

Response to Public Hearing Comments
on
Eagle Bay DEIS Scope
(July 31, 2018 Public Hearing Transcript)

Greg Barbuto, 61 Beach Road, Stony Point NY

1. Comment: *Flooding will obstruct the main access to the complex. Emergency vehicles will be unable to reach the site, the road may cave in and not be visible. (Page 17 Lines 15 thru 22).* Response: Flooding issues and emergency access are included in the following portions of the DEIS Scope Section III Proposed Description and Need Subsection D; Section IV Physical Environmental Setting and Impact/Mitigations Analysis, Stormwater Management; Section V Socioeconomic Setting and Impact Analysis Sections on Transportation and Community Services

George Potanovic, 597 Old Gate Hill Road, Stony Point, NY

2. Comment: *The proposal has too many residential units and is no longer a marina. (Page 22 Lines 14 thru 16).* Response: DEIS Scope Section V Socioeconomic Setting and Impact analysis, land Use and Zoning requires an analysis of compliance with the Town zoning and Comprehensive plan It also requires a discussion of how the Proposed action has the potential to impact neighborhood character.
3. Comment: *The traffic study needs to be done when school is in session and during summer months. (Page 23 Lines 6 thru 8)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Transportation specifies counts during school and in the summer.
4. Comment: *How will emergency vehicles and apparatus enter the site since Beach Road is impacted from flooding and the railroad truss over Tomkins Avenue may not provide sufficient height for a fire truck to pass under it. (Pages 23 Lines 18 thru 25; Page 24 Lines 1 thru 7)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Transportation requires an analysis of emergency services under flooding conditions.
5. Comment: *Is special emergency equipment necessary for Stony Point Fire Department and Ambulance to serve the development? (Page 24 Lines 5 thru 7).* Response: DEIS Section V Socioeconomic Setting and Impact Analysis,

Community Services specifies an evaluation of emergency service needs for Fire, police, ambulance, paramedics and mutual aid services.

6. *Comment: What entity will fund offsite road improvements necessary for safe and reliable road access to and from Eagle Bay at the proposed site? (Page 24 Lines 13 thru 17).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis Section on Transportation requires an analysis of potential impacts and mitigation.
7. *Comment: Off-site improvements for Beach Road should be included with the plan for Eagle bay including infrastructure, flood mitigation, road widening to determine whether the development is feasible. (Page 24 Lines 18 thru 24).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis Section on Transportation requires an analysis of potential impacts and mitigation.
8. *Comment: The sewer system capacity and available capacity for the facilities and pipes needs analysis, including the pumps for the entire distance between the development and the Stony Point Sewer Plant. (Page 25 Lines 3 thru 9).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services requires an analysis of sewer infrastructure conditions and impacts.
9. *Comment: The projected demand on gas, electricity and energy utilities should be estimated for the development. (Page 25 Lines 15 thru 21).* Response: DEIS Scope Section IX Impacts on the Proposed use and Conservation of Energy requires and analysis of impacts to energy and identification of service providers. Energy saving techniques are required to be discussed.
10. *Comment: Energy conservation methods for the indoor and outdoor environment should be indicated. (Page 25 Lines 22 thru 24).* Response: DEIS Scope Section IX Impacts on the Proposed Use and Conservation of Energy discussion of energy saving techniques are required to be discussed.
11. *Comment: The demand for potable water should be estimated for the development. (Page 26 Line 8 thru 12).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis Community services requires analysis of water supply system existing conditions, potential development impacts and mitigations.
12. *Comment: The projected water demand and SUEZ capacity to provide by letter of intent to serve should be indicated. (Page 26 Lines 16 thru 20)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services requires analysis of potential impacts to the water supply system. Letter of Intent to Serve will be part of site plan approval process.

13. *Comment: There should be an analysis of water pressure requirements. (Page 26 Lines 21 thru 25, Page 27 Lines 2 thru 5). Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community services requires analysis of water supply system existing conditions, potential development impacts and mitigations.*
14. *Comment: The plan should indicate whether pervious pavers are being considered to reduce storm water runoff. (Page 27 Lines 10 thru 11). Response: DEIS Scope Section IV Physical Environmental Setting and Impact Mitigation Analysis, Stormwater Management requires analysis of stormwater conditions, impacts and mitigations.*
15. *Comment: Parking under the building should be considered to reduce impervious coverage. (Page 27 Lines 12 thru 14) Response: Section VI Alternatives will include viable alternatives to the Proposed Action.*
16. *Comment: Soil studies should be conducted to evaluate soil stability and support for multistory building in flood zone (Page 27 Lines 19 thru 21). Response: DEIS Scope Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Geology requires a geotechnical investigation and soil boring to assess the presence of adverse geologic conditions. It also requires analysis of the ability of soil to support proposed structures.*
17. *Comment: Comment: Impact of the project to the North Rockland School District should be evaluated. (Page 27 Lines 23 thru 25, Page 28 Lines 2 thru 4) Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services requires an analysis of impacts to the school district.*
18. *Comment: Identify anticipated project demand and cost for fire, ambulance and police costs. (Page 28 Lines 5 thru 11) Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services requires an analysis of fiscal impacts and emergency services impacts.*
19. *Comment: Public access to the waterfront should be inviting and unique for town residents and visitors. There should be a walking path coordinated with the Palisade Interstate Park Commission to link the promenade to the Battlefield. (Page 29 Lines 2 thru 14) Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Transportation requires a description of pedestrian amenities, trails and the potential need for improvements.*
20. *Comment: Additional boat slips should be available for visitors to promote economic development of the waterfront. (Page 29 Lines 15 thru 23) Response:*

DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services requires a fiscal impact analysis, including impacts to be mitigated.

21. *Comment: The projected tax assessment for all components should be itemized. (Page 30 Lines 4 thru 6)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services requires a fiscal impact analysis for the project.
22. *Comment: Anticipated tax revenue should be compared to costs for sewer, municipal services and emergency response and highway. (Page 30 Lines 7 thru 12)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Community Services requires a fiscal impact analysis for the project.

Kevin Maher, 130 Central Highway Stony Point, N

23. *Comment: Development in flood plain is concerning. (Page 31 lines 20 thru 22)* Response: DEIS Scope Sections III Proposed Description and Need, Section IV Physical Environmental Setting and Impact/Mitigation Analysis require a through analysis of construction methods relative to FEMA, flooding conditions and impacts of flooding on emergency access and transportation.
24. *Comment: Development in floodplain cannot cause flooding or increase risk to other properties. A HEC-RAS analysis of the Hudson River should be included to prove that fill will not increase flooding, especially upstream of the battlefield. (Page 32 Lines 4 thru 12)* Response: DEIS Scope Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Stormwater Management requires an analysis of existing drainage patterns, potential impacts and mitigations.
25. *Comment: An invasive species investigation at the Battlefield Park indicates a new eagle nest. (Page 32 Lines 19 thru 23)* Response: DEIS Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Ecology requires an analysis of flora and fauna and specifies evaluation of the Bald Eagle.

Susan Filgueras, 87 Mott Farm Road, Tomkins Cove, NY

26. *Comment: Application still says Breakers. Who is developer and what is legal name of project? Will there be affordable housing or HUD grant? What is the minimum combined acreage required for proposed action under the PW zoning code amendments. (Page 41 Lines 9 thru 15)* Response: The DEIS Scope identifies the Project as Eagle Bay Site Plan and Conditional Use Permit and Project Sponsor as Breakers Stony Point LP. Section V Socioeconomic Setting and Impact Analysis, Land Use and Zoning requires a discussion of affordable

housing, applicability of HUD grants and the minimum combined acreage required for the proposed action under the PW zoning code amendment.

Stephen Beckerle, 49 Beach Road Stony Point NY

27. *Comment: High end residential should be on site. (Page 46 line 15 thru 16).*
Response: DEIS Section V Socioeconomic Setting and Impact Analysis, Land Use and Zoning requires compliance with Town zoning. The community Services section requires a fiscal impact analysis of the plan.

Jeffrey Anzevino, AICP, Director of Land Use Advocacy, Scenic Hudson, 1 Civic Plaza Suite 200, Poughkeepsie, NY

28. *Comment: NY Community Risk and Resiliency Act of 2014 projects that lower Hudson Valley could experience up to 75 inches of sea level rise by year 2100. (Page 51 Line 17 thru 21)*
Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Land Use and Zoning requires an analysis of the plan's compliance with the following: Stony Point Local Waterfront Revitalization Program, NYS Coastal management Program, NY Communities Rising Stony point: Community Reconstruction Plan and waterfront resiliency planning.

29. *Comment: There is too much surface parking, generated by the number of units proposed. There is excess parking provided at 737 parking spaces, there are 55 more stalls than required by zoning. Some additional parking is needed to serve public visiting waterfront park. (Page 53 Line 25 and Page 54 Lines 2 thru 9)*
Response: Section V Socioeconomic Setting and Impact analysis, Transportation requires a discussion of the parking to support anticipated uses.

30. *Comment: Aside from the 5 acres, if there were less parking land could be added for landscape amenity and open space. (Page 54 Line 22 thru 25)*
Response: DEIS Scope Section V Socioeconomic Setting and Impact analysis, Transportation requires a discussion of parking to support anticipated uses.

