

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
May 27, 2021
7:10 p.m.
(via Zoom)

BEFORE :

EUGENE KRAESE, ACTING CHAIRMAN
KERRI ALESSI, BOARD MEMBER
ERIC JASLOW, BOARD MEMBER
MARK JOHNSON, BOARD MEMBER

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

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CHAIRMAN KRAESE: Let's move on. Let's move on to Eagle Bay. Thank you for coming. Okay, let me -- it's a new one for me. Give me a second on this one.

We have a public hearing. Do we have any input from the, any Planning Board Members before we open the public? Wait a minute. Maybe Amy, would you like to say something? Or Dave?

MS. MELE: No, thank you, Mr. Chairman. I'll save my comments until after the public has spoken. Thank you.

CHAIRMAN KRAESE: Okay. Dave, anything?

MR. ZIGLER: No. No, thank you.

CHAIRMAN KRAESE: You're welcome. Any Planning Board Members have anything to say at this point before we open the public hearing?

BOARD MEMBER JOHNSON: I don't have anything right now.

CHAIRMAN KRAESE: Okay.

BOARD MEMBER JASLOW: None.

CHAIRMAN KRAESE: Well, let's open the

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2 public hearing. Steve, we got anybody out
3 there? Steve?

4 MR. HONAN: Yes, I'm -- let me just
5 check.

6 THE CLERK: Steve, make sure they know
7 how to raise their hand.

8 MR. HONAN: Yeah, let's -- anyone
9 wishing to speak tonight, in order to, to be
10 heard, just raise your hand electronically
11 and we'll recognize you. I have three
12 persons right now who have raised hands.
13 Mr. Chairman, would you like me to recognize
14 one of them and --

15 CHAIRMAN KRAESE: Yes.

16 MR. HONAN: Okay. As I recognize the
17 people, please state your name and your
18 address, and then thereafter, give, give your
19 comments. The first person I'm going to
20 recognize --

21 CHAIRMAN KRAESE: Hold on, Steve.
22 Steve, one second before we start.

23 MR. HONAN: Yes.

24 CHAIRMAN KRAESE: We've been holding to
25 the three minute time allotment on these

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2 comments. I'm not -- personally, I'm not a
3 fan of that. But we're going to adhere to
4 the three minutes. We see how this goes.
5 And if they do, cannot complete their
6 sentencing or information they require, if
7 there's time at the end, we'll readdress
8 those applicants, those comments, those
9 individuals.

10 MR. HONAN: And also, members of the
11 public can submit written comments to the
12 Board if the Planning Board decides to keep
13 this public hearing open.

14 CHAIRMAN KRAESE: Yes. At all times
15 while it's open, comments can be submitted.
16 We just got one today at 3:30 in the
17 afternoon. And I unfortunately didn't have
18 the time to read it. But we'll deal with
19 that later.

20 MR. HONAN: Okay. So the first person
21 I'll recognize, Mr. Chairman, is Kane
22 McGrath. Kane McGrath, can you, can you hear
23 us?

24 MR. McGRATH: I can, I can hear you.

25 MR. HONAN: Okay. So just state your

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2 name and address for the record, please, and
3 then make your comments.

4 MR. McGRATH: I don't know if I can be
5 seen or not, but.

6 CHAIRMAN KRAESE: I can't see him.

7 MR. McGRATH: All right.

8 MR. HONAN: Let me see if I can --

9 MR. McGRATH: No. The Zoom screen is
10 different than it usually is.

11 MR. HONAN: Yeah. We're on a webinar
12 right now. So the best I can do for you is
13 to allow you to speak.

14 MR. McGRATH: That's fine. My name's
15 Kane McGrath. I live at 69 Buckberg Road in
16 Tomkins Cove. And I just wanted to go on
17 record that I'm opposed to this development
18 for many reasons.

19 One of the reasons, you know, that we
20 initially moved to this area over ten years
21 ago was because of the, that it was a small
22 town, and it was minimal traffic here. You
23 know, we were trying to get away from that.
24 And what's happening with this, it's going to
25 bring traffic to this area that's going to

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2 be -- it's going to completely change this,
3 this community.

4 Today, I went down 9W, just taking the
5 kids to school, and I had to wait for two
6 lights at the intersection of West Main and
7 9W. Again, later in the day, two lights that
8 I had at a different location. Everyone
9 knows what it's like when you travel down 9W
10 to West Haverstraw. How many times do you
11 have to wait for that light if you're coming
12 off of West Railroad? The whole area, it's
13 going to be over 260 cars a day that are
14 going to be traveling and trying to merge
15 onto 9W there. It's, it's going to be, it's
16 going to be a disaster.

17 There were some other things that I've
18 noticed that just recently came to my
19 attention because of a memo that I saw. Some
20 basic things like, something that the pier
21 was an eight-foot pier, and they're narrowing
22 it down to a four-foot pier. That's
23 something that's barely handicapped
24 accessible, let alone having to, you know,
25 heaven forbid there's another Covid type of

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2 thing. You can't even be six feet apart on a
3 pier like that.

