want to show you again,
15 inside.

16 All of the activities, the trucks
17 will be coming in. They will be
18 dumping off inside. None of this is
19 happening outside. It is a sealed
20 building.

21 I am going to show you some ---
22 this is just an overview (indicating on
23 a diagram) from the roof.

24 You can see this, a tipping
25 floor. The waste, it will be sorted.

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2 There will be different --- you
3 know, what's in your garbage? How many
4 people throw out batteries, I mean, how
5 many people throw out batteries and
6 metals? How many people throw out
7 bulbs?

8 I mean, it's not just pure,
9 organic waste in your household
10 garbage. So, some of this will be
11 sorted.

12 The metals, the metals are
13 valuable. We want to get those metals
14 out. So, we are actually controlling
15 the waste stream here.

16 I mean, this is a great thing.

17 Our landfills are capped. Your
18 tax dollars are going up. We are
19 running out of room. There's no more
20 room.

21 Imagine if we can separate the
22 waste stream, feed the gasifier with
23 the feed stock that the gasifier needs
24 and then take those recyclables out.

25 Plastic is fed in this gasifier

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2 with a mixture of dedication, wood and
3 plastic. You don't just want to feed
4 it all plastic. You want that yard
5 waste, you want that organic --- that
6 natural, organic waste to be mixed
7 with it because of certain chemical
8 reactions that need to take place to
9 produce ethanol.

10 So, there will be a truck
11 weighing system designed to minimize
12 truck cues.

13 All trucks will enter and exit
14 through rapid roll-out doors. All
15 waste is processed in an enclosed
16 building that maintains negative air
17 pressure to prevent the escape of
18 odors.

19 (Reading)

20 DR. CERVINO: A treatment system
21 that neutralizes --- not masks ---
22 odors is in the building and exhausts
23 air.

24 I mean, this is not what we are
25 bringing to the table.

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2 This is what we have to bring to
3 the table. The EPA and the state DEC,
4 is going to want this to happen, so we
5 are going to have very, very strict
6 regulatory agencies making sure that
7 this is going to protect human health,
8 the environment and aquifers.

9 Everything is processed within
10 this enclosed building.

11 The advanced dust and odor
12 control systems can be implemented.

13 All waste leaves in sealed
14 containers on the way out.

15 I don't want to get too
16 technical, but I just wanted to talk to
17 you.

18 If there are any questions, feel
19 free to ask me and I will try to keep
20 it as simple as possible.

21 I think that this is a really
22 good program. And just for the record,
23 I am doing this, at the moment, Pro
24 Bono and I am not here under any
25 paycheck.

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2 I am here to hopefully be part of
3 something great, get in on the ground
4 level for the climate change, to try to
5 combat climate changes.

6 Yes?

7 MS. FILGUERAS: Is this going to
8 be ---

9 THE CHAIRMAN: Susan, hold on.
10 All right.

11 Since there are questions, I am
12 opening up the public hearing.

13 MR. ZIGLER: All right, But
14 again, if it is a simple question and
15 quick answer, but otherwise, we are
16 going to respond in written form.

17 * * *

18

19 THE CHAIRMAN: I will open the
20 public hearing.

21 What I will do, I will ask that
22 you come up, state your name and
23 address for the record.

24 Speak into the microphone, and
25 address the Board.

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2 And like Dave said, we are going
3 to take the input tonight, but we are
4 not able to answer questions. We are
5 going to get all the information. This
6 will not be question and answer.

7 We will take all of your comments
8 and the stenographer will transcribe it
9 and they will go back and put it
10 together and get answers for every one,
11 so at this time --- George?

12 * * *

13 THE CHAIRMAN: Off the record.

14 MR. POTANOVIC: It might be
15 better if we knew what the process is
16 and if ---

17 THE CHAIRMAN: We will start.

18 MR. POTANOVIC: It's important.

19 THE CHAIRMAN: Let Max speak
20 first. Max can give us an up-date
21 about the process and where we are. He
22 can clear some things up first.

23 Max will you please give us a
24 little up-update of the process?

25 * * *

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2 MR. STACH: Yes.

3 So, for this application, the
4 actual application, as Tom said
5 initially, it is actually for site plan
6 approval of parking.

7 However, since the use they are
8 proposing is not going to be able to
9 occur without that parking improvement,
10 the Planning Board will consider all
11 the potential impacts of this use at
12 that site.

13 So, we are talking about ---
14 well, I have prepared a Draft Part II
15 for their consideration.

16 They have declared themselves as
17 lead agency and that this is an
18 Unlisted action at the last meeting.

19 I believe you also performed a
20 site visit?

21 THE CHAIRMAN: We were down there
22 a number of times and are familiar with
23 the site.

24 MR. STACH: So, we're at the phase
25 now where I propose a Draft Part II.

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2 We can go through that later. I don't
3 want to keep these people with
4 questions waiting and keep them from
5 asking their questions about this
6 project.

7 Okay, a Part II is a check list.

8 The Applicant, as part of the
9 SEQRA process prepares a form that is
10 issued and used by the New York State
11 Department of Environmental
12 Conservation, that identifies all of
13 the problematic issues and
14 characteristics of what is being
15 proposed.

16 It asks them questions about the
17 site, what kind of soils they have,
18 what kind of water depth they have;
19 all of these types of issues.

20 They also ask about the
21 operations they're proposing.

22 They ask how many trucks trips
23 are you going to be generating? How
24 many car trips are you going to be
25 generating; and so forth.

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2 Based upon the information that
3 is included in that form, and the
4 information that is otherwise provided
5 to the Planning Board, we come up with
6 issues that we want the Applicant to
7 address.

8 These are all included in what is
9 called the Part II Environmental
10 Assessment form.

11 It is a check list where you
12 check off environmental issues that
13 potentially may occur with this
14 project.

15 At that phase, it is up to the
16 Planning Board to investigate the
17 likelihood that adverse impacts can or
18 will happen, based upon that check
19 list.

20 However, this Planning Board is
21 going to ask the Applicant first to
22 answer a lot of the questions since
23 this is a complex application.

24 Areas that the Planning Board are
25 going to be interested in include

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2 odors, shipping, they're shipping
3 trash, essentially; essentially MSW's,
4 which stands for Municipal Solid
5 Wastes.

6 So, they're going to be bringing
7 solid waste on to the site.

8 Well, what kind of container
9 will there be?

10 What kinds of controls are there
11 going to be?

12 They will have trucks, that are
13 going to be traversing over local
14 roadways. So, we are going to ask
15 them, what are the number of truck
16 trips? How will it impact traffic?

17 We will ask them, they are
18 talking about making ethanol. It is a
19 flammable. Ethanol is a flammable
20 liquid, so, we will ask them how will
21 they insure the safety of Stony Point
22 residents?

23 They have to cross the grade
24 crossing and will have to potentially
25 improve access to the site because the

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2 under access to this doesn't meet
3 building standards at present.

4 So we will ask, we will be asking
5 them how are they safely going to bring
6 trucks in-and-out of this site. We are
7 going to ask them these questions.

8 So, I had prepared a Part II.

9 We will go through that in a
10 little bit, and the Planning Board has
11 decided to open up the public hearing
12 here prior to adopting the Part II, in
13 order to consider all of the comments
14 of the public, when they actually adopt
15 that Part II.

16 They can not close the public
17 hearing until either they have issued a
18 negative declaration or if they want to
19 prepare a EIS on this and that will be
20 made available for the public review.

21 So, this public hearing will be
22 continued for at least one week.
23 Potentially more, depending on how
24 long it will take for the Applicant to
25 give them answers to the questions, so

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2 that they can make a determination
3 about the impact to the neighborhood,
4 the environment, the air quality, the
5 odors, the traffic, et cetera.

6 So, we are only at the beginning
7 stage here.

8 That's why the Planning Board
9 will open it up for the public hearing
10 now to consider all the comments that
11 you may tonight have and then they will
12 adopt the Part II and then the
13 Applicant will have to answer certain
14 questions about the environmental
15 impacts.

16 THE CHAIRMAN: I need a motion to
17 open the Public Hearing?

18 MR. MULLER: I will make that
19 motion.

20 THE CHAIRMAN: Second?

21 MR. KREASE: Second it.

22 * * *

23 THE CHAIRMAN: State your name
24 and address for record. Just address
25 us. If you want to go up there so that

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2 we can hear you. Go up to the podium,
3 so we can the hear you?

4 FEMALE VOICE: I really don't,
5 but ...

6 THE CHAIRMAN: It's
7 better, so ---

8 * * *

9 MS. CERUSO: (Phonetically
10 written) My name is Brenda Ceruso, and
11 I live on Govan Drive behind
12 Walgreen's, one house in from Filors
13 Lane.

14 This summer we had a lot of dump
15 trucks coming down Filors Lane going
16 down behind Shoprite.

17 It starts up at seven a.m. in the
18 morning and it quits about four p.m.
19 It is continuous. If I have it right,
20 the name, they use the "J" brakes,
21 they gurgle from Central Highway they
22 start up and go up all the way up to
23 the light. It just doesn't stop.

24 We did call the police. They
25 said we had to call the County. I did

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2 call the County. And whoever I spoke
3 to was really, really, very helpful and
4 very considerate.

5 The only problem is it is that
6 it's a County road and there was
7 something about they're allowed to use
8 trucks on it, because of the width or
9 something, but the problem is, it's a
10 very dangerous road, It is very
11 narrow. It has no shoulders and
12 there is no room for error.

13 I mean, just going around by Don
14 Bosco, we all know the road there.

15 I think this project is awesome,
16 but the traffic, if they are strictly
17 talking trucks, I thought they were
18 going to bring it in by train, or
19 railroad. How can it we --- now I
20 heard it's trucks.

21 How do we, as homeowners living
22 in the community, I mean Filors Lane
23 goes all the way up and I heard the
24 trucks were coming from Sloatsburg, but
25 I really don't know. I don't know

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2 what will happen with Filors Lane if
3 this is strictly trucks.

4 If this is such a big ---
5 whatever, it's going to be --- that is
6 a lot of trucks.

7 So, between Filors Lane and 9W, I
8 think a lot of trucks do come in using
9 Filors. I don't know why they don't
10 use Hammond. They use Filors. They
11 like Filors. They were coming down
12 from Kruckers.

13 As I said, it was a County road.
14 You need County roads to bring
15 business into the Town, which makes
16 sense.

17 But when you live off of Filors
18 Lane, it is a pain in the tush. That
19 is our main concern.

20 THE CHAIRMAN: All right. I will
21 get an answer to you. I have had the
22 same comments. I live up near Hammond,
23 so I know. We will find out.