31. *Comment: Parking under buildings would reduce surface pavement. Consider alternative building configuration to provide parking beneath buildings. (Page 55 Lines 12 thru 20)*
Response: Section VI Alternatives of the DEIS Scope requires an analysis of alternative development schemes.

James Kraus, 21 Heights Road, Stony Point, NY

32. *Comment: Identify where boats will go when pulled out of water. (Page 58 Lines 6 thru 8).* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Land Use and Zoning requires compliance with Town zoning.
33. *Comment: If poles in water from old marina are removed where will osprey and other birds rest or perch over water. (Page 58 Lines 21 thru 25)* Response: Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Ecology requires an analysis of habitat loss for federal and/or state listed endangered, threatened and protected/vulnerable species.

Phillip Cipollina 18 Lincoln Oval Stony Point NY

34. *Comment: Beach Road cannot handle traffic for 400 to 500 vehicle demand at peak condition. How can a fire engine access the site if there is an evacuation? (Page 60 Lines 9 thru 18)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis Section on Transportation requires an analysis of potential impacts and mitigation.

Stephen Beckerle

35. *Comment: There should be a bridge over the bay from Beach Road flooding. (Page 61 Lines 16 thru 19)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Transportation will evaluate traffic impacts and mitigation.

Mary Ellen Montross 6 Spring Drive Tomkins Cove, NY

36. *Comment: Are citizens allowed to vote on the process? (Page 64 Lines 12 thru 14)* Response: The DEIS Scope is reviewed and the Final Scope is adopted by the Lead Agency. For this DEIS Scope the lead Agency is Town of Stony Point Planning Board.

Elle Dickson 54 Jackson Drive Stony Point NY

37. *Comment: How much of the wetlands will be preserved? (Page 66 Lines 14 thru 19)* Response: Wetland conditions, impacts and mitigations will be addressed per DEIS Scope Section IV Physical Environmental Setting and Impact/Mitigation Analysis, Ecology in the discussion of existing conditions and impacts/mitigation for regulated wetlands and watercourses.

38. *Comment: The height of the buildings proposed is concerning. Will the rooftop mechanicals be visible? What will be visible from Lincoln Oval. (Page 67 Lines 12 thru 21)* Response: DEIS Scope Section V Socioeconomic setting and Impact Analysis, Visual Resources requires a detailed analysis of visual impacts, including views from Jackson Drive just east of Lincoln Oval.

Susan Filgueras, 87 Mott Farm Road Stony Point NY

39. *Comment: Concern about impact to Battlefield Historic Site and Bald Eagle (Page 69 Lines 24 thru 25 and Page 70 Line 2)* Response: DEIS Scope Section V Socioeconomic Setting and Impact Analysis, Historical and Archeological Conditions requires an analysis of project impacts to the Stony Point Battlefield and Lighthouse. The Ecology section requires an assessment of project impacts to the Bald Eagle.

40. *Comment: The north end of the proposed development is built on landfill and the area was originally wetlands. What about potential contamination from prior uses? (Page 70 Lines 15 thru 20)* Response: DEIS Section IV Physical Environmental setting and Impact/Mitigation Analysis, Soils and Topography requires a Phase I Environmental site assessment relating to historic fill, waster and potential contamination.

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

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IN THE MATTER
OF
EAGLE BAY

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Town of Stony Point
RHO Building
5 Clubhouse Lane
Stony Point, New York
July 31, 2018
7:37 p.m.

BEFORE:

THOMAS GUBITOSA, CHAIRMAN
MICHAEL FERGUSON, BOARD MEMBER
ERIC JASLOW, BOARD MEMBER
EUGENE KRAESE, BOARD MEMBER
JERRY ROGERS, BOARD MEMBER

APPEARANCES:

STEPHEN M. HONAN, ESQ., Special Counsel
MAX STACH, Town Planner
JOHN O'ROURKE, P.L.S., Town Engineer
WILLIAM SHEEHAN, Building Inspector
MARY PAGANO, Clerk to the Planning Board
AMY MELE, ESQ., Attorney for Applicant

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

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Proceedings

CHAIRMAN GUBITOSA: Next item is the public hearing. It's Eagle Bay. This is a public scoping session.

PUBLIC SPEAKER: Excuse me, sir. Could you redirect your microphone closer to your mouth? Thank you. Very much appreciated.

CHAIRMAN GUBITOSA: All right, next is the public scoping session for Eagle Bay. And before -- Ms. Mele, you're here, right? Before we get started, I think Max would just like to give a brief overview.

MR. STACH: So the Chairman had asked me to provide a brief statement of where we are in this process, because this is the probably fourth of a series of noticed public hearings regarding this particular site. A couple, I believe there were a couple informal meetings along the way.

But really, I wanted to sort of go back in the record to December 9th of 2016, when the applicant for the project known as the Breakers submitted a scope to this Board. And that really started the SEQOR review for

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Proceedings

this project, or the State Environmental Quality Review, S-E-Q-R, stands for SEQR. On that date, essentially the applicant announced to this Board, which had been reviewing informal sketches, that it was going to intend to do a DEIS, or a Draft Environmental Impact Statement.

The Planning Board, on January 28th of 2016, became lead agency for that environmental impact statement. They scheduled a public scoping session -- I'm sorry, for January 28, 2016. And many of you may have been at that January 28, 2016 scoping session, at which the court record and public comments totaled 107 pages and 134 substantive comments on the applicant's draft scope.

So the Planning Board reviewed every one of those comments and issued a final scope in March of 2016. And that final scope included consideration of all of those public comments at the time, and it became a much more detailed scope.

A scope in SEQR is intended to direct

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Proceedings

the applicant in order to let them know what this Planning Board will require in that environmental impact statement document. It will say what intersections need to be studied; it will say what type of ecological studies and visual studies need to occur; what type of fiscal studies. It sets out the whole range of analyses that must be included in that environmental impact statement document. So that was adopted in March of 2016.

Next, we heard for purposes of SEQR from this applicant, we received a partial submission in January of 2017 of some traffic studies. We didn't hear again from this applicant until later in the summer when a new applicant who had purchased the project came in with a substantially different project. And the Planning Board since that time has had a number of informal hearings on that project.

So having reviewed that substantially different project, this Planning Board decided rather than continuing with the

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Proceedings

original scope that was adopted in March of 2016, it really ought to start the process over again. And so that's where we are tonight, is the purpose of this meeting tonight is again to go to the public and ask what are the types of environmental studies that need to be performed for this environmental impact statement that the applicant is going to be asked to prepare.

The draft scope that the applicant submitted for this project is the same one that was the final scope in 2016. So it already incorporates those 134 comments that we received in 2016.

The principal difference is between the project in 2016 and today is that the number of units have been increased by 58 units, and the construction, in 2016, the applicant did not want to construct anything in the water. They wanted to avoid permitting of in the water structures.

This applicant has decided that they want to replace the breakwater in the water. And they're going to, among other things,

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Proceedings

install a fishing pier for the community. So this would come off the public promenade. There would be a fishing pier. Rather than just some floating docks available to the community.

So those are the principal changes from 2016. Again, tonight, this is a draft scope that the Planning Board is considering. The purpose of this meeting is to get the public's and agencies' comments on that draft scope. Once this meeting is closed, the Planning Board will consider all the comments it hears tonight and all the comments received, I believe, up through August 8th is the date. If somebody from the applicant -- yeah, August 8th.

Any written comments received up until that date will be formally responded to in the final scope. So if you submit a substantive comment, meaning a comment on the application or its environmental impacts, that comment will be responded to in the final scope, and you can read the Board's response to that comment.

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Proceedings

So with that, Mr. Chairman, I suggest maybe the applicant's attorney or engineer might want to give a description of the project.

CHAIRMAN GUBITOSA: Thank you, Max. Mr. Zigler?

MR. ZIGLER: Hi, Dave Zigler from Atzl, Nasher and Zigler. I'm just a portion of the team. I'm actually a land surveyor.

The site itself is at the end of Hudson Drive. Up on the wall here. You'll see a map with a dark line around the outside. That is the property line. Can you see? That is the property line of the site. It's roughly 40 acres. That includes the land underneath the river, and it includes this up land.

To the right, to the right of the map, which is north, that's the Stony Point Battlefield. Out here on the bottom, which is the east, that's the Hudson River. And then that's the railroad tracks going north-south.

The plan itself is prepared by using the

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Proceedings

zoning. The zoning for this area is ten units per acre. So out of that 40 acres, by the reason of the zoning, you get 29 acres is what they call buildable. So that allows this site to have 290 acres -- 290 units. We're proposing 268 units.

Included in that total site plan is this area along the river, and this commercial portion right here. That adds up to a little bit over five acres that will be opened to the community.

The buildings, which you see these dark rectangular things, each one of those has three different kind of units. Mostly two-bedroom, some single bed, and there's about two to four units in each building that are three-bedroom.

The space between them is the parking area. The units have to have one parking space for one-bedroom, two for two-bedroom, and three for three-bedroom. So if you just draw a circle around the unit, all the parking spaces for that unit would be in that area.

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Proceedings

In between the units is another dark spot right here. That's going to be the community building for this association, our community. And that's the pool. That's not part of the common area for the public.

