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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:

VIRGIN MARY & ST. PACHOMIOUS COPTIC  
ORTHODOX CHURCH

Applicants.

----- X

7 o'clock p.m.  
October 28th, 2010  
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 : PETER MULLER,  
Acting Chairman

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

- THOMAS MC MENAMIN, Member
- GLADYS CALLAGHAN, Member (Not present)
- EUGENE KREASE, Member (Not Present)
- GERRY ROGERS, Member
- KARL JAVENES, Member

21

MARY PAGANO,  
Secretary to the Board

22

23

Reported by: Ashley Principe, Reporter,  
-for-

24

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

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HEADER

Appearances continued: 3

IRA EMANUEL, Esq.  
Attorney for Applicants  
Four Laurel Lane  
New City, New York 10956

FERRICK, LYNCH & MAC CARTNEY, Esqs,  
96 South Broadway  
South Nyack, New York 10960  
BY: DAVID RESNICK, Esq.,Special Counsel

WILLIAM SHEEHAN, Town Building Inspector  
(Not Present)

LIZ VERRIER, Deputy Town Attorney  
(Not Present)

KEVIN P. MAHER, P.E, Town Engineer

ROBERT GENESLAW COMPANY,  
Planning Consultants  
Two Executive Boulevard - Suite 401  
Suffern, New York 10901  
BY: MAXIMILIAN STACH, Town Planner  
ROBERT GENESLAW, Town Planner  
(Not Present)

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

And the Public.

PULEO REPORTING & TRANSCRIPTION SERVICES

21

61 Crickettown Road

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Stony Point, New York 10980

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(845) 429-8986 FAX and Phone

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- Proceedings -

ACTING CHAIRMAN MULLER: Welcome,  
everybody. Thank you for coming.  
Mary, do the roll call, please.

MS. PAGANO: Mr. McMenamin?

MR. MCMENAMIN: Here.

MS. PAGANO: Mr. Javenes?

MR. JAVENES: Here.

MS. PAGANO: Mr. Rogers?

MR. ROGERS: Here.

MS. PAGANO: Mr. Muller?

ACTING CHAIRMAN MULLER: Here.  
We're doing Virgin Mary first?

MS. PAGANO: Yes.

ACTING CHAIRMAN MULLER: Dave,  
you're up.

MR. EMANUEL: Good evening. Ira  
Emanuel, attorney for the applicant.

We have David Zigler, who is the  
surveyor for the applicant.

21                   This is a project that you  
22                   folks last saw in July, at which time  
23                   you granted us a negative declaration.

24                   This is the Coptic Church on the  
25                   grounds of the Old Marvello Country

1                   - Proceedings -

2           Club.

3           Just to refresh your  
4           recollection, that a public -- the  
5           church has actually been operating at  
6           the location for quite sometime, and  
7           they've now gotten to the point where  
8           they have the resources and the desire  
9           to build a proper church building, if  
10          you will.

11          Right now they've been using the  
12          old catering hall, and they want  
13          something that looks like a church and  
14          acts like a church and is built as a  
15          church.

16          So, we have developed a site  
17          plan, which you've seen.

18          Basically -- well, Dave, why  
19          don't you take them through the site  
20          plan?



21           MR. ZIGLER: As you know, we have  
22           an addition going on to the existing  
23           catering hall, and basically, what's  
24           going to happen is this addition will  
25           take the position right over the

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- Proceedings -

existing pool, and the front door will be facing the PIP.

So, now when you want to go to the new church, you will come up and go to the left of the catering hall, and there will be a loop for drop off, basically, of older and handicapped people.

The parking area will still be where it is now, and we are proposing to add and reserve another 30 spaces.

The church itself will be on the same grade as the patio, so if you're walking from the patio of the catering hall, you will be walking into the basement of the church, and then up the stairs into the main foyer of the church.

The church is going to have --

21 one floor will be -- the highest floor  
22 will be the church, and downstairs will  
23 be classrooms and gathering rooms and a  
24 utility room. And then the catering  
25 hall will be renovated, and an addition

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- Proceedings -

would be put over that outside patio.

So that all the -- you know,  
services can take place, and their  
weekend events could take place inside.

Right now they have a tent over  
in that general area.

And this project brings about  
three different permits into scope.