24 Susan?

25 * * *

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2 MS. FILGUERAS: Susan Filgueras,
3 87 Mott Farm Road.

4 I wanted to give a little
5 explanation because I am here kind of
6 strangely.

7 As everybody knows, I have done
8 nothing but talk about the Canadian
9 transmission pipeline.

10 When I found out about this, this
11 project, I did so under very strange
12 circumstances.

13 With that line, there were home
14 owners that would lose their homes. I
15 talked to the home owners.

16 Then I had to talk to the
17 business owners.

18 So, I went down to the marinas
19 and I had to tell the people at the
20 marinas that they could lose their
21 property. I got to the homes. And I
22 got to the business areas in, as I call
23 it, the Kay Fries area.

24 Then I realized, I had to speak
25 to Mr. Magee. He and I have a

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2 relationship that kind of exists at
3 high decibels.

4 So, I chickened out and I spoke
5 to someone who was just there at the
6 storage unit.

7 Ultimately, I managed to speak to
8 Mr. Magee and explained that this
9 transmission line, should it pass,
10 would more than likely cause him --- he
11 would lose several buildings or a big
12 part of the property.

13 That is how I learned of this
14 project.

15 He said to me, "They can't take
16 my building." I said, "I think the
17 governor thinks he can." "I have a
18 proposal.", he said.

19 I said, "Oh, yeah?" He said,
20 "Let me show it to you. Can you keep
21 your mouth shut?" Well, we all know I
22 can't. I can't promise you that, I
23 told him. Then he showed me this
24 model.

25 I immediately asked him for it.

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2 It is gorgeous for Kay Fries, as
3 it is, or where he believes it can go
4 and it addresses several issues in the
5 Town of Stony Point.

6 Then he mentioned this word,
7 "gasification". It's close to what I
8 do, so I started looking into it and
9 researching.

10 This is in an open area, as
11 opposed to backing into a closed,
12 sealed environment. It tends to have
13 a lot of positives, versus open air
14 incineration.

15 As he began to talk, I said to
16 him, "This is a great idea, but you
17 have to talk to SPACE. I need George
18 and Frank in here. If you really
19 believe in what you are doing, you need
20 to bring them in now; not when it's
21 done, not later."

22 We had a little discussion about
23 that; quite a little discussion.

24 Well, we got them all back
25 together; Frank and George and Mr.

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2 Magee.

3 And he showed them what the
4 technology and what the plan is.

5 I have done research and
6 according to my research standards, I
7 barely hit the pin head on reviewing
8 it.

9 I think it is a very interesting,
10 intriguing step for the Town of Stony
11 Point.

12 We have to recognize several
13 things; one, that property needs to be
14 developed.

15 I think I have seen six, seven,
16 eight or nine proposals for that
17 property.

18 Of the ones I have seen, this is
19 the best fit I have seen, to date.

20 There are concerns, of course.
21 Will it have odor? I live in West
22 Haverstraw next to the park, which is
23 where the dump was filled in the second
24 time. You know, where the transfer
25 station is, there is a great, big

2 mound of material.

3 In the summer when, when the
4 swampland rolls over, it knocks you
5 out, the odor. So, odor, it has to be
6 addressed.

7 Traffic; we don't have Tilcon
8 anymore. We don't have Gypsum. We
9 don't have so much truck traffic. The
10 truck traffic is significantly less
11 than fifteen years ago.

12 I tapped Kevin Maher on the
13 shoulder and asked him, don't we have
14 regulations for trucks, and as it turns
15 out, we do. I can't tell you what they
16 are. I didn't research that. I've
17 got to go find them.

18 So, What I am saying is --- by
19 the way, has anybody looked up Federal
20 rules for trucking garbage and what
21 they have got to do? I mean, it is so
22 tight.

23 It is very interesting, so maybe
24 if the Applicant can address that?

25 What I'm trying to say is, it is

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2 garbage. We need to worry. I am going
3 to hold everyone here accountable to
4 make sure it is done right.

5 And I will nag you, every single
6 one of you guys. I will look for the
7 rules and regulations. I will go look
8 for the rules.

9 Max, you have my cell phone. I
10 will hold you all accountable.

11 If this is done correctly and it
12 is state-of-the-art, as they have said,
13 then maybe this is something that can
14 finally work for Stony Point.

15 We need industry.

16 There are a lot of questions, and
17 my hat is off to the Board and Max and
18 to say that we are going to start
19 questions now.

20 I thank you for that. It is not
21 behind the eight ball. It's not like
22 you are trying to shuffle something
23 through. I'm allowed to get in and ask
24 my questions now. My hat is off to you
25 and your approach.

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2 I look forward to learning about
3 the rest of this. I've got a lot more
4 research to do. I would really like us
5 to keep an open mind.

6 Thank you.

7 * * *

8 THE CHAIRMAN: Thank you, Susan.

9 I think, this gentleman over there

10 (indicating) was next.

11 * * *

12 MR. VILLA: Daniel Villa

13 (phonetically spelled.) I live at 30

14 Holt Drive, the closest piece of

15 property to this proposal, and as a

16 taxpayer, I am really getting killed

17 here, so I am looking forward to

18 anything that will bring jobs, and I am

19 really on the right side of green

20 energy.

21 If Stony Point will make any

22 progress in the next thirty, forty

23 years, we need to get involved with

24 green energy and I can't say that I

25 know everything about this.

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2 I'm not a very intelligent guy
3 when it comes to all of this stuff, but
4 I understand that George Potanovic and
5 Susan Filgueras are very well versed in
6 it.

7 Is this being done somewhere else
8 and if so, I'd love to have the Town
9 send someone from the Board or
10 Mr. Potanovic or Susan Filgueras or
11 somebody, to where it is being done,
12 and I don't care where it is. It could
13 be in South Carolina, but send them
14 down and see what is being done to make
15 sure there's no danger.

16 Like I'm saying, my house is
17 like, literally, we are talking about a
18 hundred, two hundred feet from where
19 this is being proposed.

20 I have seen this model. The
21 Hudson Bay and Mr. Magee has always
22 given me the opportunity, before he's
23 done anything, to show it to me first.

24 You know what? I am very happy
25 with everything he's done.

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2 It is better than what I would
3 even think, because he put the self
4 storage behind my house and not for
5 nothing, but he put a clay colored
6 peaked roof there, rather than a ---
7 what would you call it --- rather than
8 a commercial, flat roof.

9 Not for nothing, that would look
10 kind of crappy. The rock wall he's put
11 back there, is decent.

12 He also did his best to put in
13 the best lighting. It is like
14 old-style; how would you say? Like
15 1890's type lighting.

16 Unfortunately, we have got some
17 people that have to go back there and
18 break them the bulbs; it is a long
19 story.

20 To make a long story short, he is
21 my best neighbor. If it comes down to
22 that, he's been my best neighbor so
23 far.

24 What he's put back there is good
25 looking and it is quiet and it's

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2 secure.

3 I don't understand why we are
4 living in a nature of "No", a culture
5 of "No".

6 He gave me the opportunity to
7 see, he showed me this model and I am
8 five months from retirement and so, you
9 know, I probably will be looking for a
10 job. This will bring some jobs here.
11 Not a full-time job; part-time, you
12 know, but the bottom line is, I used to
13 work at Gypsum. Gypsum is gone and
14 they are not coming back.

15 They're gone, so we need
16 something and it is a tax ratable,
17 especially a green one.

18 I would love to see a nice berm
19 back there. His berm is about three
20 hundred feet; my berm is about three
21 foot. That's the God's honest truth.

22 That little --- um, at the end of
23 Holt Drive, you know what I'm talking
24 about? We all have seen that as a
25 great wetlands. It's beautiful. It

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2 hasn't changed and I hope it never
3 changes. I'd like to see it maintained
4 like that.

5 But, he showed me a model with a
6 little park halfway to that just before
7 the creek there, is going to be some
8 buildings; maybe research and
9 development.

10 The bottom line is, I am all for
11 this, if there is no noise pollution,
12 or if it's minimal.

13 I know there will be some truck
14 traffic. There's no doubt about it.
15 But you know what, we haven't had truck
16 traffic since Gypsum closed.

17 In the future, if we need to put
18 in --- like on the Thruway --- you have
19 sound barriers, I would rather see that
20 down there, and he proposed a park,
21 research and development probably.

22 Now, ethanol tanks have to be
23 there to contain this stuff, but Stony
24 Point has to do something. We better
25 get on the green energy track. If not,

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2 we will be in big trouble.

3 You won't see me in another ten
4 years because I won't be able to afford
5 to live here.

6 So, my suggestion is, if this is
7 being done somewhere else in the
8 country, then send a couple of people;
9 a couple of people should be sent.

10 Maybe Mr. Potanovic, and a couple
11 people from the Town Board to check it
12 out to see what is going on.

13 I don't want to smell anything
14 and I really don't want to hear
15 anything.

16 All the noise I hear right now,
17 they are doing a little filling back
18 there and I hear a bulldozer, but you
19 know what? It is minimal.

20 Thank you.

21 THE CHAIRMAN: Thank you.

22 George?

23 * * *

24 MR. POTANOVIC: Good evening. My
25 name is George Potanovic, I live at 597

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2 Old Gate Hill Road in Stony Point. I
3 am president of the Stony Point Action
4 Committee on the Environment.

5 We would like to start by
6 thanking Mr. Magee who invited SPACE to
7 this meeting to learn about this
8 project at the beginning when it was
9 being proposed to the Town.

10 That doesn't often happen in
11 Stony Point. I think it was a good
12 idea. It certainly helped us at least
13 get a little better understanding of
14 what he had in mind for the use of his
15 property and what his concerns were.

16 We had a chance to meet Mister,
17 or Doctor James Cervino and some of the
18 other people who might be working with
19 Mr. Magee on this project.

20 And he had asked me to write a
21 letter which would indicate that SPACE
22 would not oppose this project, at the
23 beginning of the proposal, and that we
24 are very interested in learning more
25 and as we are able to at least learn

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2 what the concept was, and what he had
3 in mind for the property. We had a
4 chance to meet some of the people he
5 would be working with.

6 My feeling was that, without
7 knowing a lot about the process as many
8 of us, don't know about this, as it is
9 fairly new process, but I did feel that
10 it was the kind of project that
11 deserves a good review by the Town and
12 then by the agencies involved, and it
13 deserved a fair appraisal of what was
14 being proposed to the people.