The promenade, which starts up here at the north end, which we did try to hook to the Stony Point Battlefield, but we were not allowed to. So it kind of stops there. It comes along the corner and down to this commercial building.

In this zone, you have to have 50 square foot for every unit. So this commercial building is a little over 13,000 square foot. That requires parking. And that parking for the commercial is right in here, this parking lot.

So basically, this plan requires 682 parking spaces to meet code. We have 50 more than that for this, right up in here, for people who want to just come visit and not go to the business, or not go, you know, part of the association here.

As we developed this, there's other

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Proceedings

things that the original plan did not have. This hard fishing pier, it's not a floating one, it's going to be hard pile fishing pier coming off the common area. That is something new.

And then again, what Max is talking about is these slips. We have 268 units. By the new zoning, we are proposing 90 new slips. With the 90 new slips would be a new dock, and then this new breakwater. This little angle point and that dark line there is the new breakwater, and this area to the left or to the south and going to the north, all that comes out, and that's part of the old breakwater.

As we pursued this plan back and forth and left and right, there was many changes over the springtime and into the summer. But this is the final change. And when we got to this point, the team for the owner actually recommended to the Planning Board about having a new scope because the old scope really didn't show this new plan. And we didn't want this to be the alternative when

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Proceedings

we knew this was the one that seemed to make everybody happy.

The units themselves all have a river view, whether it's at the end or along the side here, the way they're designed. The access is from Hudson Drive, which is right here.

And that's basically the plan. You know, this is just a concept. As this moves forward into the scoping, past the scoping and into the environmental impact statement, there will end up being landscaping, drainage, sewer, and other details the site plan requires.

Plus, there will be studies. There will be sewer study, water study, drainage, fish, because we're dealing with the Hudson River and we'll have the answer to that. And the traffic. We'll have traffic intersections. We have certain requirements that will carry through probably from the old scope which requires counts during the summer when the parks along Main Street are open.

So that's our, that's what we're

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Proceedings

proposing, and that's what the scope is on.

Thank you.

CHAIRMAN GUBITOSA: Thank you, Dave.

Did Amy want to -- or that's it, right, Dave?

MS. MELE: Thank you, Mr. Chairman.

Nothing really to add except that I completely agree with Max's description of the process. We're here to listen tonight.

We want to hear what everybody has to say.

We welcomed the opportunity to scope this again because we want to make clear that this is our preferred alternative.

The only one thing I might mention just for the audience who might not have been here at the last few meetings was that we did seek and were granted a text amendment from the Village Board. The original requirement was one slip per unit, and the new requirement is one slip for every three units. So that will entail much less work within the Hudson River than some of our previous permutations did.

Thank you. We're here to listen. And we have, Dave is here, along with Donna Holmqvist, the planner from Mr. Zigler's

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Proceedings

office, and Shea, our water permitting expert.

CHAIRMAN GUBITOSA: Thank you. All right, before I open the public hearing, I'd just like to emphasize what Max said. This, tonight's public hearing is just comments, what's going to be put in the EIS, what's going to be on the environmental impact statement. It's not comments on the project itself. That's going to come at a later public hearing.

But tonight are comments that should be put in the EIS. And it's not going to be like a question and answer. Any comments you have, just come up, you talk, you know, state your name and address for the record. Any comments that you want to add that you think should be in the EIS, you know, it will be taken down and reviewed. But it's not a question and answer on the project itself. This is just the EIS, the environmental impact statement of what should be in that.

So what I'll do tonight is I'll open the public hearing. But I know there's a pad

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Proceedings

over there with names on it, so if we could just get that. Now, if you didn't have time to sign up, once I get through the names I'll call again and see.

All right, first name on the, for the public hearing, I have Mr. Greg Barbuto, 61 Beach Road, Stony Point. Just hit the podium and give us your comments. Thank you.

MR. BARBUTO: Good evening. My wife, Nancy. We live at 61 Beach Road. I've been living on the road since 1963.

What we'd like to say tonight is the road itself is deteriorating. We have pictures that we gave to the Board. And it's fallen apart.

To have a project this big, that many -- when you're talking about over 700 parking spaces, that's 700 cars going through that road. It's not going to take it.

We realize it's a county road, and probably the applicant is not responsible for repairing the road or the wall that's caving in. But I can't see a project like this going through that road without the road

1 Proceedings

2 being repaired first.

3 If you want to go over the pictures a
4 little bit, couple minutes.

5 CHAIRMAN GUBITOSA: Now, we're talking
6 about Beach Road, right?

7 MR. BARBUTO: This is Beach Road, right.
8 The wall that we're talking about and the
9 roadway that's in the worst shape is from the
10 town park, where the town park ends to the
11 first piece of property that used to be
12 Brooks. It's now for sale by another
13 observer. And that's, it's a cement wall.

14 The pictures that we've taken, Pictures
15 1 and 2 show the north and the south end of
16 the wall from the river side. The foundation
17 is breaking apart. I believe it's a wave
18 attenuator that was put in there when the
19 wall was built, back probably in the 50s, I
20 would imagine. That's pulling away from the
21 wall in some spots. And in other spots, it's
22 completely gone.

23 If you go to Picture 3, you'll see that
24 that is caved in completely, and the water is
25 going underneath the wall and underneath the

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Proceedings

road.

Picture 4 is a close up of the same area. There was some work done by the County, I believe a temporary repair. What they did was they put a road sign alongside the wall on the road side of the wall and just filled it in with gravel and blacktop. And that, since then, has washed away. Every time there's high tide or a storm comes in, a lot of wave action, it blows the gravel out, and it's undermining the road.

Picture 5 is just a close up of the same thing, where the -- there's nothing holding that piece of wall up. It's just in mid air right there.

Picture 7 and 8, or 7 -- 6 and 7, I'm sorry, that's pictures of looking at the wall from the road side. And as you can see, you can look straight down into the water. Underneath the wall, it goes right into the water.

Picture Number 8, this is a picture of the road and the shoulder opposite of the wall. And it's got about a four-inch drop.

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Proceedings

And what happens there is when it rains heavy or the road floods, it undermines the road on that end, also.

Picture Number 9, my neighbor Mr. Beckerle is standing in the middle of the road. And as you can see, the water is up to his waist. Now, that was a day after Hurricane Irene back in 2011, August 2011. And more recently, a nor'easter, January 2016, there's a picture of the road covered, completely covered with water basically all the way up to my residence and all the way down to the park.

The problem is if this is the main access to this complex, if the road is flooded, you can't see what's underneath the water. You get fire trucks, you get rescue trucks in there, you don't know if the road is caved in. So that's something that's got to be addressed before this plan goes forward. Thank you.

1

CHAIRMAN GUBITOSA: George?

BOARD MEMBER KRAESE: Hold on.

CHAIRMAN GUBITOSA: Wait, hold on one

1 Proceedings

2 second.

3 BOARD MEMBER KRAESE: I think it would
4 be a good idea if we can get a copy for all
5 the Board Members.

6 CHAIRMAN GUBITOSA: I'll have Mary scan
7 them and then we'll email it to -- scan the
8 pictures and we'll email them to everyone on
9 the Board. All right, thanks. George
10 Potanovic?

11 MR. POTANOVIC: My name is George
12 Potanovic. I live at 597 Old Gate Hill Road
13 in Stony Point, and president of the
14 Stony Point Action Committee for the
15 environment.

16 SPACE is a 28-year-old incorporated
17 non-partisan non-private community
18 organization. The purpose of SPACE is to
19 promote and advocate for preservation of our
20 natural resources in Stony Point, our soil,
21 our water, and our air; and to protect the
22 quality of life that is unique to our area;
23 to promote and advocate for greater public
24 awareness and action regarding issues that
25 will adversely affect the natural resources

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Proceedings

and quality of life in Stony Point and adjoining communities.

As lead agency for the SEQR environmental review of Eagle Bay, I thank you for holding this public scoping hearing which allows town residents as well as interested parties and agencies to learn about what is being proposed for our Stony Point waterfront, and to provide input during the early stages of the project regarding additional information, analysis, and questions that should be included and answered, as well as make suggestions for how the plan can be improved.

So despite prior proposals presented to this Board for this site from this applicant and the prior applicant, we must recognize that this is the start of a new application, one that many people in this room and most of the residents in Stony Point are hearing now for the very first time.

We therefore ask that you consider this new input and ideas, and look at this plan with a fresh set of eyes, especially since

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Proceedings

this waterfront property is located in one of the most scenic parts of the lower Hudson, at the entrance of the Hudson Highlands and Palisades Interstate Park, directly adjacent to a historic landmark, and the oldest Hudson River lighthouse at the Stony Point Battlefield, and also the shoreline of the Stony Point Bay, offering breathtaking views both towards and from the Hudson River.

The parcel of land is indeed valuable to the Town of Stony Point, and is the very first to be developed within the protected waterfront or PW district under the new zoning code written in 2014 by our Stony Point Town Board, and recently amended in 2018. Let's recognize that this is a project of critical importance for the Town of Stony Point environmentally, socially, and economically because it will set a tone for future waterfront development and project an image of who we are as a town on the Hudson River.