The first permit would be from  
the Health Department for the pump  
station.

It's going to have a service pump  
station to service just this site, and  
it's going to pump and go out Swim Club  
Road to 210.

I've already went -- submitted to  
the Health Department for that.

I had a meeting yesterday, we  
have to make some revisions, and then

21 it will be accepted by the Health  
22 Department, and we're in front of the  
23 town board next month for a sewer  
24 extension -- gravity sewer extension,  
25 although we're pumping.

1                   - Proceedings -

2                   The second permit that's  
3                   required is -- well, it depends on  
4                   whose letter you read -- but we  
5                   actually applied for a permit to the  
6                   Drainage Agency.

7                   We do front on a Drainage Agency  
8                   stream, but their channel -- their  
9                   limit of channel will stop at the old  
10                  Swim Club Road.

11                  So, it's kind of like  
12                  questionable, being that we touch that,  
13                  we applied for that permit. And  
14                  really, there shouldn't be any  
15                  problems, because as you know, we're  
16                  taking our drainage and putting it into  
17                  a small retention water quality basin  
18                  outside the pond, and then it will go  
19                  through the pond, down the pipe, and  
20                  into the side stream, and then into the

21 main stream.

22 So, you know, we're pretty

23 confident about that not being issue.

24 We did not get a review back from

25 the Drainage Agency yet.

1                   - Proceedings -

2                   And then the third thing is

3                   the DEC, because that small ditch -- or

4                   it's actually a stream. That small

5                   stream through the property at the

6                   driveway entrance between the two

7                   homes, is actually controlled by the

8                   DEC, and to put a pipe, or any kind of

9                   obstruction in, around, or over their

10                  stream, they have the right to review

11                  it.

12                  So, they are reviewing right now

13                  a pipe that's going to be put in

14                  between the covert and the road.

15                  So, we are going to sleeve a pipe

16                  three, and that's where the force main

17                  is going to go; over that covert that

18                  exists and then out to Swim Club Road.

19                  So, that's the three permits that

20                  we're in for.



21           We've heard nothing from the DEC,  
22           which usually takes awhile, and it  
23           shouldn't be a big deal, because it's a  
24           really pretty simple permit.  
25           The second one would be the

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- Proceedings -

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Drainage Agency; we haven't heard

3

anything.

4

And the third is a Health

5

Department, which I had meeting with

6

Scott McCane yesterday, and we have

7

some revisions, and we'll get an

8

approval for that.

9

MR. EMANUEL: The project needed

10

only one variance, and that was for the

11

height for the two towers and the dome

12

over the church. That variance was

13

granted on September 16th.

14

Everything else conforms in

15

terms of the bulk regulations; we've

16

got the proper setback, proper size,

17

all that sort of good stuff.

18

We have received a letter

19

from the County Planning Department of

20

October 7th.

21           We can go through that if you'd  
22           like. For the most part, there's no  
23           problems with any of it. It's  
24           basically referrals -- you know,  
25           address the concerns of the Palisades

1                   - Proceedings -

2           Park Commission, the County Highway

3           Department, the Drainage Agency, the

4           lighting plan to make sure that we

5           don't shine into the right-of-way of

6           the PIP. The landscaping plan shall

7           meet all Town requirements and the

8           requirements of the Palisades Park

9           Commission.

10           We'll come back to that in a

11           moment.

12           Soil and erosion control, there's

13           zero net increase in stormwater runoff,

14           fire clearance is clearly marked,

15           there's fire department connections

16           designated on the site plan; all that

17           stuff is easy and appropriate.

18           The Palisades Park

19           Commission, as you know, doesn't like

20           to see anything, and to the extent that

21 we can accommodate them, we would.

22 The site, however, is such that,

23 because of its location, because of the

24 topography, there is the possibility --

25 there's the likelihood, actually, that

1                   - Proceedings -  
2           in the winter time, when the leaves are  
3           off the trees, that some part of these  
4           domes will be seen as you're traveling  
5           around the curve and you're sitting in  
6           a passenger seat and you're staring in  
7           that direction.

8           We're willing to augment the  
9           landscaping plan a little bit in order  
10          to try to block that out.