15 People hear about burning garbage
16 and there are a lot of things that come
17 into their minds.

18 I had done some research on this
19 gasification process. I certainly
20 don't claim to be an expert and I think
21 it was also a good move on the part of
22 the Planning Board and the Applicant to
23 suggest that the Planning Board open
24 the public hearing early in the
25 process.

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2 Often times we feel that the
3 public portion of the meetings are open
4 after the project has already been
5 reviewed and the people have already
6 arrived at some determination.

7 That's why I think by opening up
8 the public input now, the Applicant and
9 the Board and the people involved would
10 be able to hear what the public's
11 concerns are and what their questions
12 are.

13 Before I make some comments about
14 the project, and ask the questions that
15 I have, I do have some questions about
16 the proposal the way it has been
17 proposed now.

18 I listened to Mr. Zigler speak
19 about a couple of things; one is the
20 fact that this is really only before
21 the Board because of a request by the
22 Applicant to reduce parking.

23 I know that the Board declared
24 itself lead agency at the last meeting.

25 At least at this time my

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2 understanding of being lead agency, is
3 that you would be looking at the
4 substance of this proposal and by
5 declaring yourself lead agency on the
6 environmental review because there were
7 issues to discuss; certainly not only
8 parking and drainage issues.

9 But what you would consider to be
10 the normal, external issues that might
11 appear, of any kind, for any kind of a
12 use that might be housed in this
13 building.

14 It appears from what I have heard
15 so far, that the use is being related
16 to a paint company.

17 I have some questions as to
18 whether that is a legitimate
19 comparison, but if there was not a
20 parking issue, then you wouldn't even
21 be discussing a lot of these issues.

22 I mean, I have a hard time
23 understanding that, and why, and who
24 would be reviewing therefore, the
25 Federal, and State agencies, who is

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2 reviewing the actual substance of this
3 proposal? And how much substance is
4 going to be produced and what kind of
5 impacts will there be, such as on air
6 quality?

7 I would have assumed this
8 Planning Board would be actively
9 involved in that review process.

10 Can you clarify to me if that is
11 the case or is this something we are
12 handing over to the state or Federal
13 agencies?

14 What is the relationship of the
15 Town's involvement in the actual review
16 of the substance of this project?

17 As I see it --- well, I will ask
18 you to please explain it? That is what
19 I was hoping Max would do. I was hoping
20 that Max was going to explain the
21 process.

22 * * *

23 MR. STACH: Yes. Again, I think
24 it is up to the Planning Board if we
25 can go into it now or later when ---

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2 THE CHAIRMAN: When we do the
3 Part II. We have a whole list of
4 issues in the Part II.

5 MR. STACH: We will clarify
6 that.

7 MR. POTANOVIC: I am coming at
8 this with a certain level of curiosity
9 and interest in the process.

10 This sounds like something that
11 could be very cutting edge technology
12 and something that would be a great
13 benefit for Stony Point, economically
14 and environmentally.

15 So, my comments are given with
16 that idea in mind.

17 I have said I would remain open
18 minded about it. I'd like to learn more
19 about it.

20 Unfortunately for us right now,
21 there's not a lot for us to learn.

22 The Part I is finished, but the
23 Part I doesn't go into any kind of real
24 detail.

25 That's why we asked for a copy of

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2 the Part II, which I understand you
3 have a draft of, and we haven't had a
4 chance to look at that at this public
5 hearing.

6 As Max said, this would be held
7 open for a public hearing for at least
8 one more meeting. I mean, I would hope
9 so. I mean, it doesn't seem like a lot
10 of time to have a public hearing open
11 on something like this. I think it
12 would be at least for two meetings.

13 I was hoping that the Board will
14 be looking at it in more than that
15 time, too, to give the public a chance
16 to ask intelligent questions and learn
17 a little bit more about it.

18 Up to this point, we have had a
19 very good, but very general
20 presentation about the process. We
21 really haven't gotten into the
22 substance of application as it is being
23 proposed. The actual process was not
24 gone into in specifics.

25 Mr. Zigler also mentioned that

1 - Proceedings - 64

2 this complies with the Town's
3 Comprehensive Plan.

4 Now, this property has had an
5 interesting history, to say the least.

6 It is an office-like, industrial
7 zone, but we also have senior housing
8 approved on the corner.

9 We also have a major retail store
10 on the same property.

11 So, it is kind of becoming a bit
12 of a hodge podge of different kinds of
13 uses. Uses that are certainly, uses
14 that would usually be in conflict with
15 one other, and I am thinking about the
16 Special Permits and the other things
17 that have happened, and ended up on the
18 same road.

19 So, can you explain to me what
20 are the, or how was this use defined
21 by the zoning code?

22 Is there a zoning code
23 classification for something like this
24 and therefore how does it comply with
25 the existing Comprehensive Plan and

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2 Town Code?

3 I don't understand that.

4 Also, Mr. Zigler mentioned that

5 it complies with some six to eight

6 bullet points on the County's

7 Comprehensive Plan, but he couldn't

8 tell us what those point were. He

9 said they're not numbered, or how many

10 there were, but he didn't identify them

11 in any case.

12 I'd like to know what those are.

13 I mean, if this project, if it

14 complies with the County's

15 Comprehensive Plan, which I am involved

16 with, which components of that

17 Comprehensive Plan does this project

18 comply with?

19 So, I understand, this is a site

20 plan review.

21 I understand there are other

22 permits that have to be received.

23 Well, I don't understand what

24 that process is, and what level of

25 public involvement on a local level

1 - Proceedings - 66

2 will be involved in that permitting
3 process?

4 Who will actually review the
5 substance of what is being proposed at
6 the site?

7 There is a thousand tons per day
8 that could be possibly processed on the
9 site, on a fairly small-sized site,
10 within a fairly small-sized footprint
11 building.

12 My question is, or would be, how
13 many tons of the material in the
14 process will be required by the
15 Applicant to make this a financially
16 viable project?

17 What is the minimum amount they
18 would have to be able to process at
19 this site?

20 When you say you have a draft
21 Part II, I don't know how you arrived
22 at that without having heard the public
23 comments tonight, and I'd like to see
24 what those are.

25 But, but how do we determine what

1 - Proceedings - 67

2 the minimum and maximum amounts that
3 would be required in order for the
4 Applicant --- I mean, obviously this is
5 a financially viable project.

6 It was mentioned by one of the
7 other speakers here that --- oh,
8 another question about the site:

9 How much waste will be stored at
10 the site at one time?

11 There are by-products that were
12 mentioned.

13 The ethanol, steam I guess
14 generates the electricity and also ash,
15 which can then be sold to contractors
16 that would re-used.

17 It is very interesting that the
18 by-products of what will be produced by
19 this process could be re-used.

20 Certainly, ethanol has a separate
21 market. Steam can generate the
22 electricity. Although it is a small
23 amount, but it is a by-product and good
24 that electricity can be generated.

25 And it is good that the ash can

1 - Proceedings - 68

2 be used and sold for purposes of
3 building --- building purposes for
4 Iso 9000 (phonetically written.)
5 Whatever it is called, and receive
6 credit and it would encourage re-use
7 of that kind of material.

8 That is very interesting and it
9 is definitely sounds like a good idea,
10 but are there waste products that do
11 not end up in that final form that will
12 have to be disposed of or stored on
13 site?

14 How much of it will be stored?

15 What type of accommodations will
16 be made for this relatively small sized
17 building for storing things like that.

18 How will they be disposed of?

19 We are talking about using the
20 waste possibly from New York City and
21 from other places that are co-mingled.

22 Which means that there will be a
23 separation of that waste into
24 recyclable materials?

25 Well, so I suppose the

1 - Proceedings - 69

2 recyclables can be resold or sold to
3 people that are recyclers?

4 You know, the plastic.

5 New York City, I think, only
6 recycles about fifteen percent, or
7 something like that. It's a very small
8 number.

9 So, assuming that it is not
10 already separated, there will be
11 separation going on and there is going
12 to be storage of the materials, and
13 re-appropriating it somewhere else or
14 sending it some place else?

15 All that.

16 I would like to understand how
17 that process is going to work?

18 And do we have examples of this
19 technology?

20 I know the company that was being
21 discussed has a site in Florida that
22 just recently has gone on-line.

23 So, do we have examples of this
24 type of technology in operation?

25 Does it have a track record that

1 - Proceedings - 70

2 will actually work?

3 Is this project being proposed in
4 stages, where what you see now will be
5 within the footprint of the building,
6 as we discussed, as it is a relatively
7 small-sized building?

8 Is this a certain, initial stage
9 of something that can be larger,
10 enlarged later on, and how much will be
11 expected, the amount will be processed?

12 And how much can be processed in
13 the size of the building that is being
14 presently proposed?

15 We are seeing just seeing, really
16 just an initial proposal of the
17 project.

18 I'd like to know how that fits
19 into whether it were to become a
20 larger project and how much material
21 will be processed, based on the size
22 of the building and the project, as it
23 is being currently considered?

24 There are emissions, such as
25 dioxins and other kinds of compounds;

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2 mercury, other compounds, lead; things
3 like that, that often are produced as
4 by-products in part of the burning
5 process.

6 How does this gasification
7 process handle or deal with what would
8 be traditionally thought of as very
9 dangerous outputs from the incineration
10 process?

11 How does it differ?

12 I understand there are a lot of
13 issues, and that's why I was hoping we
14 can have a little more of a dialogue
15 after the presentation so that we can
16 under that.

17 I understand there is a
18 recapturing process, and re-using of
19 those gases, but I don't know what you
20 do with dangerous by-products that
21 would normally be part of a normal
22 traditional incineration process?

23 THE CHAIRMAN: George, how much
24 more do you have? I want to make sure
25 everyone gets in. I want to make sure

1 - Proceedings - 72

2 every one gets a chance.

3 MR. POTANOVIC: Yeah, well, if
4 your purpose is to have a Public
5 Hearing tonight to listen to comments,
6 these are comments that, you know, I've
7 spent some time going over --- well, I
8 don't have too much more to say.

9 I just would like to make sure
10 that the project is considerate of ---
11 well, if this is not the appropriate
12 time to ask the questions, I don't know
13 when it is.

14 DR. CERVINO: Is there --- there
15 is just one point that I can address?

16 Can I address that, while it is
17 fresh in my mind? Would that be
18 acceptable?

19 THE CHAIRMAN: Go ahead.

20 DR. CERVINO: It is very
21 important. There is a solid waste
22 component. People throw out batteries.
23 People throw out thermometers.

