

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

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IN THE MATTER  
OF  
PHILIPS & ARMSTRONG

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Town of Stony Point  
RHO Building  
5 Clubhouse Lane  
Stony Point, New York  
January 28, 2021  
8:05 p.m.  
(via Zoom)

BEFORE :

EUGENE KRAESE, ACTING CHAIRMAN  
KERRI ALESSI, BOARD MEMBER  
MICHAEL FERGUSON, BOARD MEMBER  
ERIC JASLOW, BOARD MEMBER  
MARK JOHNSON, BOARD MEMBER  
JERRY ROGERS, BOARD MEMBER

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CHAIRMAN KRAESE: Move on to the next applicant. Philips and Armstrong, minor subdivision located at the west side of Florus Crom Court. Do we any comments from any of the Board Members? We need a review, Steve, or should we just go right to open up the public hearing?

MR. HONAN: Is there an applicant here on behalf of the application?

MR. ZIGLER: Yes, there is.

MR. HONAN: Oh, okay.

MR. ZIGLER: Do you need a presentation?

MR. HONAN: I don't, but whatever the Chairman wishes.

CHAIRMAN KRAESE: No, no. It's up to you. We can go right into a public hearing.

MR. ZIGLER: I think the Board understands it. And I would just be happy to open the public hearing. And if there's questions, then we can go from there.

CHAIRMAN KRAESE: Okay. So I make a motion we open the public hearing.

BOARD MEMBER FERGUSON: I'll make that

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2 motion.

3 CHAIRMAN KRAESE: I'll second it. Okay.  
4 Any -- thank you, Michael. Any comments out  
5 there? Steve?

6 MR. HONAN: Let me check.

7 MS. FILGUERAS: Hello?

8 MR. HONAN: Erika Piscopiello had her  
9 hand raised, but I'm not sure if she's raised  
10 from the last application or this one.

11 MS. FILGUERAS: This is Susan. Can you  
12 hear me?

13 MR. HONAN: Yes, I can.

14 MS. FILGUERAS: I'm sorry, I can't find  
15 my hand button. I apologize.

16 MR. HONAN: Okay. Just state your name  
17 and your address, please, and then we'll  
18 proceed.

19 MS. FILGUERAS: Susan Filgueras, 87 Mott  
20 Farm Road, Tomkins Cove, New York. Could we  
21 post a map of this location? Is it possible  
22 to put a map so that people can see what it  
23 is you're speaking of?

24 MR. ZIGLER: Steve, could you open up  
25 the share screen and I could pop it up.

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2 MR. HONAN: Give me a second to open up  
3 sharing. Okay, Dave, you should be able to  
4 do it now.

5 MR. ZIGLER: I think I lost it.

6 MR. HONAN: You got it. It's up.

7 MR. ZIGLER: Oh, okay. So what we have  
8 here, Susan, is two people. As the title  
9 says, on one side is Philips, and on the  
10 other side is Armstrong. And if you have  
11 very good eyes, you can see that there's a  
12 dashed line along where I'm pointing to, in  
13 front of the house.

14 And at the time in the 90s, that met the  
15 code as far as lot width and lot frontage,  
16 because of the way the code was described.  
17 And since that time, the Planning Board has a  
18 right to make the frontage on a curve a  
19 smaller than the code.

20 So these two neighbors got together.  
21 And A, where my arrow is, is going to pick up  
22 this area. And B, which is where my arrow is  
23 now, he is going to pick up this area. So  
24 they're flip flopping areas, about the same  
25 size. And then the property line will follow

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2 more of the physical line of the property and  
3 the driveway, and it will not be in front of  
4 this house.

5 And that's the whole thing. There's no  
6 construction. It's just two neighbors  
7 getting together and moving the line. But  
8 because only the Planning Board can waive  
9 this, we had to have it -- it had to be  
10 called a subdivision. So if the Planning  
11 Board does accept this, they have to waive  
12 the lot frontage on the lot. And that's it.

13 MS. FILGUERAS: Thank you.

14 MR. ZIGLER: You're welcome.

15 MR. HONAN: Let's see. If you put that  
16 down, Dave, I'll see if anyone else has got  
17 their hands raised. Nice picture. I think  
18 you got to close that out, though.

19 MR. ZIGLER: We're working on it.

20 MR. HONAN: I'll stop the sharing.  
21 Maybe that will help. Hold on a second.

22 MR. ZIGLER: Maybe. I have the doctor  
23 coming in a minute.

24 MR. HONAN: Okay, there we go. Let me  
25 just, let me just see if anyone else has got

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2 their hand raised.

3 MR. ZIGLER: You got it down.

4 MR. HONAN: I did. I see no other  
5 people raising their hands.

6 CHAIRMAN KRAESE: All right. Being,  
7 does any Board Members have any questions  
8 regarding this application? Hearing none, I  
9 make a motion to close the public hearing.

10 BOARD MEMBER ALESSI: I'll second the  
11 motion.

12 CHAIRMAN KRAESE: Kerri seconds the  
13 motion. Thank you. I guess we're going to  
14 read a resolution at this point.

15 MR. HONAN: Yes. I have a proposed  
16 resolution prepared for the Board's  
17 consideration.

18 CHAIRMAN KRAESE: You're going to read  
19 it or you want me to read it?

20 MR. HONAN: No, I'll read it. I think  
21 it would go a little faster. It's only two  
22 pages, so it should take one, two --

23 CHAIRMAN KRAESE: You told me I read  
24 slow. Okay.

25 MR. HONAN: Resolution granting

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subdivision approval resulting in a lot line change for the project Philips and Armstrong.