As a result of Superstorm Sandy, we have a blank slate now on a good portion of the

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Proceedings

town waterfront. This provides both challenges and opportunities. We therefore see our role as town residents, the Town Board's role as the authors of this new zoning code, and your role and responsibility as our Planning Board and lead agency to work together, not to simply go through the motions of reviewing this site plan for Eagle Bay as proposed by the developer, but to envision our future waterfront and ensure that we consider how this plan fits with our community.

Two important questions we must ask ourselves. What is the town's vision for the future of Stony Point's waterfront? And how will this proposed project define that vision while providing immediate economic development opportunities and strengthening our town's connection as a Hudson River community?

Preliminary comments. The following preliminary scoping comments have been provided by SPACE for this public scoping hearing as part of the SEQR environmental

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Proceedings

review of the proposed Eagle Bay waterfront multifamily residential mixed use development project located within the protected waterfront district within the Town of Stony Point.

We have a unique opportunity to capitalize on our waterfront, to make Stony Point a destination on the river. In order to do so, our waterfront plan should emphasize that which makes Stony Point unique. It is often a matter of balance.

Unique is not what we have here with this proposal. This proposal has too many residential units, to the point where it is no longer a marina. Instead, what we have is a cookie cutter project proposed by a residential developer who has increased the number of condo units to 268, well beyond what was originally proposed in the original plan by Wayne Cortis at 190, while reducing the number of boat slips from 190 to 90.

#2

Impacts on traffic. An updated traffic study needs to be completed based on the current increased number of condo units

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Proceedings

proposed. The -- have current traffic patterns changed during the past three or four years since the initial development was proposed? You can see.

Traffic study needs to be when school is in session during school time, as well as during the summer months. The section on traffic indicates that capacity analysis will be done when school is in session. The traffic count should be also taken during the summertime when boat slips, restaurants, public promenade will be used. Since the US Gypsum plant and LJ Kennedy are not currently in operation, how will these properties, when eventually restored, impact future traffic patterns and volumes?

#3

Road infrastructure and emergency access, concerning the safety and access by fire, ambulance, and emergency vehicles. What is the Town and the applicant's plans for providing access for fire, ambulance, emergency vehicles access to Eagle Bay in light of the fact that Beach Road area historically has become severely flooded, and

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Proceedings

the railroad truss over Tomkins Avenue may not provide sufficient height for a fire truck to pass under it?

#4

B, will special emergency equipment be necessary for the Stony Point Fire Department and Ambulance Corps to service this site?

#5

C, since safe access for residential, commercial, and emergency vehicle is a key factor for this, whether or not Eagle Bay is a viable project, what is the plan for necessary offsite road and drainage improvements, and who will pay for them? Who is going to fund the needed offsite road improvements in order to ensure safe and reliable road access to and from Eagle Bay at the proposed site?

#6

D, we want to see the offsite -- we'd like to see the offsite improvements needed for Beach Road included in this plan on the map for Eagle Bay, and road infrastructure, widening, flood mitigation, which is critical to whether or not this proposed development can even be built, considered and designed together during the site plan review for

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Proceedings

Eagle Bay.

Impact on sewer system capacity. What is the current condition of the availability capacity, and available capacity of the Stony Point sewer plan, and sewer pipe, and pumps for the entire distance between the proposed project location and to and from the Stony Point sewer plant?

#8

What is the expected additional -- B, what is the expected additional demand for sewer capacity from Eagle Bay for 268 or 290 units, marina, restaurant, et cetera, to full build out?

Demand put out on gas, electric, energy utilities. What is the total projected electric and natural gas demand for all residential and commercial components of Eagle Bay? Does O and R have the current capacity to provide service to this area or to this site?

#9

C, what types of energy conservation plans will be included indoors and outdoors?

#10

Demand for potable water. The County of Rockland has convened a Rockland County Water

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Proceedings

Task Force, of which I'm a member, for the purpose of identifying means by which residential businesses and municipal customers can reduce demand for our current water supplies through water conservation and efficiency.

A, what is the total projected water demand for all components of Eagle Bay?

B, what does SUEZ commit to having current capacity to provide a letter of intention to serve?

C, what indoor and outdoor water management and conservation measures will Eagle Bay include in its project plan?

D, please include a comparison between anticipated water demand projections for potable water and how much of that demand can be reduced through water management, and best water management practices and conservation.

E, how will increased water demand from Eagle Bay, which becomes the low end, may become the low end of the SUEZ water systems in Stony Point affect water supply and water pressure for those SUEZ customers and future

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Proceedings

customers who may currently be served by well water at higher end of the system, say, up on Dunderberg Estates and Tomkins Cove? It would affect their pressure.

} #13

Excessive paved areas for walkways and parking. What alternatives have been considered to meet the anticipated parking demand?

B, are pervious pavers being considered to reduce storm water runoff?

} #14

C, has parking under the building been considered as an alternative to reduce the paved footprint?

} #15

Structural soundness of the flood zone. Considering that this area was, at an earlier time, all brickyards in the area. It was filled with soil and may consist of brick debris. Will soil studies be conducted to ensure that the soil remains stable and will support a multistory building in this flood zone?

} #16

Impact on the North Rockland School District. Based on the numbers of two and three-bedroom units proposed, what is the

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Proceedings

impact, projected impact of the additional school aged children in the North Rockland School District?

#17

Impact on the need for municipal services. What is the anticipated projected demand and cost for municipal services cost?

B, please indicate fire, ambulance, Town, County, Highway, and police costs.

#18

C, will additional personnel be needed to supply these services?

Sale of condo units. Please explain the financial impacts of fee simple or rental units.

Police access to -- I'm sorry, public access to the waterfront. Public access also has been an important component of this project for the Town of Stony Point.

However, the public access in this plan is not inviting to the public and lacks the kind of uniqueness that could make Stony Point waterfront inviting to both town residents and visitors.

A, we'd like to see an alternate plan for the use of the public space, which can be

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Proceedings

designed more like a waterfront park both for the town residents and visitors.

B, a plan for tourism or economic development that needs to be part of this plan.

C, we'd like to see a plan proposed in coordination with the Palisades Interstate Park Commission to link a walking path for town residents and visitors to Stony Point, to Stony Point waterfront to the Stony Point Battlefield site. My understanding is the Palisades Park Commission would consider this.

D, additional public boat slips should be made available for visitors as part of the Town's economic development plan for the waterfront.

Economic development plan, need for a physical plan. The Town of Stony Point needs to articulate both its vision for the future of Stony Point waterfront and develop an economic plan for the waterfront. The town residents need to be assured that this plan will both enhance the beauty and use of our

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Proceedings

waterfront, and provide economic benefits to the taxpayers of the Town of Stony Point.

A, what is the projected tax assessment for all components of the Eagle Bay project? Please itemize.

} # 21

B, what is the anticipated tax revenue compared to the anticipated costs for infrastructure improvements, upgrades to the sewer plan, increased costs for municipal services including police, fire, and ambulance, and highway.

} # 22

SPACE appreciates the opportunity to submit these comments on the draft scope for Eagle Bay, and additional or updated comments may also be provided prior to the Wednesday, August 8, 2018 deadline for written comments. Thank you very much for your consideration.

CHAIRMAN GUBITOSA: Thank you. Kevin Maher?

MR. MAHER: Kevin Maher, 130 Central Highway, former Town Engineer, currently the Vice Chair of the Rockland County Environmental Management Council.

George made quite a few points, very

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Proceedings

well articulated. I have quite a few. I've already submitted my written comments, but I just want to bring out a few quick points.

Water demand is going to be a significant part of this problem. There's no doubt in my mind that the pressure that SUEZ is going to have to put the system under is going to create additional leaks. Roughly, I think it was in July of 2013, the Sewer Department uncovered a problem on Woodrum Drive that was flooding our sewer system. Again, leaks at that time.

To keep the pressure up at Dunderberg Estates, which is the northernmost portion of the SUEZ system here in Stony Point, they're going to have to jack the pressure up quite a bit. And I think we're looking at some serious water main leaks.

One other point that I'd like to bring out is we've got development going on here in the flood plain. I don't know how many people in the audience saw the video presentation by the architect. But any reasonable person looking at that could see

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Proceedings

that there's significant filling going on from the bulkhead in towards the property.

Under the NFIP, Unit 5 clearly states you can't do that if you're going to wind up causing flooding to increase on other properties. The only way this applicant can prove that is to do a head grass analysis of the Hudson River to prove that that fill that they're putting there is not going to increase flooding, especially upstream of the battlefield.

#24

Sewage facilities. Yes, I know very well how poor our system is right now. Despite the fact that our bypasses to the JRSB have decreased slightly is because we haven't had that much rain. But what have we just had recently? So that's a problem.

The other point I want to bring out is one of my comembers of the EMC recently did an invasive species investigation up at the battlefield park with the park manager, and they discovered a new eagle nest up there. And according to DEC regulations, that needs to be brought into this study.

#25

1 Proceedings

2 And there is also requirements about
3 disturbances within a certain distance. It's
4 roughly 1800 feet north of the northernmost
5 building. Glenn Sungela is the gentleman who
6 actually performed the invasive species
7 analysis up there and made recommendations to
8 the manager how to get rid of them. While
9 they were walking around, they saw the nest.
10 So it has been brought to DEC's attention.