24 Things will end up in the
25 garbage. That will be --- at the cost

1 - Proceedings - 73

2 of whatever facility opens up there,
3 that will be have to be packaged and
4 brought out.

5 It can't stay there.

6 So, there will be a very small
7 component of solid waste, as a result
8 of what people throw into their garage
9 that will be contained and that will
10 have to be shipped off-site, and
11 regulated by the state EPA; the EPA and
12 the DEC.

13 It is better that we are
14 re-capturing it, instead of throwing it
15 into the landfill.

16 MR. POTANOVIC: Right.

17 DR. CERVINO: That's the great
18 thing about this. I'm sorry to
19 interrupt.

20 MR. POTANOVIC: Absolutely,
21 better than being sent to a landfill
22 and brought somewhere else and buried
23 some place else. I agree with that and
24 like the potential of that, too.

25 Being that the proposal right now

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2 doesn't have, necessarily have
3 contracts for materials that might come
4 through rail; there was some discussion
5 about trucking in the material.

6 I would like to understand what
7 amount of the material will be trucked
8 in at the initial phase and will it be
9 eventually phased down the road be
10 replaced by the rail, the train?

11 I mean, the rail is the best
12 aspect of this for me, because,
13 obviously the rail comes right in
14 adjacent to the building and it
15 wouldn't impact the local traffic.

16 People are concerned about
17 traffic and everything like that, so
18 how will that whole thing unfold in
19 terms of getting the contracts from the
20 rail and contracts from the rail, as
21 opposed to taking contracts from
22 somewhere else or a company that trucks
23 it in?

24 Will it come from the same source
25 or will it come from other places?

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2 THE CHAIRMAN: The public hearing
3 will be open next month, too. George,
4 we don't have time.

5 Do you have it in writing
6 somewhere? Your questions, George?

7 MR. POTANOVIC: I do. These were
8 notes I was able to put together.
9 (Indicating a document.) I am kind of
10 learning about this as I go, as you
11 are.

12 THE CHAIRMAN: Okay. Thank you,
13 George.

14 Next?

15 * * *

16 MR. ADAMS: Clayton Adams. I live
17 on Riverside (phonetically written)
18 Drive in Stony Point.

19 My concern is the scope and the
20 control of this project.

21 The project scope, meaning how
22 big an area is this burning operation
23 going to effect?

24 Are we going to get garbage from
25 the city, from parts of Connecticut?

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2 I mean, it could be enormous. I
3 don't know.

4 As George suggested, if this is
5 only the initial Phase one, and if it
6 is going to go, how big will it grow?
7 And will the Town have control over it?

8 The issues on the environment are
9 enormously important.

10 We have a beautiful river, on the
11 verge of being taken care of. So,
12 these are issues and would you be able
13 to shut it off if it becomes
14 overbearing?

15 In the industries, I am thinking
16 of the nuclear plants now.

17 I mean, things happen in the life
18 of a nuclear plant. It may not have
19 paid for itself.

20 For example, as for pipes; pipes
21 get eroded, as they do, and they can
22 say, "Well, we can't afford to shut it
23 down." They can say that, so, it won't
24 be a taxpayers' expense.

25 Everybody says okay, we will let

1 - Proceedings - 77

2 you know in another 20 years. I guess
3 expansion was my main concern.

4 THE CHAIRMAN: Okay. Thank you.
5 Frank?

6 * * *

7 MR. COLLYER: Frank Collyer, Ten
8 Knapp Road, Stony Point.

9 First of all, I would like to
10 thank Pat Magee for involving us in the
11 beginning. This is an unheard thing in
12 Stony Point. I think it is a great
13 thing that he's doing. It's great that
14 he did this.

15 I'd also like to say thank you to
16 the Board for opening the public
17 hearing at this point, rather than
18 later on as with the notorious
19 (inaudible) Kiteridge decision.

20 Okay. This is a great idea.

21 Anyway, there's a fair amount of
22 information to be had. Not everything,
23 for sure.

24 Some of this is around. We have
25 the links, the links on our website so

1 - Proceedings - 78

2 that you can find out more about this
3 than you can tonight.

4 There is a lot of information out
5 there. It shows this to be a really
6 great idea, which I think it is. I
7 hope we can get this thing developed.
8 I really do.

9 It would be a tremendous asset to
10 the Town, but the devil is always in
11 the details.

12 Some of the details, we kind of
13 heard a little bit about, as the lady
14 that was up here had questions about
15 the trucks.

16 Now, at some point, normally
17 this will be coming in on railroad cars
18 in a sealed units, going and coming
19 into a sealed building.

20 There will be no odor, no dust.
21 It will probably work pretty good. It
22 is a bright idea.

23 Eventually something will happen,
24 either by the Town or the County or the
25 State, they can come in and say, "Gee,

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2 we can get more stuff from somewhere
3 else and make more money with this and
4 the other stuff can't come by rail, and
5 it's going to come over the roads."

6 And as we all know in Stony
7 Point, we don't have a tremendous,
8 robust road network.

9 Neither do we want to see the
10 County come in and put in huge roads
11 like they did in other places and take
12 away the charm of Stony Point.

13 So, we have something we want to
14 live with and that we want to keep and
15 something that we want to get and keep,
16 and that is a tax reduction.

17 So, the Devil will be in the
18 details there.

19 How will we handle this in the
20 future, so, as you all go through the
21 planning process, somebody might ask
22 you to see how will this look in ten or
23 twenty years down the road? In ten or
24 twenty years down the road, how will
25 this actually work for us?

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2 I think that that's probably the
3 most important part.

4 As you are sitting here now,
5 you'll be down in Florida or someplace
6 like that, dead or maybe you've gone
7 to Florida, and people would say, "How
8 could those guys have done such a dumb
9 thing?"

10 Also, I want to thank you, Mr.
11 Magee, for involving everyone. Thank
12 you.

13 * * *

14 THE CHAIRMAN: All right. Are
15 there any other comments? Yes?

16 * * *

17 MR. LOUIS: Joseph Louis, Three
18 Colonial Road, Stony Point.

19 I have one comment. I think it
20 is a fantastic idea. It's fantastic.

21 We need it, but we are talking
22 all about the garbage going in.

23 What about the ash coming out?

24 How will it be taken off-site?

25 And is it going to pile up, will

1 - Proceedings - 81

2 it be piled like the Lovett plant?

3 That was my only question.

4 Thank you.

5 THE CHAIRMAN: Thank you. Anyone

6 else?

7 * * *

8

9 MR. VILLA: I have something

10 else. Dan Villa.

11 THE CHAIRMAN: Please be short,

12 as we want everyone to be heard. If

13 it's something new?

14 MR. VILLA: I am the closest

15 property to this.

16 I would just like to reiterate,

17 what is the possibility of having

18 someone; Mr. Potanovic, or someone from

19 the Town going to where it is being

20 done now and the affect on the

21 environment and on the neighborhood?

22 I mean, especially not just going

23 there and seeing what the developer

24 did, or what the company did, but

25 talking to people that live within an

1 - Proceedings - 82

2 8th of a mile of that and what is the
3 affect for them? You know, is there
4 noise, is there smells, emissions and
5 so on?

6 I think that will be money very
7 well spent.

8 * * *

9 THE CHAIRMAN: All right. Thank
10 you. Any other comments?

11 MALE VOICE: Yes.

12 THE CHAIRMAN: Yes?

13 MR. CARUSO: Hi. My name is Joe
14 Caruso. I am the Town Engineer for the
15 Town of Haverstraw. I am speaking on
16 behalf of the Town of Haverstraw.

17 The Town received a copy of the
18 application on Monday.

19 We heard about the hearing
20 tonight from the Journal News.

21 So, obviously, we haven't had a
22 chance to review the plan.

23 Supervisor Phillips sent a letter
24 to your Board today requesting that no
25 action be taken on the application

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2 until such time as the Town of
3 Haverstraw has received all of the
4 plans, reports and comments received
5 from other agencies.

6 So, again, I would just like to
7 reiterate and request the Town of
8 Haverstraw to have a chance to review
9 the plans and the application, and that
10 no action be taken until such time,
11 until the Town has had a chance to
12 review the plans.

13 THE CHAIRMAN: Just for
14 clarification, the maps went out in
15 September and the beginning of October.

16 So, Haverstraw got them in the
17 beginning of October.

18 MR. CARUSO: We just received them
19 on the sixteenth.

20 THE CHAIRMAN: So noted. Thank
21 you. Mr. Supervisor?

22 * * *

23 SUPERVISOR FINN: My name is
24 Geoff Finn and I am the Supervisor of
25 the Town of Stony Point.

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2 I just want to make a few
3 comments.

4 Obviously, thank you for having
5 this on for a public hearing tonight
6 and this opportunity doesn't come
7 along often. This is a welcome once in
8 a lifetime opportunity that is knocking
9 on the door for our municipality, for
10 any municipality, never mind the Town
11 Stony of Stony Point.

12 Obviously, there is a lot of
13 research to be done on this. There is
14 a lot of work and a lot of hurdles to
15 jump here.

16 But, this gentleman behind me
17 asked if there was another plant.

18 I actually had a conversation the
19 other day during the Senate hearing the
20 other day, with Senator Larkin. He
21 brought it to my attention that the
22 plant that is in Vero Beach in Florida,
23 right now, I believe is opening the end
24 of this month. It would be in
25 operation, and it is assessed at 1.9

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2 billion dollars.

3 I'm not saying it is the same
4 exact thing, but it's the same company
5 that is doing this. I'm sure this is
6 a smaller version to start. But, that
7 is something that we can really use
8 here in North Rockland.

9 MR. MULLER: I have a suggestion
10 that if you need someone to go to Vero
11 Beach, that I will volunteer.

12 (Laughter.)

13 SUPERVISOR FINN: I would
14 certainly make that trip with you, Mr.
15 Muller. I know myself and a few
16 members of the Town Board themselves
17 will definitely be down there. I visit
18 that area often. I have family -- I go
19 a little further south, but, I
20 certainly will be visiting that area
21 before the end of the year.

22 I am willing to do that.

23 But, again, this is something
24 that, I understand it is not going to
25 be done and rubber stamped overnight.

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2 The process will be followed
3 correctly with this great Board we
4 have.

5 I'd like to say again, that that
6 one point nine (1.9) billion dollars, I
7 just --- it's in my head every day.

8 Obviously, it is the most --- it
9 would certainly would be way, way up
10 there and something we would never
11 again have the opportunity to have in
12 Stony Point.

