

1 STATE OF NEW YORK : COUNTY OF ROCKLAND

2 TOWN OF STONY POINT : PLANNING BOARD

3 - - - - - X

TOWN BOARD REFERRAL - Text Amendment

4 Zone Code Chapter 215 Article XIII

Section 92.3(D)

5 - - - - - X

Town of Stony Point

6 RHO Building

5 Clubhouse Lane

7 Stony Point, New York

June 28, 2018

8 7:44 p.m.

9 BEFORE:

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EUGENE KRAESE, ACTING CHAIRMAN

11 MICHAEL FERGUSON, BOARD MEMBER

PAUL JOACHIM, BOARD MEMBER

12 JERRY ROGERS, BOARD MEMBER

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16 ROCKLAND & ORANGE REPORTING

2 Congers Road

17 New City, New York 10956

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1 Proceedings

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3 CHAIRMAN KRAESE: Next on the agenda is,
4 the Town Board referred on May 9th on our
5 opinion on the text amendment zone code
6 change Chapter 215. Which -- all right.

7 MS. MELE: Is the Board ready?

8 CHAIRMAN KRAESE: Yes.

9 MS. MELE: Okay. Good evening. Amy
10 Mele, 4 Laurel Road, New City, New York, here
11 again on behalf of Eagle Bay, the applicant.
12 As stated on your agenda, the Town Board
13 referred this matter to you for your
14 recommendation on our petition to amend your
15 zoning code to allow for one boat slip per
16 three units as opposed to one boat unit per
17 unit, which is what the planned waterfront
18 district currently calls for.

19 We explained to the Town Board our
20 reasoning. You know, to be quite honest, the
21 original applicant was a marina owner who
22 wanted to build housing. And the current
23 applicant is a housing developer who is happy
24 to provide some marina space. But 290 slips,
25 we were finding it difficult to fit them onto

1 Proceedings

2 the site, thus the boatel concept, and a
3 bunch of different iterations.

4 And after sort of reviewing it for a
5 while, at the suggestion of actually one of
6 your staff, we thought, you know, why not
7 seek a text amendment to allow us to do one
8 boat slip per three units. And that just
9 seems like a much more reasonable, manageable
10 number. I think it still provides a lot of
11 boat slips. It requires much less work in
12 the water.

13 And I'd just like to point out a couple
14 of things. So we're here actually tonight to
15 see you in your capacity as the Planning
16 Board for your referral on a text amendment
17 to your zoning code, which is required under
18 your code, but also in your capacity as the
19 Waterfront Advisory Committee to ensure
20 compliance with your LWRP, Local Waterfront
21 Revitalization Plan.

22 I'd just like to point out one thing at
23 the outset, to just -- I noted that Scenic
24 Hudson commented on there. There's been some
25 other talk about how this text amendment may

1 Proceedings

2 be the back door to allowing more units.

3 That's just not true. That's not the case.

4 When you did your SEQRA review and you
5 enacted the planned waterfront district, you
6 set a maximum of 290 units. That is in your
7 code. That is what you did SEQRA on. No one
8 is getting more than 290 units. Not us, not
9 any other property owner in the district.

10 So as we stated, we originally came in
11 for 290. We're now down to 268, I believe.
12 But basically lowering the number of boat
13 slips required is not going to allow for an
14 increase in the number of units over 290. So
15 I wanted to make that clear.

16 So we have submitted a coastal
17 assessment form by Ms. Holmquist, who is here
18 tonight, for your review. And, you know, we
19 believe that this amendment will actually
20 have less impact on the environment, will
21 create a more sort of spacious community. It
22 frees up parking issues. It does all sorts
23 of things. And it doesn't prohibit us from
24 putting in more slips should there be a
25 demand. But at this point, we are showing

1 Proceedings

2 approximately 90 slips on the plan.