11 As far as -- like I said, George made a
12 lot of comments that are already in my
13 written comments. So I have nothing else to
14 say beyond that.

15 CHAIRMAN GUBITOSA: Thanks, Kevin.

16 MR. MAHER: I've already submitted this
17 letter. On the record, I've also submitted
18 to the County and to Arlene Miller.

19 CHAIRMAN GUBITOSA: Okay, thank you,
20 Kevin. Greg, is it Julian?

21 MR. JULIAN: Hello. Greg Julian,
22 15 Ridgetop Drive, Tomkins Cove. About three
23 months ago, I was attending a Town Board
24 meeting, and there was a an occasion where
25 Iona Island was putting in conduits. And the

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Proceedings

way the State -- what the State asked the Town Board would be that to have the waterfront development committee look at that plan. At which time, the Town Board said we don't have a waterfront development plan, but we're going to empower the Planning Board to act as that, and the conduits were approved.

My question is this project impacts the future of Stony Point to such a significant degree, and we -- we're going to have to come to grips with the fact that we do not know what the vision of Stony Point can be, not for 10 years, 20 years, 30 years in the future. But the fact of the matter is, we don't even approach it by having a waterfront development committee where we can begin to talk about the vision of what Stony Point is.

This building should be -- this developer should have come into this building and said we're going to provide the most up-to-date environmentally conscious building that we can build. I worked in Pace University and downtown Manhattan after 9/11, after Sandy. The entire consciousness of

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Proceedings

that area changed. Every building had to meet strict environmental standards for water use and construction.

I just urge the Board to extend the public hearing time. And now that the people of Stony Point begin to understand the impact of its first real large new project upon the whole coastline of Stony Point, that we will give ourselves of the opportunity to create a citizen's advisory committee to create a vision. And studying this, we do not need government approval.

We could do it as a group of citizens. We can submit it to the Department of State for further grants. We provide the vision, they would look at it, and they would see if it's worthy to try to give us a grant to develop and help us with the engineering and viability of this.

So I'm asking you to try to, best that you can, to put this on hold and give the people of Stony Point the ability to do what we can do best. That is, look at our own lives, look at what we want for the future,

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Proceedings

because we have not developed, and I'm not blaming the Planning Board, I'm not blaming anybody. I'm just trying to percolate from the bottom up that we have to have a vision for Stony Point, and we don't have it yet, and this isn't it.

CHAIRMAN GUBITOSA: Susan, you're next.

MS. FILGUERAS: Susan Filgueras, 87 Mott Farm Road, Tomkins Cover, New York, SPACE Board Member. I'm going to ask for an entirely different reason to have this hearing extended and give the people of the Town of Stony Point ample time to review the multitude of documents that, frankly, don't match.

I am very frustrated with, we have 40 acres, but 29 are buildable. We have a local waterfront revitalization plan. No, we don't. Yes, we do. Who's our Board? More so, Ms. Mele, I would like to inform you that you are standing in the Town of Stony Point, New York. It's not the village. That may be a little thing, but this is the Town of Stony Point.

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Proceedings

So I am requesting based on just
misinformation and information that has been
omitted, and I will give you my examples.
The first, Mr. Sheehan, our Building
Inspector, attended the public hearing at the
Town Board on July 10th. I asked the
question how many condos can be built. He
quoted town law, and came back and said there
are ten condos per acre. Technically, in a
perfect world, 290 acres.

I asked the wrong question.
Mr. Sheehan, how do we get to the 29 acres
that the applicant is claiming? Because
there are 40 or 41 acres here. 20.6 of those
acres are land acres. But 20.4 of those
acres are under the Hudson River. So if it's
ten condos per acre times 20.4 -- I can't do
the .4, folks -- it's 200 condos max.

Now, since Bill did answer my question
and then stopped on a dime, I did a little
more research. I think Town Law Stony Point
2215-16 point, special requirements, and I'm
not going to swear to it, as part of any
minimum lot area requirement of this chapter

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Proceedings

for residential purposes, not more than 50 percent of any land underwater or within a stream, defined as that area located the top of its stream banks or where no stream bank exists, the area which conveys water under normal conditions, within easements or rights-of-way for overhead utilities, with slopes, unexcavated, of over 25 percent, within a designated street line -- anyway, I think that's the loophole to the additional nine acres.

I don't know. My fault was I didn't follow up my question with the Building Inspector. He answered the question I asked. I don't know that it was answered fully.

The Town Board wants us to believe that this little text change did not affect the density of the project. There were approximately, I'm going to try and lowball it, 375 boat slips in these marinas prior to Sandy. We are now taking those 325 and reducing them to 100. Is that in the best economic interest of the Town of Stony Point?

So my first piece of information that

1 Proceedings

2 I'm really -- I have to be mad at myself, and
3 Bill answered the question, but I've got to
4 learn to speak like Mr. Sheehan. I think we
5 have a loophole. The Town wants us to
6 believe it didn't increase the density.

7 Well, if you do one boat slip to one
8 condo, then you're going to bring your
9 structure out into the river. You're not
10 going to have that extra 20 acres. It's
11 going to be taken up with boat slips.
12 Therefore, the 30 percent increase in
13 density, if you simply use and compare the
14 Breakers to Eagle Bay, it's roughly
15 30 percent.

16 And by the way, we know we have a new
17 owner. The application still says the
18 Breakers. I think we need a clarification on
19 A, who the owner is; B, who the developer is;
20 and C, what the legal name of the project is.
21 Talk about being transparent and let's get it
22 right.

23 The next piece is we're going to
24 remove -- not we, the developer, I'm going to
25 use my finger -- they're going to remove the

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Proceedings

breakwaters from here. Do I know what that means? No. Do we have flooding? Yes. Is that the northern end of our waterfront? Yes. If you move those breakwaters, will you affect the bulkhead, and will you affect flooding all the way through our waterfront?

Now, the next comment, and I think we are a little identity challenged, the applicant's attorney Ms. Mele has stood up on three separate public meetings and said we're not developing a marina. Why did you buy a marina? But we're not developing it. This is our local waterfront.

Yet on page -- one second -- on Page 4, the applicant describes their project as a multifamily residential complex. This is the waterfront. Are we allowing the applicant to redesign our zoning code to take some of the most incredible land in the Town of Stony Point and reduce it to tenement buildings? This build is the most uninspired, drab, unwelcoming build I've ever seen.

In addition, the retail space that is there is, like, compacted, shoved. Just oh,

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Proceedings

yeah, here it is. We put retail there.

And oh, by the way, we've got -- now, the scope says 100 boat slips. And maybe I'm being picky. The applicant says 90. Can we get anybody that can agree on any of the really fine points of this project that are going to make a difference?

Now in addition, on Page 16, Point 9, discuss application for HUD grants. Page 16, Point 7, any proposed affordable housing will be identified. Point 8, description of the minimum combined acreage required for the proposed action under the new PW zoning code amendments.

#26

Now, I need to go back and check my computer, but I downloaded the scope from the Town website two and a half or three weeks ago. Within the scope, the text change has already been accepted and submitted into the Town Board, or into the Town website. Where is our transparency?

What -- I am very, very frustrated. I feel that the project is not clearly represented. This is our waterfront. We're

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Proceedings

not building multifamily housing.

Are we going -- is the applicant going out to look for HUD dollars? Do we want -- and we need low income housing, I'm not telling you we don't. We're going to build it on our waterfront? The Town Board, in discussion of the text amendment, never addressed the impact of that text change to the other two locations that can do the self same thing.

Those are minimum. I believe we have an identity crisis. And nobody is addressing it, and this scope has to. Are we building multifamily housing? Or are we going to develop one of the most priceless parcels of property within the Town of Stony Point, our waterfront?

We have had misinformation, information by omission because I didn't ask the exact question. And I can hear Bill now, Susan, I answered every question you asked. And he does. Sorry, Bill, I'm picking on you.

Okay. The attorney has stated we are not developing marina property. Why did you

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Proceedings

buy a marina?

This is an incredible opportunity to create Stony Point. Taxes, school children. The text change increases the density. We need to have an extended comment period so we can go back and look at what we're doing, what's been proposed, and make sure that we understand. By the text change, we are increasing the density in a one way in, one way out constrained area that floods by almost three and a half percent of the population of the Town of Stony Point. What happens in another Sandy?

There will be, just so everybody is aware, each -- there are four buildings. Each one, we have 12 units of one, 18, 18, and 10 one-bedrooms. In two-bedrooms, we in the first, you have 37; the second, you have 47; the next, you have 55; the fourth building, you have 55 two-bedroom units. Three-bedrooms, there are four buildings, you're getting four three-bedroom apartments each.

Now, that's an awful lot of density

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Proceedings

that's going to pick up. That's an awful lot of cars. 737 parking spaces.

The property is proposed to be redeveloped as a multifamily residential complex with a commercial component. Page 4 of the scope. I ask you, are we developing low income housing on our waterfront, or are we going to take an opportunity to develop a brand new gateway and a window into one of the most historic towns on the Hudson River, and create a vibrant community?