13 So, I just wanted to give you my
14 two cents. Thank you.

15 * * *

16 MS. FILGUERAS: I have one more
17 penny's worth.

18 THE CHAIRMAN: Wait, wait, Susan.
19 I have a gentleman that didn't
20 speak yet. Step up.

21 * * *

22 MR. BECKERLE: Steve Beckerle,
23 Beckerle Lumber (phonetically written)
24 349 Beach Road.

25 It is just an interesting

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2 observation about volunteering for
3 going down to Vero Beach.

4 I mean, Doctor Cervino is Pro
5 Bono. I would suggest that the Stony
6 Point Planning Board or the Town Board
7 or whoever, or Mr. Magee himself, can
8 go Pro Bono down to Vero Beach on
9 behalf of the Town.

10 I am serious. Seriously, if this
11 gentleman can do it for free, I think
12 the taxpayers of Stony Point should not
13 be paying for a trip to Vero Beach.

14 People have plenty of relatives
15 down there. You guys can find
16 somebody, probably a lot of people to
17 do this for free. Pro bono.

18 (Applause).

19 * * *

20 MS. FILGUERAS: Can I?

21 THE CHAIRMAN: Susan, okay. One
22 minute.

23 MS. FILGUERAS: It's one thing.

24 One suggestion.

25 I have used Mr. Magee's

2 hospitality, especially with the
3 transmission line and with that
4 terrific model.

5 I was able to send the seniors
6 that came to the hearing back out and
7 say they have a proposal for Kay Fries.

8 Go ask them and every single one
9 of them came back and said thank you.

10 The seniors. I would ask if it
11 is possible to put together a little
12 bit of a residential Town education
13 outside of seven o'clock at night when
14 the seniors will not come out at night.
15 Or even Saturday.

16 I will volunteer to do whatever
17 it is, but education, so that people
18 understand this is --- I thought I
19 could research it pretty good, one,
20 two, three. Ha, ha. I have a lot of
21 learning to do.

22 I'm asking and it is, this is
23 highly unusual and Mr. Magee, I know I
24 am asking a lot, but if we can arrange
25 for some presentation or educational

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2 classes to the residents of the Town of
3 the Stony Point, with really big
4 pictures, rather than a lot of words,
5 it works beautifully with our
6 discussions with the Senators to say
7 this is the way it will come in and
8 show people what to expect.

9 This is an opportunity. I am
10 asking a lot, I know and I know you
11 don't have to do it. It will give
12 residents --- I like the idea, so I
13 think if you educate people, give them
14 information, they're in a better
15 position to make a decision.

16 Thank you.

17 * * *

18 THE CHAIRMAN: Thanks. All right,
19 I need a motion to extend the public
20 hearing to next month.

21 MR. MULLER: Can I make a comment?

22 THE CHAIRMAN: Sure.

23 MR. MULLER: Just one quick
24 comment; a moment ago we made a joke
25 about being sent to Florida to review

1 - Proceedings - 90

2 the project.

3 It was a joke, but if this
4 project warrants looking at another
5 plant somewhere else, then we need a
6 way to send them, and maybe the
7 Applicant can put up the money, or the
8 Town needs --- we need to get this
9 right.

10 We all know that, so regardless
11 of what it will take, we need to get
12 someone to look at these plants.
13 That should be done. It should be done
14 in the most cost effective way.

15 I just want, for clarification,
16 we want this right ---- we want to look
17 at other projects that are being done.

18 We want to take everything into
19 account and if it takes sending someone
20 there, regardless of the cost, you
21 don't want it to turn out down the
22 road, that we should have done our
23 homework a little better, so, it's a
24 small cost now, and it could be a big
25 cost later, if we don't.

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2 So, we certainly want to save the
3 Town money in any way we can and put
4 our heads together, but I don't want it
5 to be asked, if we ask for a free trip
6 and nobody gets to go --- sending
7 nobody will be the wrong answer and we
8 need to act responsibly. And I'm sure
9 we will.

10 One other thing; this Town is not
11 only beautiful it but it is also cursed
12 at the same time. It is blessed with
13 the people that are running it and it
14 is blessed with its beauty, but it is
15 also cursed because of its topography;
16 the way the land is laid out.

17 We only have so many places to
18 set up shop. The businesses up down
19 9W, Mom and Pop stores are really
20 taking a hit.

21 We also lost all of our big
22 commercial places. This is one of the
23 few places we have that can be
24 developed.

25 It would be perfect to the site.

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2 It will be a blessing, if it comes in.

3 We will work hard to make it
4 right. I challenge every one here
5 tonight to be part of the process to
6 make it right and not part of the
7 problem.

8 We can all work together, and I
9 feel that the groundwork has been laid
10 for everybody to work together, but at
11 the time, if you have money to invest,
12 and you're ready to set up shop, we
13 have catrillion Towns that will want
14 you now.

15 Fortunately for us, they want to
16 set up shop right here. We are very
17 limited as to what we can attract and
18 what we can do. We are very fortunate
19 that they want to set up shop right
20 here, so let's all work together to get
21 this done and get it done right.

22 (Applause)

23 THE CHAIRMAN: I need a motion to
24 continue this at the December 13th
25 meeting.

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2 MR. ROGERS: I will make that
3 motion.

4 THE CHAIRMAN: I need a second.

5 MR. KREASE: Second.

6 THE CHAIRMAN: All in favor?

7 (Unanimous affirmative vote.)

8 THE CHAIRMAN: All right. The
9 public hearing will be December 13th.

10 There will not be a meeting in
11 November.

12 Now we are going to review the
13 Part II. Max?

14 * * *

15 MR. STACH: I will go through the
16 Part II.

17 I have prepared a draft Part II
18 for consideration by the Planning Board
19 and there has been a lot of good
20 comments tonight.

21 I believe that the stenographer
22 has taken down a lot of good comments.

23 What the Planning Board has to do
24 is make sure that the Applicant has an
25 opportunity to address all of the

2 questions, or the Board's consultants
3 address all of those questions, that
4 they and I need to address in going
5 forward.

6 But the issues that we had
7 identified, prior to tonight, include
8 several within the EAF Part I.

9 One of the questions, well, some
10 of the questions we have are on the EAF
11 Part I; some are on the EAF Part II.

12 The first has to do with the
13 existing utilities.

14 It is known that on this project,
15 there's a generation of electricity.

16 There is an element to this, that
17 is the use of natural gas to start the
18 process.

19 The Applicant should address
20 whether the existing utilities are
21 adequate.

22 We have also asked the Applicant
23 to revise the EAF Part I to indicate
24 that, "Yes, this site has been used for
25 the disposal of hazardous waste in the

2 past."

3 It doesn't affect this particular
4 application, but it should be on the
5 form.

6 I believe the Applicant should
7 also disclose the timing of
8 construction.

9 It has to be conceptual.

10 We understand there is not an
11 identified plan at this time, and it
12 has a lot of hurdles to go through at
13 this stage, but they should just
14 provide some sort of information on
15 that.

16 Additionally, regarding odors. I
17 think they should address that, at
18 least as a potential; and describe how
19 they will deal with that.

20 They should identify that, "Yes,
21 they are going to be generating
22 traffic, significantly above the
23 present levels, although it is only
24 with truck traffic."

25 And they made respond that this

2 is within or that it is similar to
3 truck traffic that was on the site in
4 the past or they may clarify that this
5 is greater than in the past.

6 So, in terms of the factors that
7 have been identified in the Part II, we
8 suggested that because there was a
9 flood plan protecting water volume on
10 the site, they should at least disclose
11 that and indicate that it is not
12 impacted by this proposal.

13 In terms of water, one of the EAF
14 Part I questions is whether or not
15 chemicals will be stored on the site.

16 Ethanol certainly will be stored.
17 Over eleven hundred gallons.

18 They should indicate how they
19 will be protecting ground water volume
20 and a related issue will be how that
21 will be made safe from a community
22 prospective, since it is flammable.

23 Likewise, the fact that there is
24 a flood zone, they need to address
25 that. Although, it is likely this

2 won't impact that.

3 The impact on air has to do with
4 the fact that they will be cooking one
5 ton of refuse an hour.

6 So, they should address how they
7 will go going to safeguard the air
8 quality with that process.

9 Likewise, they should clarify
10 whether the emissions will exceed five
11 pounds per hour of contaminants, using
12 a heat source producing more than five
13 million BTU's per hour and if, so how
14 that air quality will be protected.

15 The impact on transportation; we
16 already talked about the fact that
17 there will be generated significant
18 truck traffic.

19 The Applicant should provide
20 more descriptions on the types and the
21 frequency of truck trips to and from
22 the site.

23 The exportation of product; as
24 well as the delivery of their feed
25 stock.

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2 There is two elements here.

3 There is the feedstock coming in,
4 and there are also, I believe --- as
5 Mr. Potanovic identified --- there is
6 also ash and ethanol leaving the site,
7 as well as recyclables.

8 So how will that be handled from
9 a traffic standpoint?

10 Also, the Planning Board has
11 frequently noted that the access
12 limitations of this site will pose a
13 potential safety risk.

14 They should explore and detail
15 how they will deal with those access
16 restrictions.

17 They need to address the at-grade
18 and underpass.

19 Energy; even though the whole
20 thing will be resolved and a positive
21 impact on energy, they disclosed that
22 they are going to use natural gas or
23 electricity to start up this process.

24 So, you will want to detail a
25 little bit of that and, again, whether

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2 or not the utilities are adequate for
3 that start-up consumption.

4 Noise and odors; several people
5 have talked about and asked about the
6 noise and odors.

7 They will be shipping the product
8 in-and-out.

9 The actual process should be
10 clarified and if that process generates
11 any noise or odors, how that will be
12 mitigated.

13 Also, whether or not any of the
14 equipment used in process will generate
15 noise or odor?

16 And impact on the public health,
17 I think that this processing involves
18 high pressures and high temperatures,
19 with the production and storage of
20 ethanol, I believe here from both the
21 public health prospective on both the
22 safety of the Town residents and also
23 on environmental impacts to health.

24 So, there two real issues;
25 levels of safety from the flammables

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2 and also the high pressures, and from
3 the combustible products, as well as
4 whatever health affects from whatever
5 contaminants might be in areas.

6 So, I would suggest at this point
7 that you can adopt this Part II, and
8 ask the Applicant to address these
9 issues, as well as any other questions
10 that have been submitted here tonight
11 and then we can provide the report or
12 some sort of answers to these questions
13 and address them at the next public
14 hearing.