11          And Dave, do you want to go  
12          through that, please?

13          MR. ZIGLER: Yeah. If you read  
14          the letter, he did say that he would  
15          like something to be planted, and he  
16          also mentioned that it would be hard to  
17          buffer because of the grade elevation.

18          I just took the one plan, and I  
19          reduced it to 11 by 17. And on the  
20          first page, you'll see those big green

21 blotches; they are actually the

22 existing trees.

23 And as of right now, we're

24 probably knocking out four to six of

25 them; a lot of it depends on the

1                   - Proceedings -  
2           drainage improvements.  
3           So on page 2, you'll see that --  
4           I was proposing to add six trees in  
5           that little gap so that if you were  
6           coming up the Parkway and you were  
7           looking to your right, there's a little  
8           gap that's there, and I just put down  
9           oaks and maples, because they would  
10          grow higher and quicker, but we're --  
11          you know, the applicant's willing to --  
12          put whatever the Board would like, and  
13          it would kind of mitigate the fears of  
14          the PIP in some form or fashion.

15                ACTING CHAIRMAN MULLER: So we'll  
16          work on that a little bit. Are you  
17          willing to put spruces in, which will  
18          be green all year round?

19                MR. ZIGLER: Yes.

20                ACTING CHAIRMAN MULLER: I think



21 that will answer a lot of what the  
22 Palisades is asking for, because in  
23 their letter they state with the  
24 deciduous trees dropping their leaves  
25 it will be more obvious. So, we can

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- Proceedings -

mix and match a little bit.

MR. EMANUEL: That's fine.

ACTING CHAIRMAN MULLER: Dave,  
you did the site test?

MR. ZIGLER: Yes.

ACTING CHAIRMAN MULLER: And you  
brought a crane; is that correct?

MR. ZIGLER: Yes.

ACTING CHAIRMAN MULLER: And you  
met with the Planning Board and anybody  
who wanted to come on a Saturday; is  
that correct?

MR. ZIGLER: Yes.

ACTING CHAIRMAN MULLER: How many  
days was the crane on the property?

MR. ZIGLER: The crane was  
actually on until Tuesday. It was  
brought up on -- it was actually  
brought up Friday afternoon, and then

21 it left the next Tuesday.

22 ACTING CHAIRMAN MULLER: Had

23 there been a request that somebody

24 wanted to see this during normal

25 working business hours, would you have

1 - Proceedings -

2 made yourself available?

3 MR. ZIGLER: Yes.

4 ACTING CHAIRMAN MULLER: There

5 was no request made, but I'm just

6 asking.

7 Since the crane was there, you

8 wouldn't have had a problem in meeting

9 with them during business hours?

10 MR. ZIGLER: No, not at all. If

11 it's easier to do something like that

12 and not get the letter, I would have

13 done it in ten seconds.

14 ACTING CHAIRMAN MULLER:

15 Palisades Park was notified certified

16 mail; correct?

17 MR. ZIGLER: Yes.

18 ACTING CHAIRMAN MULLER: So we

19 (indiscernible) our tests; correct?

20 MR. ZIGLER: Yes.

21           ACTING CHAIRMAN MULLER: We did  
22           not receive correspondence, nor did  
23           they ask to come see it during business  
24           hours if the weekend was not  
25           acceptable. I really feel we put it

1 - Proceedings -

2 out there and made it available to  
3 anybody who wanted to come see, and  
4 they chose not to even to respond  
5 until, you know, the 11th hour of this  
6 project.

7 So, I don't mind working with  
8 them on the trees if we put some  
9 conifers in, but I think it's a little  
10 unfair that when we've gone through  
11 this time and expense -- you going  
12 through the time and the expense of  
13 having a crane there, and they chose  
14 not even to come look, you know, to  
15 start going backwards now again. I  
16 find that a little unfair.

17 MR. EMANUEL: We appreciate that.

18 Thank you?

19 MR. MCMENAMIN: Can I just ask a  
20 couple questions about that?

21 MR. EMANUEL: Sure.

22 MR. MCMENAMIN: My concern is

23 that you gave two profiles in the

24 current set of drawings that we have, A

25 and B, showing two different locations

1                   - Proceedings -  
2           on the Palisades Parkway, one of them  
3           was the --

4           MR. ZIGLER: Site plan.

5           MR. MCMENAMIN: What would be, I  
6           guess, visual at the time of no leaves  
7           on the trees? Would you say that's  
8           fair, what this represents?