We need to extend the hearing so that facts can be verified. The people presenting can match what the scope says. And we understand whether we are developing multifamily residential, or a beautiful waterfront that will create a doorway into one of the most incredible towns on the Hudson River. Thank you.

CHAIRMAN GUBITOSA: Mr. Beckerle?

MR. BECKERLE: So did you hear about the Irish guy? Had three brothers. Irish guy had three brothers, couldn't figure out why his sister had four. Think about it.

1 Proceedings

2 Susan, that was amazing. I got to thank
3 everybody here because we're all here for the
4 same reason, for the good of the town. Thank
5 you for the Board and all you do. It's an
6 amazing job you have and amazing patience.
7 And Tom, just that reading of that, those
8 sheets were just very impressive.

9 CHAIRMAN GUBITOSA: Thank you.

10 MR. BECKERLE: Susan did her homework.
11 You know, she might be a nag, but listen to
12 what she says. Because she has some very,
13 very good points. And I'm glad I came to
14 this. I'm Stephen Beckerle, 49 Beach Road.

15 I'm glad I came because now I know that
16 I can build ten units on my land. I live on
17 Beach Road and I have an acre of water
18 rights, repairing rights on Beach Road. And
19 I am going to -- Bill, Bill, I'm going to put
20 it in tomorrow. I'm going to put in a permit
21 for ten units on my land. I have an acre of
22 land on the water.

23 I have never heard -- this is the land,
24 this is the land, this is the land. That's
25 about five acres. That's about five acres.

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Proceedings

Do you know how big Ginsburg place was?
Fifteen acres. That's five acres, guys.
That's three times smaller than Ginsburg.
Have you gone to Ginsburg? Have you seen?
Three hundred units at Ginsburg. Think of
300 units in five acres.

PUBLIC SPEAKER: That's right.

PUBLIC SPEAKER: Looks like the Bronx.

MR. BECKERLE: I might be missing
something, I'm a little simple. But this is
a bad site for that many units. I am all for
river development, residential, high end
residential in a beautiful spot. Susan said
it very well. I would love to see high end
residential. If you put 268 units, I don't
care if you get HUD money or not, it's going
to be a slum. Done.

#27

CHAIRMAN GUBITOSA: All right. Does
anyone else want to speak? Just stand up and
state your name and address for the Board.

MR. ANZEVINO: Thank you very much. My
name is Jeffrey Anzevino. I'm the Director
of Land Use Advocacy at Scenic Hudson at
1 Civic Center Plaza, Suite 200, in

1 Proceedings

2 Poughkeepsie.

3 First, I want to thank the Planning
4 Board for conducting this public hearing
5 tonight. And I commend the community for
6 coming out, the friends and neighbors of
7 Stony Point for coming out and expressing
8 their views on the scope and the development
9 here.

10 One thing that I'm going to leave you
11 with tonight is our riverfront development
12 guidebook, Revitalizing Hudson Riverfronts.
13 Maybe you have it. It's been out for about
14 seven years, but -- well, we sent it to the
15 Planning Board seven years ago. Maybe there
16 are new people here. We want to provide a
17 copy for you, and we'll give a copy to the
18 developer as well.

19 This can help both the Planning Board
20 and the development outline a vision to find
21 a way to meet the community's goals and the
22 developer's objectives on this site as well.
23 The book has won awards from EPA Region 2,
24 the New York Planning Federation, and the
25 Westchester Municipal Planning Federation.

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Proceedings

The comments that I'll deliver tonight on the scope really are based on the principles in the book. And just because I know that a lot of people have spoken, I'm not going to give all our comments tonight. I want to give kind of a broad overview and a couple of the most important highlights that I'd like the Planning Board, the applicant, and the community to hear.

And I just, to echo a couple things that I didn't think about today, but if this is a very complex project on a very challenging site, but also offers a very big opportunity for the town. And if there is a way that the comment period can be lengthened by a couple weeks or a month, I know we would appreciate it because of the complexity of the project and our workload, and I think the -- we'd be able to deliver you much better comments. It's also the summertime, a lot of people are away. So this is actually a very short comment period, relatively speaking.

So arguably, the Eagle Bay site is one of the most important development

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Proceedings

opportunities in Rockland County. As such, the site has the potential to greatly contribute to Stony Point's economic future. Well planned development could provide economic opportunity, new housing, increase the tax base, and strengthen residents' connection to the Hudson River, as well as boaters' connection to Stony Point. Expressed another way, this is Stony Point's best and perhaps last opportunity to capitalize on its riverfront location and to promote itself as a riverfront community as many others on the Hudson River have done successfully.

We live in an increasingly competitive world. The most successful communities will assess their unique assets and promote these to the rest of the world. What are Stony Point's strengths? You all probably know better than I do.

But from my vantage point, it lies at the southern gateway to the Hudson Highlands. Its landscape folded into the Palisades Interstate Park. It hosts a national

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Proceedings

historic landmark, the Stony Point
Battlefield State Park, with a cool
lighthouse. And its waterfront embraces
Stony Point Bay, which is designated by the
New York State Department of State as a
significant coastal fish and wildlife habitat
that offers boating, fishing, and views of
and to the Hudson River.

The applicant's preferred alternative,
268 residential units with a modest amount of
restaurant, retail, and office space in a
marina. And we do commend the applicant for
proposing a waterfront park and the fishing
pier. It's very important because those are
water dependent uses, and preferable or
prioritized by the New York State Department
of State, and I'm sure by the Town's local
waterfront revitalization program.

But in essence, this is really out of
balance with too many residential units, in
our view, and not enough to really give the
people of Stony Point a place to come, things
to do, and a place that the rest of the world
can come by boat to Stony Point. So in

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Proceedings

essence, this really privatizes most of the 20, give or take, precious dry waterfront acres with apartments, and limits the Town's opportunity to open its front door to the river and to the world with a truly public waterfront. In order to play to its strengths, the Town and developer should work together to revisit this program of development and the site plan.

So the site also poses certain challenges, particularly with respect to its vulnerability to flooding and storm surge, as we've heard. You know better than I do because I wasn't here during those storms. But the sea levels will continue to rise, and the storms will continue to come. In fact, the New York Community Risk and Resiliency Act of 2014 projects that the lower Hudson Valley could experience up to 75 inches of sea level rise by the year 2100.

So these opportunities and challenges require, as does SEQR, that the Planning Board as lead agency ensures that the scope and content of the DEIS considers relevant

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Proceedings

concerns of the involved agencies and the public. And that's why we're all here tonight. Scenic Hudson offers these scoping comments in the spirit of cooperation, and in hopes that the development of this important site is resilient to flooding and storm surge, provides added economic benefits to the town, and offers its residents a strong connection to the Hudson River without harming the critical environmental and historic resources adjacent to the site.

One of the most important aspects of SEQR and this scope is the requirement that alternatives are evaluated. As written, the draft scope includes only two alternatives. No build, which is do nothing and let it sit as it is. And, well, three. No build, their preferred alternative, and the maximum density proposal under the PW district provisions.

The scope should also require that the DEIS examine at least one alternate alternative that proposes fewer residential units in order to avoid, reduce, or mitigate

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Proceedings

the range of anticipated impacts resulting from the preferred alternative, as well as an alternative that provides a more balanced mix of residences and commercial uses that would serve Stony Point residents, attract visitors, provide jobs, and contribute towards the economy.

So for example, two years ago, I'm not sure if the number was 190 or 210, but that's how many units were proposed for the old Breakers. In the Eagle Bay proposal before you, they're seeking 268 residential units, and this is calculated by using an entitlement of 291 units by including 50 percent of the underwater land. While this may comply to the letter of the Town zoning code, from a planning standpoint, this may result in more development and more impact than the 19.3 or 20, give or take, acre uplink site can accommodate. And from a SEQOR standpoint, the lead agency can absolutely require an analysis of lower density alternatives.

In addition, the project's proposed

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Proceedings

layout proposes an extraordinary amount of surface parking. And it's due in large part to the number of units here. You're actually providing more parking than is required. And this is 737 spaces, 55 more than the Town zoning. It's nice to have some additional parking for people that want to come to use the waterfront park.

#29

Shared parking is quite a common technique that's used nowadays. Not everybody is going to be parking in all those spots at the same time. It is quite possible to get by with fewer parking spaces.

Because when you think about how the site is going to look and how it's going to function, it's really an outdated approach that's committing the most valuable riverfront land to the storage of cars. Look how much land there is really parking lot. Parking lot and buildings and then, you know, the riverfront park is nice. But aside from that five acres, if there was fewer parking spaces, that land could be used to beautify the site with landscaping, open space, the

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Proceedings

park could be better. It could be used to manage the storm water in a more modern way.

Also, many riverfront projects now that are built, the smart developers are putting the parking underneath the buildings. When you're in low lying areas like this, that land can occupy the space under the building. It could actually accommodate some water. And the living space could be starting on the second floor.

If parking could go underneath the building, then there wouldn't have to be so much surface parking on the site. Now, I can see that by those long, narrow buildings it may be hard to configure parking under those buildings. But I would suggest that an alternative should look at buildings that are a different shape so that parking can be accommodated underneath the buildings.

#31

This would also result in a site that's more resilient to sea level rise. And it allows, frankly, more of the site to be used by people, the residents of the site and the residents of Stony Point.