15 If additional information is
16 needed or comes up or it is the
17 determination that additional
18 exploration is required, that can be
19 done on an on-going basis and the
20 Public Hearing until the Board is
21 satisfied that all of these issues have
22 been addressed adequately and the
23 proposal could be approved or in some
24 case, it may be denied.

25 THE CHAIRMAN: Thanks, Max. All

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2 right ---

3 MR. POTANOVIC: I have a question
4 about the process with regard to the
5 permits and the Town's involvement in
6 that.

7 There is a building itself and
8 parking issues, then there is a larger
9 issue.

10 How much involvement is there
11 regarding the permits and what level
12 the Planning Board, as lead agency, has
13 in that permitting process?

14 That is the question.

15 MR. STACH: The regulatory
16 authority of this Planning Board
17 without SEQRA --- before you get into
18 SEQRA --- really has to do with the
19 site plan application.

20 It really does have to do with
21 the parking.

22 The reason why is because the
23 use, as it is listed in the code, is
24 for manufacturing warehouses and
25 industrial operations. And they

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2 already have a Certificate of Use in
3 that existing structure, on that
4 existing site, that is undergoing no
5 physical modifications, as part of the
6 proposal.

7 That is actually continuing the
8 use.

9 I understand that Insl-X is still
10 using that site to date, I guess, for
11 storage of files; whatever, but it is
12 still part of that past use.

13 So, my understanding and Bill's,
14 who is unable to come tonight, can
15 provide more information that that is
16 the use and that is already existing
17 on an on-going basis.

18 So, really, had the applicant not
19 approved the use of the existing
20 parking for Good Luck Auto storage,
21 storage for the recycled cars, that
22 this could really could potentially go
23 to a building permit.

24 Now, I'm sure, having worked
25 here for several years and as you know,

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2 the Town would have required some sort
3 of Planning Board review regardless,
4 but I think technically, they could
5 have asked for a building permit were
6 it not for the parking requirements.

7 But, all that is sort of moot
8 because SEQRA comes in here and says
9 that when you have an action like this,
10 you have to consider all the
11 environmental impacts associated with
12 the approval.

13 And the fact is, that if we
14 approve the parking, the use can
15 commence at the site.

16 So, it is the responsibility of
17 this Board to investigate all of the
18 impacts associated with that use going
19 into the site.

20 I think there is some
21 clarification here, in that this sort
22 of --- it is a use that is going to be
23 within the existing structures.

24 So, I think when you talk about
25 things likes the generation of the

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2 by-products and potential contaminants,
3 I think the prospective of this Board
4 has limits, or at least temper its
5 expectations for answers that we are
6 not going to get into the science.

7 I mean, I don't think that we all
8 have to become chemists here and become
9 scientists and know that level of
10 detail of the process.

11 But, what we want to make sure
12 here, is that its safeguards,
13 mitigations and controls here are
14 implemented, and the Planning Board can
15 replay to these items, to restrict this
16 use in a manner that we know that will
17 protect the health, welfare and safety
18 of people in general, of the region
19 and the people of Stony Point protected
20 here.

21 I think that there are going to
22 be questions that are beyond this Board
23 and SEQRA is not intending to change
24 the jurisdiction of who they'll send to
25 answer that.

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2 So, we have to appreciate that
3 the DEC is going to have to do a lot of
4 work here.

5 Even if we approve this project
6 in the existing building confined, we
7 make sure the truck traffic works and
8 we make sure there is no safety danger
9 from the flammables, if we are
10 satisfied here that the community will
11 be protected; all of that, they still
12 have to go to the DEC.

13 They still have to get the air
14 quality permits and they can decide at
15 that point, that they have to do more.

16 They can decide at that point,
17 because again, I don't believe this
18 Board is going to enter into a
19 coordinated review, so we are not
20 getting into how many permits down the
21 road will be looked at, and ask those
22 people to defer their authority to us.

23 We are going to look at the
24 environmental impacts of the action
25 that is before the Town and the

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2 Planning Board.

3 If the DEC decides that these
4 folks have to prepare a DEIS and get
5 into the process, and the chemistry and
6 all those matters, which they are
7 probably going to make them do anyway,
8 that is not deferred.

9 The responsibility of the DEC is
10 not deferred to this Board.

11 So, this Board is looking at this
12 prospective as a site plan ---

13 MR. POTANOVIC: You are saying
14 that the Town Planning Board or the
15 Town Board, for that matter, will not
16 be involved in the review of the
17 permits of the other agencies, be they
18 state or Federal, and that they, the
19 other agencies will be the ones; so
20 what is the level of local involvement
21 in the permitting process, I guess is
22 what I am asking. The DEC?

23 How do we know what they're
24 doing? How do we know what they are
25 reviewing?

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2 Is this Planning Board involved,
3 as a lead agency, in what the DEC will
4 review?

5 MR. STACH: Not for this level.

6 Again, this -- you had a
7 question, actually what happens --- we
8 are talking about what has been
9 referred to as a pilot plant here.

10 So, we are talking about
11 something to get the use started in the
12 site, which is completely contained
13 within the building.

14 There are all kinds of controls
15 --- but, the question was asked, what
16 if this wants to expand in the future?

17 Well, I think there is probably a
18 very good chance that if this process
19 starts in this location, I mean, you
20 have so many feed stocks around here,
21 it will.

22 We talked about New York City,
23 where do they send their garbage?

24 Why not put it on a barge and
25 bring it up the river? You know, there

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2 are so many potentials.

3 You have already garbage going up
4 by train, the train tracks on its way
5 to Albany and South Carolina.

6 So, why not process it here?

7 So, this has such potential for
8 growth in this location. The point is,
9 the approvals will make certain that
10 what they're approving, that what
11 they're looking at from an
12 environmental prospective, is a pilot
13 plant as the Applicant is asking for.

14 Currently sealed up, everything
15 comes in in sealed containers.

16 Everything goes out in sealed
17 containers.

18 There will be limits on the
19 trucks coming in-and-out, so, if they
20 want to grow beyond that, they have to
21 come back to the Town.

22 And that, likely, if you are
23 starting talking about construction of
24 industrial buildings, if you're talking
25 about larger scaled things, I think

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2 then the Town is probably not going to
3 do an uncoordinated review at that
4 time.

5 I think at that time, you're
6 talking about new construction, you're
7 talking about industrial use where it
8 has never been before, but a new use,
9 in settling properties, but new levels
10 of environmental use, the Town will
11 probably take a different approach.

12 But, in terms of them getting a
13 pilot plant started, exploring to see
14 the options, seeing if there's a market
15 for it, trying to attract a user,
16 hopefully, the ones we are all hoping
17 for, then going to the DEC, because the
18 DEC won't even review the permits
19 without a local approval.

20 MR. POTANOVIC: On the site plan?

21 MR. STACH: Yes. So, if they go
22 to the DEC and start their review
23 there, and they come back and they say
24 well, we got our permits, and now we
25 don't want to use it as enclosed

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2 anymore, we want a different process,
3 outside the building like some other
4 facility they were considering, if
5 they're asking for that, they would
6 have to come back to the Town.

7 They've got to ask for that. It
8 is not approved.

9 So, whatever action the Planning
10 Board takes, it will be limited to what
11 the Applicant is proposing.

12 MR. POTANOVIC: Okay. I
13 understand.

14 You are --- you are saying there
15 is no necessary modification to the
16 existing building, that it will
17 accommodate what the Applicant is
18 proposing, like smoke stacks?

19 MR. STACH: I believe, roll-up
20 doors maybe. I'm not sure of that.

21 Still, you are not talking about
22 site modification.

23 You are talking structural, so in
24 my understanding, and I have to defer
25 to Bill, his understanding on this

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2 because he is the one that makes the
3 determination, but he's not here, but
4 that it complies.

5 It complies.

6 Again, the only thing they are
7 asking for is the modification of the
8 parking requirement and location of the
9 parking at the plant.

10 And the Planning Board has to
11 review that too, obviously, but really,
12 we are also looking at everything
13 else.

14 THE CHAIRMAN: Thank you, Max.

15 George, put them in writing and
16 get them to Bill that will help. Maybe
17 he can clarify that for you.

18 MR. POTANOVIC: Yes. Thank you.
19 I understand.

20 * * *

21 THE CHAIRMAN: For the Part II,
22 does the Board have any questions? For
23 Max?

24 (No responses heard.)

25 THE CHAIRMAN: Okay.

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2 MR. MC MENAMIN: Well, to keep
3 going with that discussion we just had,
4 you used the word in your documentation
5 "pilot plant".

6 What if they don't use the word?

7 What if they didn't call it that? I
8 kind of looked at the pilot plant and
9 looked at the "desal" plant.

10 I kind of looked at that, and
11 that pilot plant and what that's
12 supposed to be, to see if it will work,
13 and all of that; if everything will be
14 good and then you go on from there.

15 Then you go on to the next step
16 from the pilot plant.

17 So, I guess my question is, you
18 are using the word, "Pilot", but is
19 what we are looking at, and I think I
20 am concerned about what is in Question
21 B7 on the Part I --- well, let me go
22 back.

23 Part III will answer the
24 questions that you indicate that came
25 from Part I. Right?

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2 MR. ZIGLER: Yes.

3 MR. MC MENAMIN: So, for me, the
4 number of phases and where we go from
5 the pilot plant, where we go from that
6 is my concern.

7 So, I want to --- the building
8 inspector says, this is, this conforms
9 within an industrial use, if you stay
10 within blah, blah, blah and that is
11 okay.

12 So -- -- and that's okay. So, I
13 want you to answer the Part III in such
14 a way that it is very clear to me that
15 this is for what you are constructing
16 today.

17 The answer to this question is
18 for what you are going to construct
19 today; the emissions that will be
20 coming from their pilot plant are going
21 to be this or that. We are not going
22 to do this or that, we are just making
23 ethanol, we are just going to do a
24 thousand or four thousand tons and we
25 are going to generate ethanol, how

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2 many tons of ethanol will be generated
3 per ton?

4 That's what we are going to do
5 today, but I think the question in B7
6 is talking about where you will go
7 after this first phase is done?

8 What will you possibly do?

9 So, I would like to flesh that
10 out and see.

11 I want them to say, this is the
12 direction we will develop in, move this
13 here, take this phase and move it here,
14 and so on, in a generalized way, but at
15 least we will know where we are going
16 and what we are facing as they
17 progress.

18 But today, we are going to do
19 this phase and it is going to be this
20 and this. And to wrap up, the whole
21 question is, is a "pilot plant" the
22 correct words?