9           MR. ZIGLER: Yes.

10          MR. MCMENAMIN: You don't show  
11          any of the trees in here.

12          MR. ZIGLER: It's senseless,  
13          because really, most of the blocking  
14          trees are on the PIP and they have a  
15          right to cut them anytime they want.

16          So although we did accommodate  
17          them with the buffer easement on our  
18          property, the buffering trees to the  
19          site are actually up on, let's say, the  
20          ridge part of the road.



21           So if they go through and trim  
22           their trees, it's going to bring --  
23           expose it more. So we didn't show any  
24           trees on the site plans.

25           MR. MCMENAMIN: You indicate in

1                   - Proceedings -

2           your letter to the -- or to your

3           response to the Palisades Park that you

4           submitted to them a landscape plan.

5           MR. ZIGLER: Yes. They got the

6           same set of plans you got several

7           times.

8           MR. MCMENAMIN: And that was just

9           the small oaks that were in -- just in

10          the one area where there were no trees?

11          MR. ZIGLER: Yeah, just some

12          brush. It's basically just low

13          landscaping around the church that was

14          offered by the applicant for

15          landscaping.

16          You know, you have to remember

17          it's not a commercial site; it's a

18          church. And the only way this is going

19          to be maintained is if somebody goes up

20          and does it, and if it was me, it would

21       only happen like every five or six  
22       years, unless somebody got married or  
23       there was something -- you know.

24                So, it's kept simple for the  
25       reason of making this.

1                   - Proceedings -

2                   ACTING CHAIRMAN MULLER: Right.

3                   So what we really need to work on is  
4                   trees, and we've already said this,  
5                   that would help shield the view when  
6                   the leaves are gone.

7                   MR. ZIGLER: Yeah.

8                   ACTING CHAIRMAN MULLER: And you  
9                   said that you will be willing to work  
10                  with us on that.

11                  MR. ZIGLER: Definitely, yeah.

12                  ACTING CHAIRMAN MULLER: Now --  
13                  can I ask one more question? If the  
14                  Palisades Park Commission wanted a few  
15                  conifer trees on that buffer, which is  
16                  on their property, would you have a  
17                  problem in doing that?

18                  MR. ZIGLER: No.

19                  ACTING CHAIRMAN MULLER: Which  
20                  seems to be an ideal location for trees

21 to be put there for a buffer.

22 MR. ZIGLER: Yeah.

23 ACTING CHAIRMAN MULLER: You

24 don't really care where they are, do

25 you?

1 - Proceedings -

2 MR. ZIGLER: No.

3 MR. MCMENAMIN: That's what I was

4 going to say, because putting them down

5 on your property is going to --

6 MR. ZIGLER: Well, we can't plant

7 them on their property.

8 ACTING CHAIRMAN MULLER: I'm

9 asking you if you will plant on their

10 property?

11 MR. ZIGLER: No, we're not going

12 to plant on their property. We can't

13 plant on their property.

14 ACTING CHAIRMAN MULLER: If they

15 said can you put a couple of pine

16 trees --

17 MR. ZIGLER: No, because they

18 actually have to be up on the shoulder

19 of the road; that's what I'm saying.

20 To be effective, any tree, unless

21 it's a California redwood, it would  
22 have to be up on the shoulder of that  
23 road.

24 ACTING CHAIRMAN MULLER: There  
25 --- that's no part on their property

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- Proceedings -

which is flat enough to plant --

MR. ZIGLER: No, actually when you come off the shoulder it drops down and even. If you look here (indiscernible) it's pretty steep before it levels off.

So, really, the only place you can plant is about 20, 25-foot off of that fence on our property.

ACTING CHAIRMAN MULLER: Okay.

MR. MCMENAMIN: I just want to finish this. When I look at the A elevation that you give, I'm measuring about that the one spire will be like 36 feet higher than the road bed at A -- at that A location, which means -- and then it goes downhill from there, because it's -- the top of your structure is like 70 feet, so that --



21 the difference being around 36-foot  
22 tree down at that elevation is only  
23 going to get halfway up.

24 Is there any other thing that you  
25 could do to mitigate that door in the

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- Proceedings -

winter?