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Proceedings

So to conclude, Stony Point stands at a very important junction in its history. Recovery from the recent devastating storms is fresh on people's minds. And the consensus opinion is that a more resilient waterfront is required to protect against future damage and provide economic activity to offset the loss of the town's industrial base.

In light of this manner in which Eagle Bay is developed, it will be critical to Stony Point's future. Careful planning will be required in order to achieve the town's economic resilience, sustainability, and public access goals. Will Stony Point's riverfront become a series of residences, and a small restaurant, a few retail spaces surrounded by almost 750 parking spaces? Or can a well planned waterfront be its front door to the world?

The question will depend on a well scoped DEIS and the Planning Board's commitment to providing the hard look at potential impacts and project alternatives as

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Proceedings

SEQR requires. And it would require a better balance of residences and retail that advance the town's goals while still meeting the needs of the developer.

Scenic Hudson appreciates the opportunity to be here tonight to deliver these comments. And I'll give a couple of these books to the Planning Board and one to the developer.

CHAIRMAN GUBITOSA: Thank you.

MR. KRAUS: Hi, good evening. James Kraus, 21 Heights Road, Stony Point, obviously. I have two quick comments. Obviously, I'm in agreement, I think most people in this room are, with the comments that preceded me. So there's no point in being redundant.

The first is something that I don't know the impact, I don't know if it's been mentioned. Where are these boats going to go in the winter? You know, I've spent a lot of time, I like to walk through here, I have, even though it's not my property, before this was dilapidated by Sandy, you know, the

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Proceedings

marina. But still, in the winter, the boats are out of the water.

I don't have a boat. Well, I have a kayak. It's easy on my back.

But they're pulled out of the water. Now, where are they going to go? Even if it's only 90 slips. I understand there are other marinas, I understand there are other places you can motor to and store your boat in the winter. But that, to me, is an environmental impact on the town. And that should be part of the scoping. And I do not understand why this is being planned as a marina or a multifamily project, which has been commented on, without some provision for that.

#32

And the other is much lighter. As somebody who walks through here, there's some very nice posts here from the dilapidated marina. And my friends the cormorants and the osprey that kind of have these poles assigned to them, they've kind of picked their poles. I want to know where they're going to go. But that's an aside.

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Proceedings

And obviously, the comments before about the bald eagles, which you can see from this tip. You can very often see it with binoculars. You can see them from the edge of that. I understand with this park, which seems to be very useful, you probably still would have access to that kind of thing. And that's, you know, that's really all I have to say.

CHAIRMAN GUBITOSA: Thank you. Go ahead.

MR. CIPOLLINA: Philip Cipollina, 18 Lincoln Oval. It's impressive that this many people care about what's going on.

I'm not going to reiterate. I just want to remind the Town Board, the Planning Board that this is the only opportunity that we have any say in what happens. Once this is developed, it can be sold en masse to anyone, right. Anything that that public space can be closed off, it can be, you know, they can deny access. There's nothing -- once it's done, there's nothing anyone can do. It becomes private property. And I'm allowed to

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Proceedings

do in my home as I see fit.

If it smells like an apartment, it looks like an apartment, acts like an apartment, it's an apartment. You know, we're calling it units, we're calling it all kinds of development. This is multifamily development.

And everyone has said 700-plus parking spaces, 730 parking spaces. What everyone has mentioned, but I would like to just bring to the forefront is Beach Road cannot accommodate 400 to 500 cars during peak traffic. In the event of an emergency, if you have to get a fire engine in while 400 family, a hundred and, you know, 400 cars are trying to leave, it's not going to happen. You know, it's one way in and one way out.

34

If it happens to be during a rain storm when Beach Road floods, that's why there's that little fence that they put up, then the fire engine can't get there at all, at all. And it will just, we may as well call it Nero Town because we'll just watch it burn.

You know, it's -- I would really, really

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Proceedings

hope to see some type of development because it's relief to me as a taxpayer. I'd love to see something there for my family to enjoy, so forth and so on. This is just not anywhere in my idea of something that would benefit me as a resident of Stony Point or the Town of Stony Point.

CHAIRMAN GUBITOSA: Thank you.

THE CLERK: Tom, they have to sign the form.

CHAIRMAN GUBITOSA: Oh, yeah. I'm going to -- if you could -- just one more.

MR. BECKERLE: This is assuming that this project does happen. My neighbor's not going to like me for this. But I think the Beach Road solution, and I've said this before, it should be looked at on the record, is a bridge over that bay. You can go right in the bay. It's a muddy bottom. It wouldn't cost that much. You could raise it up, you could do it the same level as the park.

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Just look at it. It's so obvious. I know there's a lot of regulations and rules

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Proceedings

and all that kind of stuff because of the Hudson River. But the logical thing is to build a bridge through that bay. It doesn't even have to be that long.

It should be done by the Town, not a County road. Make the developer pay for it. Then we can maintain it. And it's a town plus. And then you convert the existing road to like a boardwalk type there.

I want to put that on the record to be looked at. I know you think that's crazy, but at least it's on the record to look at.

CHAIRMAN GUBITOSA: Thank you.

MR. BECKERLE: It's not as crazy as it seems, I'm telling you.

CHAIRMAN GUBITOSA: Thank you. Just to let the public know, this public hearing is just for the EIS. Once we go down the road for the project, there are going to be more public hearings on the project itself. So this is just to do the scoping. It's not --

MR. BECKERLE: The only reason I bring it up is because the road is a bottleneck.

CHAIRMAN GUBITOSA: No, you're right.

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Proceedings

This is just for the EIS, what we're going to -- what they're going to study, what we want them to look at. Once that gets looked at and the final scope approved to look at, then once the project comes before us, then there are going to be more public hearings.

So you're going to have more opportunities to hit the project as you see it. He's going to have to bring more detail, show you more plans, show you more, you know, answer more of the questions. But this is just for the scope. But you're going to have more opportunity. I just want to let you know that.

So is there any more comments?

MS. MONTROSS: I have one. Mary Ellen Montross.

CHAIRMAN GUBITOSA: Go ahead. I'm just -- after, I'm going to ask whoever, if you didn't sign the sheet, I'm going to just ask you to sign it.

MS. MONTROSS: Mary Ellen Montross, 6 Spring Drive, Tomkins Cove, New York. I just wanted -- I forgot what I was going to

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Proceedings

say. Oh, my gosh, what was I going to tell you. I did introduce myself. Mary Ellen Montross, 6 Spring Drive, Tomkins Cove, New York. There. Oh, my Lord. Now I forget what I was going to ask you. I can't remember now.

CHAIRMAN GUBITOSA: Take your time.

MS. MONTROSS: No, I'll be here all night. I've got Alzheimer's or something. No, it wasn't about that.

Oh. We have this Planning Board and all. Are we the citizens allowed to vote on this process? Can we just have all the votes, say how many people want this monstrosity? Or is it just going to be left up to the Planning Board and whoever else is in charge. Like, do we actually get to say more than just our comments? Do we actually get to vote on this? Like, we vote to put people in office. Can we vote yea or nay?

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CHAIRMAN GUBITOSA: On the project, there's no vote. But you have input in what gets put on the project.

MS. MONTROSS: Right. But then

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Proceedings

sometimes our input gets squashed and, like, we don't hear from anything anymore. Then all of a sudden, projects go through that we were thinking oh, it wasn't going through, and then it just happens to be at the piers. So wouldn't it be fair if we all got as citizens who vote for this in the Town of Stony Point as voters and say we're yea or nay for this?

CHAIRMAN GUBITOSA: That would have to go to the Town Board.

MS. MONTROSS: Then I suggest we go to the Town Board with that suggestion.

CHAIRMAN GUBITOSA: All right.

BOARD MEMBER JASLOW: One more.

MS. DICKSON: Hi, I'm Elle Dickson. We have a house in --

CHAIRMAN GUBITOSA: Wait. Can you just state your name and address?

MS. DICKSON: Elle Dickson, 54 Jackson Drive. And we first started coming up to Stony Point, I want to say in 2007, perhaps, because we had a boat that we put at that marina. I subsequently bought the house you

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Proceedings

can see from the marina, which sits right on the north end.

I'm a little confused how this is, and I believe this is being looked at as of right project, which is where all these machinations of the X number of units per land, whatever. So there might be some debatable statistics on that. I can't fathom how this number of units can fit on that land.

We lived through Sandy in that house with boats at that marina and down the marina. That completely flooded. Nobody has brought up at the entire north end, there are wetlands. So I'd like to know how much of this land that they're contributing to this -- and I mean literally, if this is the water, the wetlands are, like, right here.

#37

I mean, I can reiterate what everybody said as far as, you know, the water, the sewer, the road, the access. I would add to that, are all of those units going to have, like, air top central air conditioning systems, that everybody lives that lives

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Proceedings

above them can listen 24/7, seven days a week?

What about, I forget how many cars, is it a 500-car, what's the maximum oil tanks, if you've seen the black ones that rest right above the railroad tracks there. So that's an interesting thing to have sitting among 15, 2,000 people that might be trapped in their units. And I just, I just can't imagine.