23 MR. ZIGLER: No.

24 MR. MC MENAMIN: And it's not the
25 correct word. And if this is as far as

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2 you ever go with this project, is it
3 going to be profitable and in a
4 sustainable phase, is phase one
5 sustainable, or is this going to
6 continue on like the pilot plant for
7 the desalinisation plant, which ---
8 same words --- is it just to see if it
9 is going to work, and if not, we will
10 just give up and go away? We will go on
11 to something else, but if it works, we
12 will go on to this, but this is really
13 a Phase One of something that you can
14 --- look, (inaudible), I think you know
15 what I want to hear, so ---

16 MR. ZIGLER: The answer is yes.

17 MR. MC MENAMIN: Yes. Thank you.

18 MR. ZIGLER: Basically, what we
19 will do, we will take the site plan and
20 put the different components somewhere
21 on the footprint of this building.

22 So, you will understand that this
23 is the site plan we are going to use
24 for this use.

25 Is it a possibility it will

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2 expand? Yes, it can expand in certain
3 areas, but as of right now, this is a
4 pilot plant.

5 It is not --- when the doors
6 open, it will be profitable. It is not
7 a test to see if they can lose money or
8 a test to make bigger plants. This is
9 the stage right now.

10 Hopefully, when they go through
11 the permit process, they will get the
12 product and we may have to come back
13 for an additional building.

14 Right now it is not proposed. It
15 is a dream.

16 Yes, we can answer your first
17 question that this is not a pilot plant
18 and give you an opportunity to see if,
19 to grow, in which way it might grow.

20 MR. MC MENAMIN: What you're going
21 to show to me is the site plan we are
22 considering today, Phase One. Here it
23 is. Site Plan. The parking changes,
24 the request for the twenty-five percent
25 reduction.

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2 That is what we are going to vote
3 on today, but in the future, I am just
4 assuming, Max alluded to it, I think,
5 but it has to be said, what do you do
6 when and if you want to do a Phase 2,
7 you are coming back with another site
8 plan?

9 MR. ZIGLER: Absolutely.

10 MR. MC MENAMIN: And you will redo
11 the whole DEC? EPA thing for the next
12 phase?

13 MR. ZIGLER: Yes. Just as we did
14 for the Shop Rite.

15 It is no different than any other
16 site plan we ever did.

17 Just as we did with Shoprite, we
18 came into this Board and right in the
19 middle of it, we, we ripped up a map
20 and changed the Mom and Pops and put
21 a different end unit on.

22 It is no different.

23 Once this thing is approved and
24 the process really starts after the
25 Board, in going for the permits but,

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2 there was a question about the permits.

3 No matter what permit you go to,
4 what agency, they always have a public
5 notice in the paper. It is their way
6 of saying that if someone has a
7 question or comment about the permit,
8 that they contact them and that is
9 usually in the paper for any permit
10 whether it is the Drainage Agency or
11 the DEC, or so on so forth.

12 So, this process, after it leaves
13 this Board for site plan approval, it
14 moves on to the area of other permits.

15 The public is notified, but
16 notified in the form of public notices
17 in the back of the newspaper, and
18 usually there is a thirty-to-sixty day
19 open comment periods prior to the
20 issuance of any permit.

21 MR. MC MENAMIN: Phase one --- I
22 was confused; to go back, maybe others
23 --- what you were talking about is what
24 could be, for example, like generation
25 of power, but you are not generating

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2 power in Phase One. You're going to
3 come back later and ---

4 MR. ZIGLER: Do you know that?

5 MR. MC MENAMIN: No.

6 MR. ZIGLER: Okay, so let us
7 answer your questions, and then ---

8 MR. MC MENAMIN: I want to
9 reiterate that Phase 1 should be very
10 clear on what you are going to do on
11 the site.

12 MR. ZIGLER: Of course.

13 MR. MULLER: There's a building
14 that has an approved code saying they
15 can do industrial work there. They're
16 coming before us and they want to do
17 something inside the building, whether
18 they make ethanol, whether they
19 generate power, whether it's a test
20 pilot or not, whether they make money
21 or don't make money, they want to come
22 in and invest close to five hundred
23 million dollars and hire people.

24 Our job is to make sure it is
25 done properly on an already approved

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2 site.

3 If, down the road, they want to
4 expand, that's their business. They
5 will have to come back.

6 It will be done under observation
7 and it will be done under the scope of
8 the law and it is not our right to
9 say, what they're going to do inside
10 the building or if they are going to
11 make money or not.

12 That's not our job.

13 Our job tonight is to only review
14 the building that's there; basically,
15 the parking lot.

16 Everyone is being wise enough to
17 look at the entire project, but it
18 boils down to the parking lot.

19 If they want to expand from that
20 point on, they have to go through the
21 entire process again.

22 But whether they make money or
23 not, they are bringing jobs into our
24 area which we desperately need and
25 bringing money into our Town.

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2 We are going to make sure it is
3 installed properly, but anything after
4 that point, if they want to expand, it
5 starts the process all over again.

6 They have to go to through the whole
7 process again.

8 MR. ZIGLER: Understood. That is
9 why we choose to approach the project
10 in this manner.

11 Again, relating it to other site
12 plans, whether it's Shop Rite or a
13 storage facility, or whatever, we
14 always detail areas within the
15 building, not specifically, but gave
16 you general details of areas within the
17 building what is happening within that
18 and we have no problem doing that with
19 this plan, so that you can look at it
20 and see what's being proposed.

21 THE CHAIRMAN: Thank you.

22 MR. ZIGLER: I have a question.

23 THE CHAIRMAN: Yes?

24 MR. ZIGLER: We are going to take
25 this Part II that you are going to

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2 accept, and then we have also the
3 comments from the County Planner. We
4 have no other comments from the outside
5 agencies yet and the Town's.

6 We are going to take the public
7 notes there and create a
8 comment-and-response.

9 That comment-and-response, we
10 will give it to the Board hopefully at
11 the workshop on November whatever;
12 fifteenth, November 15th.

13 THE CHAIRMAN: All right.
14 November 15th. That's our Tach
15 meeting.

16 MR. ZIGLER: I am still on the
17 same question --- is it possible
18 sometime after that before the Planning
19 Board meeting in December, that we can
20 have a second workshop, maybe the
21 second Thursday?

22 Usually I would say the fourth
23 Thursday, but I like to eat turkey, my
24 turkey on that day.

25 So, is there a possibility maybe

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2 to have a meeting, maybe even early in
3 the fourth week, a second workshop or
4 is it possible that the Applicant can
5 meet directly with the advisors to the
6 Board with your knowledge and approval
7 and go over this document? It will be
8 at least three or four pages.

9 (Laughter.)

10 THE CHAIRMAN: We can probably
11 work through that.

12 MR. ZIGLER: That will be great
13 because then if we can get that in
14 that form and then any other comments
15 by the next meeting, we can address
16 that and everything with the advisors
17 to the Board and everybody will be
18 happy with that document.

19 And then maybe we can somehow put
20 it out for public review on the
21 website.

22 MR. MULLER: Daniel mentioned
23 about his job, how he will be retiring
24 soon and looking for a job.

25 It will be great if as this

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2 process moves along, the Supervisor and
3 his team, maybe we can work towards
4 getting, getting Applicants from Stony
5 Point, if they get to the point of
6 where they can hire, then maybe we can
7 get it to where they can take a closer
8 look at the people here that need work.

9 It would be a nice bonus for
10 business coming into our Town.

11 MR. ZIGLER: No problem.

12 MR. STACH: I suggest that ---
13 well, Mr. Caruso from Haverstraw, had
14 indicated that comments from Haverstraw
15 will be forthcoming.

16 I would suggest that the Planning
17 Board forward those directly to the
18 Applicant in this case, so that he can
19 address them at the next workshop
20 meeting, rather than giving them to us
21 and then ---

22 THE CHAIRMAN: Yes, just so you
23 know, November 8th is our deadline to
24 get material in to the Planning Board
25 for the November tech meeting.

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2 November 15th is the Tach
3 meeting. We will do is sit down with
4 the Applicant review all of the
5 documentation. We don't make any
6 decision. We just make sure all the
7 paperwork is in order.

8 If we are missing something, we
9 tell them, so he doesn't come on the
10 day of the Planning Board and says,
11 "You never told me."

12 So, on the day of the Planning
13 Board they can have everything in.

14 So, November 8th is the deadline
15 we need to get all the information into
16 the Planning Board.

17 November 15th is tach meeting and
18 then December 13th is our next Planning
19 Board meeting.

20 So, right now, the Part II, well,
21 are there any other questions from the
22 Board.

23 (No comments heard.)

24 THE CHAIRMAN: If we are all good
25 with the Part II, I need a motion to

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2 adopt it so that they can prepare the
3 Part III.

4 MR. ROGERS: I will make that
5 motion.

6 THE CHAIRMAN: Second?

7 MS. CALLAGHAN: I will second it.
8 (Check).

9 THE CHAIRMAN: Mary, poll the
10 Board.

11 MS. PAGANO: Mr. McMenamin?

12 MR. MC MENAMIN: Yes.

13 MS. PAGANO: Mr. Muller?

14 MR. MULLER: Yes.

15 MS. PAGANO: Mr. Krease?

16 MR. KREASE: Yes.

17 MS. PAGANO: Mrs. Callaghan?

18 MRS. CALLAGHAN: Yes.

19 MS. PAGANO: Mr. Rogers?

20 MR. ROGERS: Yes.

21 MS. PAGANO: Chairman Gubitosa.

22 THE CHAIRMAN: Yes. We will
23 adopt the Part II.

24 * * *

25 MR. KREASE: The first comment,

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2 well, we are having the second tech
3 meeting after Thanksgiving? Right? It
4 doesn't make a lot of sense to do it
5 before that.

6 Number two, a lot of comments
7 were made tonight. I hope a lot of the
8 questions that the public brought up
9 were realized by us having this Public
10 Hearing so early on.

11 All of the questions that Max
12 talked about and some other questions,
13 are being addressed by the Board by
14 having them on so early on in the
15 process.

16 It is a good thing, but you can
17 see, we are addressing all the
18 questions that the public inputted and
19 it appears to me that we will be
20 addressing almost all of those points.

21 THE CHAIRMAN: Thank you, Mr.
22 Krease.

23 It should be on the record that
24 we have a letter October 11th, from the
25 Drainage Agency and it says a permit

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2 from the Rockland County Drainage
3 Agency is not requested to authorize
4 the current proposal, so they don't
5 need one.