MR. ZIGLER: Put a sign up,  
"Passengers close your eyes for the  
next five seconds."

MR. MCMENAMIN: I'm trying to  
work through something, because they  
seem serious. They seem serious --

MR. ZIGLER: You can see it. I  
mean, you can see the pool now.

MR. MCMENAMIN: Right.

MR. ZIGLER: So, if you can see  
the pool today, that means you can see  
the grounds.

There's nothing you can do to  
buffer the church which is going to be  
as high as the road.

We can buffer the front door, you  
can buffer as much as you want for the  
first floor or floor-and-a-half, but

21       you're not going to buffer the whole  
22       thing. We can help, but we can't  
23       solve.

24               MR. EMANUEL: And again, let's  
25       remember, this is not as if you're

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- Proceedings -

driving directly into this line of  
view; it's off over there. Okay.

And it's off over there for a  
couple of seconds at 55 miles an hour,  
and we know how often people drive that  
slowly on that stretch.

So, we're not talking about  
something that's, you know, really in  
your face like some of the other  
structures that affect the parkway.

MR. MCMENAMIN: So what I'm going  
to say is -- and I understand that; I  
get that.

What I'm going to say is you're  
going to develop a real landscape plan,  
and are you going to do anything  
else -- they ask for photographs.

MR. ZIGLER: I would much rather  
have the Board suggest what they would

21        like, and we put it on there, and we  
22        can go back to the PIP. Because I  
23        spoke to the gentleman, and I said I  
24        understand that you're still not happy.  
25        I said I can understand that, but just

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- Proceedings -

to write a letter saying you're not happy doesn't help anybody, so if you could suggest what you would like in that buffer or what we could plant, I'm sure the Board would adopt it.

So, that's what I'm asking you, because whatever we bring in, it's not going to meet everybody's criteria.

I mean, it would be a lot better if you just -- we talked about it at the workshop, you're not going to vote, and we agreed to it, because it's not going to mitigate the problem.

MR. MCMENAMIN: The only thing you can do is plant pine trees as high as possible on your property; trees that would be of a species that would grow to a great height.

MR. ZIGLER: Right.

21           ACTING CHAIRMAN MULLER: I would  
22           suggest not pines. I don't know if you  
23           know the difference. Spruces are  
24           thicker; pines tend to break when they  
25           have snow on them; also, they are the

1                   - Proceedings -

2           type of trees you can see through.

3           Everybody calls a green spruce tree a

4           pine tree, but as long as they are not

5           pines and of the spruce variety, they

6           will grow larger and more dense.

7           MR. EMANUEL: It doesn't make

8           much difference to us. If you like

9           spruce, we'll give you spruces.

10          MR. MCMENAMIN: What I'm saying

11          to you is, come back with a selection

12          for us to see and an analysis of the

13          selection why these are green year

14          round and the tallest variety possible.

15          ACTING CHAIRMAN MULLER: Dave,

16          can we meet up there, because I think

17          being a certified arborist I can make

18          some good suggestions?

19          MR. ZIGLER: That would be fine.

20          MR. EMANUEL: That would be



21 great.

22 MR. ZIGLER: And if the Board, if

23 you want to do that, that would be

24 great. The offer from the applicant

25 would be to get Bob Torgeson

1                   - Proceedings -  
2           (phonetically written) in to look at it  
3           and suggest planting along that strip  
4           if.

5           MR. EMANUEL: If we have a  
6           certified arborist --

7           MR. ZIGLER: That's fine also.

8           ACTING CHAIRMAN MULLER: I would  
9           like to join. We can set a time, we  
10          can just meet up there and pick the  
11          most prime spots, what would work best.

12          Tom, if you'd like to join us,  
13          we'll pick a date that works.

14          MR. EMANUEL: That will be fine.

15          That will be great.

16          ACTING CHAIRMAN MULLER: If we  
17          can do it before next Saturday so that  
18          we can make the changes before the next  
19          tech meeting.

20          MR. EMANUEL: It'd be great if

21       you came down, it will be a little bit  
22       easier to visualize everything as well.

23             MR. MCMENAMIN: And I said it at  
24       the crane test, you know, with the  
25       leaves being on the trees is going to

1 - Proceedings -

2 obstruct the vision of all around, and

3 I was worried about that, you know, I

4 thought this was going to happen.