Whereas, an application dated November 4, 2020, with a narrative dated November 4, 2020, and a short EAF dated November 3, 2020, have been submitted to the Planning Board of the Town of Stony Point seeking approval for a lot line change and the relocation of a common property line between two existing adjoining lots in a previously approved residential subdivision, the Philips lot consisting of 17,425 square feet, located at and commonly known as 3 Florus Crom Court, Stony Point, New York, and the Armstrong lot consisting of 24,205 square feet, located at and commonly known as 4 Florus Crom Court, Stony Point, New York, upon a submitted plan entitled Lot Line Change, consisting of one sheet, prepared by Atzl, Nasher and Zigler, P.C., dated August 6, 2020, and affecting premises designated as Section 20.07, Block 1, Lot 47 and Lot 48, respectively, on the tax map of the Town of Stony Point, County of Rockland,

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which parcels are located in the R-1 zoning district, also known as the subject premises, and it is intended that the lot line change will result in the Philips lot area of 18,922 square feet, and the Armstrong lot area of 22,708 square feet, and no construction or development is anticipated or proposed by the applicants; and

Whereas, an amended application for subdivision approval, dated December 14, 2020, and the above plan amended and last revised December 9, 2020, the subject application, was submitted seeking the same relief as stated above, along with the additional request that this Board exercise its discretion pursuant to Town Code Section 215-16B with respect to the Philips lot to approve a reduction in the required street frontage and lot width to 59 -- I'm sorry, to 56.9 feet and 79 feet, respectively; and

Whereas, by letter dated November 16, 2020, the Rockland County Highway Department indicated that based upon their review of the application pursuant to the New York State



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General Municipal Law, the proposed action is not expected to have a significant effect upon the County highway system; and

Whereas, by letters dated December 15, 2020, and January 11, 2021, the Rockland County Department of Planning indicated that based upon their review of the application pursuant to the GML, they recommended the following:

One, as required by the Rockland County Stream Control Act, the subdivision plan must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed;

Two, the bulk table must be amended to include the required and proposed development coverage and floor area ratio of the two parcels;

And Three, the site plan shall include map notes that list all appropriate information;

And Four, the deeds transferring the property must be promptly filed and recorded in the Rockland County Clerk's office to

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achieve the lot configuration indicated and  
to ensure the tax maps are properly updated;  
and

Whereas, the applicant has agreed to and  
accepted all of the comments made by the  
Rockland County Department of Planning and  
the revised plat/plan of December 9, 2020,  
incorporates all the changes requested by the  
County Planning letters; and

Whereas, pursuant to New York State  
Environmental Quality Review Act, this  
application constitutes a Type II action and  
accordingly, no further environmental review  
is required; and

Whereas, a duly noticed public hearing  
was conducted on this application on  
January 28, 2021, at 7:00 p.m., at which time  
the public hearing was opened, conducted, and  
closed; and

Whereas, the Board has visited the site  
and is familiar with the real property at  
issue and has considered the facts presented  
to it by the applicants and their engineer,  
and in consideration of the unique

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circumstances presented herein, this Board, on this subdivision application, is disposed to exercise its discretion pursuant to Town Code Section 215-16B and to approve a reduction in the required street frontage to 56.9 feet and a reduction of lot width to 79 feet with respect to the Philips lot; and

Now, therefore, be it resolved that the subject application and plat submitted for approval concerning the subject premises be and hereby is approved, and the Chairman is hereby authorized to sign same and to permit same to be filed in the office of the Rockland County Clerk as a subdivision plat pursuant to the requirements of the Town of Stony Point Code Section 191-15, upon compliance with all provisions of the Town code and payment of any of all outstanding fees to the Town, and conditioned on the following:

One, the deed transferring, the deeds transferring the property must be promptly filed and recorded in the Rockland County Clerk's office;

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2 And the Philips deed shall note the  
3 sewer easement now located upon the Philips  
4 lot.

5 That concludes the reading of the  
6 proposed resolution, Mr. Chairman.

7 CHAIRMAN KRAESE: Can I have a motion to  
8 approve the resolution for a lot line change?

9 BOARD MEMBER ROGERS: I'll make that,  
10 I'll make that motion.

11 CHAIRMAN KRAESE: Jerry made the motion.

12 BOARD MEMBER JASLOW: I'll second the  
13 motion.

14 CHAIRMAN KRAESE: Eric, second the  
15 motion. Mary, would you please call the  
16 roll?

17 THE CLERK: Mr. Kraese?

18 CHAIRMAN KRAESE: Yes.

19 THE CLERK: Mr. Jaslow?

20 BOARD MEMBER JASLOW: Yes.

21 THE CLERK: Mr. Johnson?

22 BOARD MEMBER JOHNSON: Yes.

23 THE CLERK: Mrs. Alessi?

24 BOARD MEMBER ALESSI: Yes.

25 THE CLERK: Mr. Rogers?

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BOARD MEMBER ROGERS: Yes.

THE CLERK: Mr. Ferguson?

BOARD MEMBER FERGUSON: Yes.

THE CLERK: Okay.

CHAIRMAN KRAESE: Thank you.

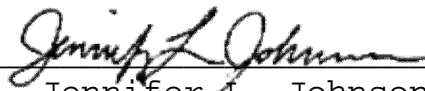
(Time noted: 8:17 p.m.)

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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