6 MR. ZIGLER: I'd like a copy of
7 that bad boy.

8 THE CHAIRMAN: We will see you
9 next month. Thank you, Mr. Zigler.

10 * * *

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Chairman: Next on the agenda is Hudson Bay Complex Building E this was a Lot Line Change it is located on the north side of Holt Drive, Mr. Zigler give us a quick update on where we are.

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 this is Hudson Bay and we are in for a amendment of a filed Site Plan on the south side of the property up against Holt we originally had a warehouse with an office over the top with a two story structure that was ten years ago it was approved there has been no interest so now we are revising that site plan and changing that to mini storage so it is conformance with the code and it is just an extension of the facilities that is there it requires variance and it will be in front of the Zoning Board of Appeals next month this is a Public Hearing and basically it is amendment there is about zero, zero difference in impervious coverage it already has a full working drain system working there is no additional water or sewer extension just purely a change in the building.

Chairman: Alright at this time I need a motion to open the Public Hearing.

MOTION: Open Public Hearing
Made by Gerry Rogers and Gene Kraese
All in favor

Chairman: Opening the Public Hearing for Hudson Bay if anyone has any comments? No comments I need a motion to close.

MOTION: Close Public Hearing
Made by Gene Kraese and seconded by Gerry Rogers
All in favor

Chairman: You still have to go to the Zoning Board.

Mr. Zigler: We have ARB approval we are going to the Zoning Board we will see you.

Mr. Muller: One more comment we all met at the site Planning Board, Zoning Board and many of the member of Town Board and many of the member liked it was all favorable.

Mr. Zigler: There are no changes to the plans since they got it, sorry we moved some parking around there are not changes to the propose building locations.

Mr. McMenamain: Can I ask you a question on this new drawing we just got the proposed use change of Cheermania All Stares I thought we approved that?

Mr. Zigler: I was there was a question on our parking area account and where the parking was so we changed that table and that Cheermania is approved but that is the only reason we kind of changed the table to show that the different, you actually have three uses you have a main storage you have the office for main storage and then you have Cheermania you we kind of put the parking around each one of those uses and that is how Cheermania got in there.

Mr. McMenamain: So you changed parking for everything?

Mr. Zigler: We changed the parking around a little bit yes. Basically the major change was we added curb parking along the west curb and we widen the road that why if anyone was going to Cheermania as they came in they could drop their child off and then park off against the curb. Today they park on top of the hill on the right side as you go in so we are putting parallel parking on the left side which is closer.

Chairman: We gave you a negative declaration so you can go to the Zoning Board whenever you like. So we will see you next month.

Mr. Zigler: Thank you very much.

Chairman: Next applicant is Hudson River View Open Field Agriculture, it's a new application Mr. Zigler can you give us an update on what you would like to do there.

Hudson River View Open Field Agriculture – 20.04-3-11 LI District Site Plan, Conditional Use located on the east end of Holt Drive 1800 feet east of South Liberty Drive then 600 feet east on an unnamed private road

Mr. Zigler: Dave Zigler from Atzl, Scatassa & Zigler this is a very unusual Site Plan it to plant corn and crops in a LI Zone you are allowed to plant and it is listed as being something under the RR Zone so to do it the LI Zone you need a Site Plan. Basically what happened was they were bringing fill in there and they did not have a SEQRA process. The Town did not have a Site Plan approval this route that we are going here give the applicant a Site Plan review for crops and gives it a SEQRA review. It will allow him to continue to fill by the State standards so luckily for him there is an avenue in the LI Zone which allows you to do this. That is what this is it is really just to plant crops so next spring there could be corn out there or wheat or clover that is exactly what it is for.

Mr. McMenemy: There is not going to be any support buildings?

Mr. Zigler: Nope.

Mr. McMenemy: Where is all the machinery all the things that would support agriculture be?

Mr. Zigler: Since the applicant does not own any he would have to lease it and it would come down most likely from Pine Bush and go back. Pine Bush actually rents machines to do this.

Mr. McMenemy: It will be moved in and moved out.

Mr. Zigler: Moved in and moved out, trailer in and trailer out.

Mr. Stach: What is he going to do with the corn?

Mr. Zigler: Doesn't matter nobody says he has to be good at it but he does have to plant it. He just needs to plant a crop so whatever you definition of a crop is.

Mr. Stach: You have to do lead agency there was a question in the SEQRA to whether it was a Type II action it talks about agricultural, but unfortunately this is not it seems to be for agricultural support buildings, meaning if you are going to put a silo up or something like that. This unfortunately seems to be less than that but also seems to fall under the Type II because of that so I would recommend that it be an unlisted action and that you go ahead and do a short form EAF for this.

Mr. Zigler: You have a long form on it.

Mr. Stach: OK we will prepare a Part II but I can't imagine that this will have many impacts if any.

Chairman: I just need a motion to be Lead Agency.

MOTION: Stony Point Planning Board to be Lead Agency
Made by Gene Kraese and seconded by Gerry Rogers
All in favor

Mr. Rogers: It is obvious there must be sufficient topsoil down there or this going to be trucked in.

Mr. Zigler: They are going to finish doing the fill and level it out and plant.

Chairman: I need another motion to declare this and Unlisted Action.

MOTION: Declare this and Unlisted Action.
Made by Tom McMenemy and seconded by Gerry Rogers

Chairman: We don't need a site visit. Next on the agenda is Jessup Valley Subdivision.

Jessup Valley Subdivision – SBL 19.01-2-45.7,45.8 & 45.9 RR District – Sketch, Preliminary approval three lot minor subdivision, located on the west side of Margarita Drive 60 feet west of Jessup Lane

Chairman: Mr. Zigler can you give us a narrative.

Mr. Zigler: Basically this application has been in front of the workshop a couple of times and it is Jessup Valley all the way up on Jessup Lane on the left and it was a subdivision that was started the service of United Water and septic. Since that time sewer was brought in and the subdivision was actually served by water and sewer being there are sewer on site the lots which had to be oversized because of the bad soil we don't have the same impact. So the applicant went to the workshop and asked to re-align the lots and the re-alignment of lots of course he gains a lot he gains on lot on this layout the colored ones are the existing lots and the black and white are proposed lots. There are a couple of issues here this might be the start of the project but I think it is going to change. On the west side of the road there are also oversized lots and so I just got involved with this application and it take to them I said we should do everything at one time. So if you are going to reset the lots on the other side because the lots of oversized and try to gain a lot and also do this on let's call it that island of Jessup Lane and there is also the question of the drainage basin which the drainage is in a Town street emptying into a private drainage system that this neighborhood of Jessup Valley was going to pay for it. So like a drainage area so unfortunately Bill was unavailable because he is on vacation so at the next workshop I want to address with the Board about re-doing the west side and this island and straighten out the drainage issues and then we just kind of like amending two thirds of the original map. When you do septic systems you have to test the soil and if the soil is no good you have to continue that lot line until you get to an area where the soil is so sometime you end up with lots that are oversized because there is bad soil and there is bad soil up there so bring in the sewer and then finally having the sewer turned on is quite a legal battle for a long time on the sewer line with the Town of Stony Point now this is available. So this is something to look at I don't ask you to do anything on this except maybe set a field trip but I think I would rather do is just address it to the work shop and ask when Bill is there ask how we should maybe develop this map and do everything at one time and not just nitpick at one side of the road to the other side of the road.

Chairman: Basically we are not going to do anything.

Mr. Zigler: No I don't think so you want to have everything done at the same time and look at the old wall site and there was a question about the drainage even with the Town Engineer because you are now three Town Engineers past when it originally went in.

Mr. Kraese: The last conversation at the last TAC meeting if I am not mistaken we were talking about the drainage the size of the pipes and after we found out we want Kevin to make sure that were the correct size. That is an issue.

Mr. Zigler: Basically the engineer who was doing a job they basically got rid of and we just stared doing the job I understand there were questions about pipes sizes and so on and so forth so there are like three different things floating around here and just looking at this it does not solve (inaudible)

Mr. Kraese: The pipe size is the one thing and we agree on the fact that the Town does not want that little parcel of land at the bottom of the hill.

Mr. Zigler: So I think basically if we could go through the pipe sizes and give Kevin an as built of the pipe sizes versus the sizes that were proposed if they match then there is no question. I don't have the original maps we are still trying to find that out.

Mr. Stach: There was also an issue that I believe the Town will not accept less than an 15 inch pipe frame there is also an issue that came up and I am telling you this because we already dealt with at the meeting with the other gentleman the other day is that there seems to be some confusion as to the homeowners association needing to be established for this property. This drainage is going to be maintained by a homeowners association?

Mr. Zigler: Maybe.

Mr. Stach: But I think that is how it originally accrued and that homeowners association was never set up and that is not establishing a good track record going forward.

Mr. Zigler: That is what we are going to address because let's say there is a 10 inch pipe in the road and if we get the proposed subdivision that was approved and it shows a 10 inch pipe in the road and it was constructed as it was approved I believe that is a legal drainage pipe.

Mr. Muller: Doesn't mean we have to approve and changes unless he wants to put a better pipe in the road either does it.

Mr. Zigler: No I am disagreeing with you unless my changes impacted the size of that pipe, yes then that would be true. That is some of the things we need to look at what was proposed and what is in there.

Mr. Muller: My point is that if there is a 10 inch pipe in the road that never should have been there and you are asking us...

Mr. Zigler: I am saying that it was approved, if the pipe was substandard and it was approved as a substandard pipe in the plans the builder has done no wrong but if our extra lot impacts it then it would have to be upgraded it is what we have to look at.

Mr. McMEnamin: I probably have these drawings the original ones.

Mr. Zigler: I don't.

Mr. McMEnamin: I do. I will look for them.

Mr. Zigler: Can I have them?

Mr. McMEnamin: But I am pretty sure that was from a time when we were using (inaudible)

Mr. Zigler: I don't know.

Mr. Stach: We already subdivided this.

Mr. McMEnamin: We did.

Mr. Zigler: It was approved but never filed. We also want to look into that drainage situation because if the Town is going to take the pipes (inaudible).

Mr. McMEnamin: There was a detention basin in the back yard.

Mr. Zigler: I am going to look into these things for the next TAC meeting.

Chairman: I need a motion to accept the minutes of September 27, 2012

MOTION: Accept minutes of September 27, 2012
Made by Gerry Rogers and seconded by Gene Kraese
All in favor

Chairman: Next meeting is December 13, 2012, I need a motion to close.

MOTION: Close Planning Board Meeting
Gene Kraese and seconded by Gerry Rogers
All in favor

Respectfully submitted
Mary Pagano, Clerk to the Board