5 (Multiple people speaking at one time.)

6 MR. EMANUEL: We were aware of

7 that Mr. McMenamín, and in fact, if you

8 look at the visual study that was

9 submitted, it did specifically say that

10 when the leaves were off, this portion

11 would be visible; we've been aware of

12 it, and we've tried to make the

13 Planning B aware of that as well.

14 It's not something we've been

15 trying to avoid.

16 ACTING CHAIRMAN MULLER: The next

17 tech meeting is the 18th. I don't

18 quite know which day will work for me,

19 I'll speak with Tom.

20 Maybe we can coordinate through

21 the Planning office, Mary, as to when  
22 you will be available, what will work.

23 MR. ZIGLER: No. You set the  
24 date, I'll be there.

25 ACTING CHAIRMAN MULLER: That's

1 - Proceedings -

2 fine.

3 MR. JAVENES: Maybe the guy from  
4 the Palisades Park Commission should be  
5 there too. Mr. -- I guess this guy is  
6 Carl --

7 ACTING CHAIRMAN MULLER: I think  
8 we should invite him to the next  
9 meeting.

10 MR. ROGERS: Yeah, get him  
11 involved.

12 MR. JAVENES: He can tell you  
13 where to plant the trees, too.

14 MR. EMANUEL: Whatever we can do  
15 to try to help.

16 ACTING CHAIRMAN MULLER: At this  
17 time, we'd like to open the public  
18 hearing.

19 I know the Caramannos are here,  
20 who are neighbors. Have you seen this

21 up close? Would you like to see it up

22 close.

23 MS. CARAMANNO: Well, is this the

24 same thing that you gave us, Dave?

25 MR. ZIGLER: Yeah. It's just a

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- Proceedings -

little bigger over here, but it's not  
color.

MS. CARAMANNO: The only things I  
want to say is we're the Caramannos, we  
are the house that's most directly  
there.

(Multiple people speaking.)

MS. CARAMANNO: The fence that  
separates our property is in bad shape.

I don't know whose fence it is,  
but maybe something could be done. A  
lot has to do with the trees that are  
up there, and Pete, the pine trees, I  
agree, we have them that's been between  
our properties and the bottoms, they  
all fall off, and you see right  
through, and not to mention it's making  
a big mess in my pool area.

MR. CARAMANNO: The needles.



21 MS. CARAMANNO: There's a tree  
22 that fell down over a year ago that has  
23 not been replaced, and there's a big  
24 hole between us and them. And  
25 unfortunately, one big complaint I have

1

- Proceedings -

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is you have, I don't know, 12,

3

14 acres; I have -- my property is the

4

pool area; that's the only piece of

5

property I care about, my pool. I want

6

to relax there.

7

Do we have to have kids with a

8

volleyball net set up right at my

9

property edge? Please. I've been

10

saying that I'm like I would like a

11

little privacy when I'm out there, but

12

that fence is an issue.

13

And the pond, that pond when

14

Marvello owned it, there was a

15

filtration, they had the sprinkler

16

going, that helps with the bugs,

17

because we get some enormous bugs by

18

us.

19

So, those are just the things.

20

The fence is a big thing, and

21 trimming those trees, because it's in

22 my pool area it has not --

23 ACTING CHAIRMAN MULLER: I just

24 spoke with Dave. When we go to look at

25 the back corner for the trees and

1                   - Proceedings -  
2           screening, we're going to come over  
3           there also. We'll take a look at that  
4           and we'll coordinate --

5           MS. CARAMANNO: I just want to  
6           say something, with the Palisades Park  
7           Commission, they can see my house too  
8           from that parkway. You can see all our  
9           houses on that road. So I don't  
10          understand --

11          ACTING CHAIRMAN MULLER: I don't  
12          either.

13          MR. CARAMANNO: I just want to  
14          say one thing. It might be a hazard,  
15          it might not be.

16          Where they have the tennis when,  
17          all right, where they have Marvello  
18          Country Club, to make like I guess a  
19          buffer, it's about a 10 foot fence, but  
20          then they added another 10 feet to it,

21       it's all makeshift, if you come over  
22       you'll see, and the vines are all on  
23       it, and it's leaning over. It might be  
24       leaning on their side.  
25             That's got to be fixed because

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- Proceedings -

it's just going to fall over.