Height was a huge factor, I think, when this was first proposed. So Wayne actually hung flags to show that none of the height would go above that. So although there may be some plusses, certainly, of having parking underneath the buildings, are they then making four stories, five stories, plus mechanicals, which is six stories, so everybody who lives up there on Lincoln Oval, bye-bye, nice to see the back of a building.

And I just, like I said, it's -- I just, I can't even imagine how that many units fits there as of right on this waterfront. And it is a very precious thing. And as far as the

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Proceedings

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eagles, great to hear that some are nesting there. But I can tell from years in the winter, we've counted over 21 bald eagles on that point and coming on ice floes in that bay there.

And I just, like I said, I just think it's too much. I'm not against development. I think the Town could use a tax base. And I would say I would be a thousand percent against any of the BS, let's give the developer five years of free tax abatements because blah blah blah blah blah, you know, or whatever, we're going to fix the road for them, or the sewers, or whatever. So I just, I can't say, regardless of the design element of that, how that could possibly be the best use of the most precious property, probably, in Stony Point.

MS. FILGUERAS: One more thing, Tom, please. History.

CHAIRMAN GUBITOSA: One more.

MS. FILGUERAS: I tried to keep it short. Susan Filgueras, 87 Mott Farm Road. I want to address the project as the

1 Proceedings

2 president of the Stony Point Historical
3 Society.

4 This particular area was home to some of
5 the brickyards that we did, in fact, have
6 within the Town of Stony Point. This whole
7 swath of land where Mr. Beckerle's house is
8 built was called the Allison Brick
9 Storefronts. The Allisons owned the
10 property. That's where they put their
11 tenement housing. That's where they had
12 their storefronts for the men that worked in
13 the brickyards.

14 We also had another very historic site
15 there. It was called the Reed and Riley ship
16 building. So they built many of the ships,
17 or many ships in this general area. The
18 Penny Bridge, which we all recognize as down
19 the road by Ba-Mar, the Penny Bridge has
20 actually been in three or four different
21 locations, depending on what century you're
22 in. It slides a little bit. King's Highway
23 slides just a wee bit.

24 That entire area from the revolution --
25 oh, the most historic thing, that was the

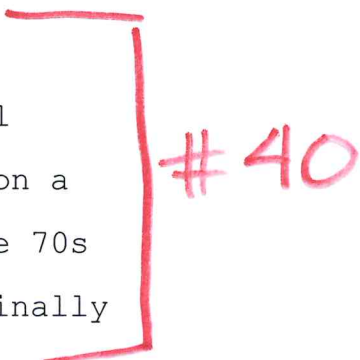
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Proceedings

third leg of the Battle of Stony Point.
That's where the third leg came up and took
over the lighthouse. The history there is
significant. It's important. And the review
will have to be precise.

The other thing, and this was from a
letter that we had received, there needs to
be extensive mooring tests. Since the 1960s,
the bottoms of boats have been scraped of
bottom paint. This toxic bottom paint has
mixed with the soil for decades. It's a low
tide area. The process is now in the legal
practice.

The area on the north end of the
proposed development where the old total
paper warehouse used to stand is built on a
landfill site which was filled in in the 70s
or 80s. The whole entire area was originally
wetlands.

A red bracket is drawn on the right side of the page, spanning from line 15 to line 20. To the right of the bracket, the number "#40" is handwritten in red ink.

So not only is it historic, I believe
the dump area might be encroaching to the
northwest. There's fill, there's brickyards,
there's our boatyards. There was the third
and most important leg of the Battle of the

1 Proceedings

2 Revolution.

3 We need time. And I'm going to just
4 plead to extend the public comments series.
5 Thank you.

6 CHAIRMAN GUBITOSA: Thank you.

7 MS. DICKSON: Can I add two more quick
8 things very quickly?

9 CHAIRMAN GUBITOSA: Is it on the
10 scoping?

11 MS. DICKSON: Yes.

12 CHAIRMAN GUBITOSA: All right.

13 MS. DICKSON: Okay. Adding, just adding
14 to what she said, I will say, and I know it
15 because I called the DEC after Sandy, it was
16 very cute how the marina would take their
17 trucks and things, and literally push boats
18 and God knows what else into that wetlands
19 area. So I totally agree that whole land
20 should be looked at.

21 And then lastly, just to commend, I
22 don't know your name, was it Bill? But I
23 have to say, I seriously hope that this
24 Planning Board takes a microscope to this
25 project. And if you do anywhere near as

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Proceedings

careful look as you read out on a 3,000 square foot replacement of the Minisceongo Yacht Club on this, which is over a 50,000 plus unit development, I think we can all be safe that this won't happen in our lifetime.

CHAIRMAN GUBITOSA: Thank you. Any other comments? Dave? Wait, hang on one second.

Dave, I want to -- can we keep just the written comments open until the 23rd? Because then we'd like to do, we'd like to do the written comments up until the 23rd.

MS. MELE: Sure.

CHAIRMAN GUBITOSA: Yeah. Yeah, because then we can have the final scoping by September 27, so there's a lot of comments.

MS. MELE: 23rd and 27th.

CHAIRMAN GUBITOSA: Yeah.

MS. MELE: Fine.

CHAIRMAN GUBITOSA: You had one more comment, Mr. Scenic?

MR. ANZEVINO: Oh. I promise to be very positive.

CHAIRMAN GUBITOSA: All right.

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Proceedings

MR. ANZEVINO: Jeff Anzevino again.

Mr. Chairman, I go to Planning Board meetings up and down the Hudson River, and I testify at many public hearings, and I appreciate that the way that you've conducted this, that you've allowed people to speak their mind.

Many meetings, there's a three-minute cut off. I work really hard to develop my comments, as other people do. And it's frustrating sometimes to come here and have to speak a mile a minute to get them all out. So I really appreciate that I could slowly and articulately read my comments. And just thank you very much for the way you've conducted this.

CHAIRMAN GUBITOSA: All right. So what I'm going to do tonight is we're just going to close this portion of the public scoping. But we're going to keep the written comments open until August 23rd. So if that's okay, if there's no other comments.

MS. MONTROSS: Does that mean we can't come and ask more questions publicly?

CHAIRMAN GUBITOSA: What was that?

1 Proceedings

2 MS. MONTROSS: Does that mean we can't
3 ask any more questions publicly at the next
4 meeting?

5 CHAIRMAN GUBITOSA: Well, at the next
6 meeting, there's going to be for the -- once
7 we get to the project, there's going to be
8 more public hearings.

9 MS. MONTROSS: Within the scope itself.

10 CHAIRMAN GUBITOSA: There's going to be
11 the written comments until the 23rd. That's
12 the next Planning Board meeting.

13 MR. POTANOVIC: Can I ask a quick?

14 CHAIRMAN GUBITOSA: Go ahead, George,
15 real fast.

16 MR. POTANOVIC: One of the things I
17 didn't ask, I was wondering if any of the
18 interested agencies had replied in the
19 timeframe that we had. It was a very tight
20 timeframe, and a lot of people are on
21 vacation right now. So you have some
22 interested agencies including the
23 Rockland County Department of Planning, and I
24 believe the Highway Department. I don't know
25 if they've had time to respond, but it would

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Proceedings

be nice for the public to be able to hear their comments and see what concerns they have expressed as part of the scoping public hearing. Thank you.

CHAIRMAN GUBITOSA: Thank you, George.

PUBLIC SPEAKER: Excuse me, what's the date again?

PUBLIC SPEAKER: 23rd.

PUBLIC SPEAKER: Thank you.

BOARD MEMBER KRAESE: While they're looking at some paperwork, I just want to remind everyone, we thank you all for coming. The Planning Board appreciates everyone participating. But this is just the beginning. So don't get nervous when they say some things you don't understand. This is just the beginning. In the future, there will be more, like the Chairman said, there will be more public hearings.

CHAIRMAN GUBITOSA: Yeah, I know the Rockland County, we just got something back from the Health Department. But all the agencies are still, they're going to have until the 23rd to respond to it. If we get

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Proceedings

anything, we'll let you know.

But for tonight, we'll just -- I mean, if we have to, we'll reopen. But we'll close this session of the public hearing just for the scoping. And then comments until the 23rd. And if something comes up before then, you know, once you send the comments, they're all going to be in the scoping. And then, like Gene said, as the project moves forward, there's going to be more questions. There's going to be more public hearings.

So can I get a motion to close this session?

BOARD MEMBER JASLOW: I'll make that motion.

CHAIRMAN GUBITOSA: I need a second.

BOARD MEMBER FERGUSON: Second.

CHAIRMAN GUBITOSA: All in favor?

(Response of aye was given.)

CHAIRMAN GUBITOSA: All right, so. All right, I need a motion.

BOARD MEMBER KRAESE: Just give us one minute.

CHAIRMAN GUBITOSA: I just need a motion

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Proceedings
to extend the written comments to
August 23rd.

BOARD MEMBER JASLOW: I make the motion.

BOARD MEMBER KRAESE: Second.

CHAIRMAN GUBITOSA: All in favor?.

(Response of aye was given.)

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Proceedings

THE FOREGOING IS CERTIFIED to be a true
and correct transcription of the original
stenographic minutes to the best of my ability.



Jennifer L. Johnson