3 CHAIRMAN KRAESE: Any questions from the
4 Board? From the gentlemen?

5 MR. STACH: Just another clarification,
6 Mr. Chairman. I think Ms. Mele may be
7 incorrect in saying that 290 units is all
8 that can be built in the PW district. I
9 think she means on her site. And that's
10 based on the zoning requirement of ten units
11 per acre.

12 This particular text amendment will
13 affect the entire PW district, not just this
14 site. But it won't affect that requirement
15 that you must have ten -- I'm sorry, you must
16 have one acre of land per ten units of
17 dwelling units.

18 So I agree with her substantively that
19 the proposed amendment that you're
20 considering tonight will not impact the
21 number of units that can be built on this
22 site or any other site in the PW district. I
23 am objecting to the fact that I believe she
24 mistakenly said that 290 was the most that
25 anybody can build anywhere. That number is

1 Proceedings

2 based on the land area, so it's immutable.

3 You can't change the amount of land you have.

4 And you have only -- you're only able to do
5 ten units per acre.

6 CHAIRMAN KRAESE: Thank you for the
7 clarification again.

8 MS. MELE: Thank you, Mr. Stach, for
9 that clarification. I apologize if I
10 misstated the number.

11 CHAIRMAN KRAESE: Okay, thank you. All
12 these Planning Board Members got a copy of
13 this, so I'm going to read a statement.

14 The Town of Stony Point Planning Board
15 sitting as both Planning Board and the
16 Waterfront Advisory Committee has reviewed
17 the referred petition for a text amendment to
18 the Town's Zoning Local Law to allow one boat
19 slip per three dwelling units in the
20 Waterfront Mixed Use Development District and
21 recommend the adoption of same and believe
22 that the local law is consistent with the
23 adopted Town of Stony Point LWRP. In
24 reviewing different options for the Breakers
25 and now Eagle Bay waterfront development,

1 Proceedings

2 it's become clear the requested one slip for
3 three residential units is adequate to
4 maintain the maritime character of the Stony
5 Point waterfront, while avoiding potential
6 impacts from having a more intensive maritime
7 use directly adjacent to residential
8 development and more importantly, the Town's
9 future waterfront promenade.

10 Reducing the minimum requirement will
11 not prevent the applicant from seeking more
12 boat slips per unit, where the site and the
13 environmental conditions support doing so.
14 However, reducing the number of required boat
15 slips allows flexibility for the applicant
16 where good design or sensitive environmental
17 resources may dictate it.

18 Adoption of the local law will encourage
19 redevelopment of the waterfront for
20 residential use. While residential use is
21 not specifically contemplated in the LWRP for
22 this site, the LWRP does not preclude such
23 uses and the proposed action will serve the
24 LWRP recommendations to:

25 Provide incentive to private landowners

1 Proceedings

2 to establish a waterfront trail and increase
3 access to the river; allow water-enhanced
4 uses in addition to water-dependent uses to
5 locate along the shore; maintain the
6 viability of existing marina uses which
7 require land adjacent to the water; improve
8 the existing economic base of the community;
9 not significantly affect the views in an
10 insensitive manner; improve the potential for
11 uses on the site.

12 This is just the recommendation that we
13 as the Planning Board are sending to the
14 Town. Do we all agree at this point?

15 BOARD MEMBER JOACHIM: I agree.

16 CHAIRMAN KRAESE: I just want to make it
17 clear that the Planning Board is only making
18 the recommendation to the Town. The Town is
19 the lead agency. And they're the ones that
20 are going to be in charge of this in the
21 future.

22 So I need a motion to authorize this
23 letter.

24 BOARD MEMBER JOACHIM: I'll make that
25 motion.

1 Proceedings

2 BOARD MEMBER ROGERS: I'll second.

3 CHAIRMAN KRAESE: All in favor?

4 (Response of aye was given.)

5 CHAIRMAN KRAESE: Okay. All right, just
6 a note to put on the record that we also did
7 receive a letter from Scenic Hudson. And I
8 believe, George, you sent us a letter too,
9 right? But they both will be forwarded to
10 the Town Board for their review. Okay.

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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