ACTING CHAIRMAN MULLER: If you  
can make a list, I will be --

MR. CARAMANNO: It's just the  
trees and the fence; that's it.

ACTING CHAIRMAN MULLER: Yeah,  
but if I come look and you point these  
items out that --

(Multiple people speaking.)

ACTING CHAIRMAN MULLER: Can I  
just intervene for one second? If you  
want to direct your comments to us so  
the court reporter can actually get it  
on to the record?

MR. CARAMANNO: Just to cut it  
short, we'll make a list.

It's just the two items: The  
fence and the trees. And if you can  
come, and you can look at it, and I'm

21       sure they will comply.  
22             It's nothing, you know, serious.  
23             I'm worried about that fence,  
24       because it looks like it's going to  
25       fall.

1                   - Proceedings -

2                   ACTING CHAIRMAN MULLER: We'll  
3                   take a look at it and I'm sure we can  
4                   do something.

5                   All right. We're going to  
6                   keep the public hearing open until next  
7                   month.

8                   We're going to do that site visit  
9                   to look at possible screening  
10                  possibilities.

11                  We'll look at the property by the  
12                  Caramannos, and we'll talk about this  
13                  at the next tech meeting.

14                  Now we'll coordinate the date  
15                  through Mary, and we'll let you know  
16                  when the date is.

17                  MS. PAGANO: You have to make a  
18                  motion to continue the public hearing.

19                  ACTING CHAIRMAN MULLER: I'd like  
20                  to make a motion to continue the public



21 hearing.

22 MR. ROGERS: I'll make that

23 motion, Mr. Chairman.

24 ACTING CHAIRMAN MULLER: Second?

25 MR. MCMENAMIN: Second.

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- Proceedings -

ACTING CHAIRMAN MULLER: Seconded

by Tom.

All in favor?

(Board members respond in favor.)

ACTING CHAIRMAN MULLER: Opposed?

Okay. Public hearing is left

open.

MR. ZIGLER: Thank you.

MR. EMANUEL: Thank you.

\* \* \*

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- Proceedings -

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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:

CARRECCIA,

Applicants.

----- X

7:15 o'clock p.m.  
October 28th, 2010  
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 : PETER MULLER,  
Acting Chairman

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

- THOMAS MC MENAMIN, Member
- GLADYS CALLAGHAN, Member (Not present)
- EUGENE KREASE, Member (Not Present)
- GERRY ROGERS, Member
- KARL JAVENES, Member

21

MARY PAGANO,  
Secretary to the Board

23

Reported by: Ashley Principe, Reporter,  
-for-

24

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

25

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Appearances continued: 37

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4

FERRICK, LYNCH & MAC CARTNEY, Esqs,  
96 South Broadway  
South Nyack, New York 10960  
BY: DAVID RESNICK, Esq., Special  
Counsel

7

WILLIAM SHEEHAN, Town Building  
Inspector  
(Not Present)

9

LIZ VERRIER, Deputy Town Attorney  
(Not Present)

10

11

KEVIN P. MAHER, P.E, Town Engineer

12

ROBERT GENESLAW COMPANY,  
Planning Consultants  
Two Executive Boulevard - Suite 401  
Suffern, New York 10901

13

14

BY: MAXIMILIAN STACH, Town Planner  
ROBERT GENESLAW, Town Planner  
(Not Present)

15

16

17

And the Public.

18

PULEO REPORTING & TRANSCRIPTION  
SERVICES

19

61 Crickettown Road

20

Stony Point, New York 10980



21

(845) 429-8986 FAX and Phone

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1           - Proceedings -       38

2           ACTING CHAIRMAN MULLER: Next is  
3           Careccia.

4           MR. CARECCIA: Tom Careccia, non  
5           attorney, representing myself.

6           Essentially, what we're doing is  
7           we're looking to move a lot line at an  
8           existing conforming lot.

9           No variance is involved, no  
10          neighbors involved.

11          It's a common lot line; I own  
12          both pieces of property. And  
13          essentially, what it boils down to is  
14          an oversized conforming lot that was  
15          left and approved by the Town regarding  
16          50 feet of frontage, which makes is  
17          undesirable and unlikely for somebody  
18          to build a home of the caliber that  
19          should be built on this lot.

20          So, what I've done is take it

21 upon myself to improve the quality of  
22 the lot, leaving it existing, and  
23 again, not requiring any variance,  
24 keeping it in the simplest of forms,  
25 and makes something that exists and

1           - Proceedings -       39

2           works better. And that's, you know,  
3           the whole thing in a nutshell.

4           ACTING CHAIRMAN MULLER: Type two  
5           action, right, Mary?

6           MR. ROGERS: Yes.

7           ACTING CHAIRMAN MULLER: Do we  
8           declare that, is that done by motion?

9           MS. PAGANO: Just type two  
10          action.

11          ACTING CHAIRMAN MULLER: Type two  
12          action, so no SEQRA is required.

13          Does any members of the Board  
14          want to go see this? It's very simple.

15          I don't feel I need to go see it;  
16          do any other members want to go see  
17          this.

18          (No responses heard.)

19          ACTING CHAIRMAN MULLER: All  
20          right. No site visit.

21 MR. ROGERS: We can have a  
22 resolution next month if you want.

23 ACTING CHAIRMAN MULLER: Dave,  
24 would you draw up a resolution of the  
25 lot line?

1           - Proceedings -       40

2           MR. RESNICK: I will prepare it  
3 for our next meeting.

4           ACTING CHAIRMAN MULLER:  
5 Resolution should be ready for the next  
6 meeting.

7           MR. RESNICK: Unless the Board  
8 has any questions of the applicant,  
9 but --

10          ACTING CHAIRMAN MULLER: Let me  
11 ask: Does the Board have any  
12 questions, for the record?

13          MS. PAGANO: Bill said it's very  
14 straight-forward; it's two conforming  
15 lots, just making it nicer for the  
16 second lot.

17          ACTING CHAIRMAN MULLER: Okay.  
18 Very good.

19          We'll see you next month.

20          MS. PAGANO: Everybody has the

21 same amount of space as before.

22 MR. CARECCIA: Very good.

23 ACTING CHAIRMAN MULLER: Would

24 anybody like to open this up to a

25 public hearing? It's optional, it's

1           - Proceedings -       41

2           our choice. Once again, I really don't  
3           feel the need.

4           Kevin, do you have anything  
5           you want to add?

6           MR. MAHER: No, nothing at all.  
7           I left it in Bill's hands because it's  
8           just a lot line change.

9           ACTING CHAIRMAN MULLER: Fine.  
10          No public hearing. We will see you.

11          MR. CARECCIA: Terrific. Thanks  
12          again.

13          ACTING CHAIRMAN MULLER: Make a  
14          motion to accept the minutes?

15          MR. ROGERS: I'll make that  
16          motion, Mr. Chairman.

17          MR. MCMENAMIN: Second.

18          ACTING CHAIRMAN MULLER: Motion  
19          was made by Jerry, seconded by Tom.

20          ACTING CHAIRMAN MULLER: All in



21 favor?

22 (Board responds in favor.)

23 MS. PAGANO: Close the meeting.

24 ACTING CHAIRMAN MULLER: Make a

25 motion to close the meeting, please?

1           - Proceedings -       42

2           MR. ROGERS: I'll make that  
3 motion.

4           MR. MCMENAMIN: Second.

5           ACTING CHAIRMAN MULLER: Jerry  
6 and Tom. Meeting adjourned.

7                   \* \* \*

8           (Time noted: 7:32 p.m.)

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1           - Proceedings -       43

2           C E R T I F I C A T I O N

3       STATE OF NEW YORK )

4                           ) Ss.

5       COUNTY OF ROCKLAND)

6           I, ASHLEY L. PRINCIPE, Court

7       Reporter and Notary Public within and

8       for the County of Rockland, State of

9       New York, do hereby certify:

10           That I reported the  
11       proceedings that are hereinbefore set  
12       forth, and that such transcript is a  
13       true and accurate record of said  
14       proceedings.

15           AND, I further certify that  
16       I am not related to any of the parties  
17       to this action by blood or marriage,  
18       and that I am in no way interested in  
19       the outcome of this matter.

20           IN WITNESS WHEREOF, I

21 have hereunto set my hand.

22

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ASHLEY L. PRINCIPE

1            - Proceedings -            44

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