4 There's a lot of things that I, that I
5 really don't like. And first was the
6 traffic. Another is the, the infrastructure
7 for the area. Not even getting into, like,
8 the tunnel and the railroad. But, like, the
9 sewer system, that's, that's going to be
10 overtaxed. They seem to think that it's
11 going to be okay the way it is. I, I just
12 don't see that.

13 I don't know how much time I have. But
14 I'll, I'll give in there. Thank you.

15 CHAIRMAN KRAESE: Thank you, sir.

16 MR. HONAN: Thank you, sir. The next
17 person up is Kevin.

18 MR. MAHER: Am I on?

19 MR. HONAN: Yes, you are.

20 MR. MAHER: Okay. Kevin Maher, 130
21 Central Highway. I've already sent in
22 numerous written comments about this project.
23 Most recently, I did my own inspection of the
24 Hunter Place overpass. And as a structural
25 engineer, I'm very concerned about the

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2 condition of that overpass.

3 I don't understand why some kind of a --
4 you were using an auger, that some depth
5 wasn't drilled to see where the footing is
6 for that overpass. My experience with those
7 kinds of bridges of that style, it's a
8 continuous footing underneath. So if you
9 need to, if you're thinking of dropping down
10 three and a half feet, and also digging down
11 to do a water main, I got a funny feeling
12 you're going to be plowing right through that
13 footing.

14 And it's disturbing that CSX won't say
15 anything until this Board takes an action on
16 the application. I think somebody
17 representing the Town of Stony Point should
18 grow a pair and send a letter to CSX
19 demanding that they turn over whatever kind
20 of information they've got on that bridge and
21 make it public.

22 Because right now, my professional
23 opinion of my 39 years of being an engineer,
24 you start digging underneath that thing,
25 you're asking for trouble. And when a train

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2 derails, not only is CSX going to get blamed,
3 but so is the Planning Board and every member
4 who agreed to it. I'll leave it at that for
5 now.

6 CHAIRMAN KRAESE: All right. Thank you,
7 Kevin.

8 MR. MAHER: You're welcome.

9 MR. HONAN: Okay. The next person up is
10 George Potanovic. One moment, please.

11 MR. POTANOVIC: Can you hear me?

12 MR. HONAN: Yes, we can hear you now.

13 MR. POTANOVIC: Thank you. I did send
14 you a letter and a report that I prepared for
15 you to read. And it's the result of many
16 months, and these past couple of years of
17 attending meetings and requesting copies of
18 documents. And one of the things that I
19 think that the Board needs to consider is
20 that this project puts a tremendous strain,
21 as people have mentioned, on the sewer
22 system, on the traffic, even though this
23 traffic report claims that a signal is not
24 needed.

25 What I'd like to ask is was the, did the

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applicant actually do a new traffic report?
Did they do it during 2020 when we were in
Covid? Or did they take the traffic report
from the Breakers, the prior project, and use
that?

The issue about the CSX and the fact
that we won't know the answer about whether
CSX is even going to let us build, or whether
it's possible to dig down, as Kevin Maher
mentioned, two and a half to three feet to
allow for height coming under that underpass
is an important thing because that's your
emergency access.

The other thing is that the Town really
hasn't looked at the sewer system. You know,
we've said that the applicant is going to put
money, \$40,000 towards the study, and that
they're negotiating with the Town. Has there
been some, do we know what the negotiation
is? What is the applicant going to do to
make sure the sewer system can handle the
capacity for this, for this project?

We know that Beach Road, the County
Highway Department is not going to fix that

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road. We know that road can flood with water three feet high. And many times, not just during special storms, but on a regular basis. And God forbid there was an emergency on this property, and that road was flooded, and we didn't have access through this underpass at CSX.

There's a number of issues. And I think some of you agree. There's number of issues that really have not been addressed. This is a much too dense a project for this area. You know, we're all for economic development along our waterfront. But this is a tremendous project to put in an area where we don't have good access.

The issue with the Stony Point Battlefield is being under review now with the Section 106. SPACE is participating in that with the Army Corps of Engineers. There's information and materials I sent you today.

The applicant never did a true simulation from the battlefield's point of view. All of the drawings and things that

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you've been showing at these meetings have been from the south looking north. We need to have the applicant make a simulation of what this view is going to look like of this project from the Stony Point Battlefield, from the kayak area along the beach at a beach level, at a water level. Not at the height of the peninsula because that minimizes the size of this project. So I think that's something you should require the applicant to do so you have the information, also, that -- I don't think that that elevation was ever done. The ones that are in the DEIS are inadequate.

So there's a number of -- you can read when I sent you. But I think the most important thing to remember is that you, as Planning Board Members, really have the future of our waterfront in your hands. You're going to set the tone for what we're going to build along our waterfront. Do you think this project is going to be a benefit for the Town of Stony Point?

There's even a question now on whether

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the applicant can deliver on the fishing pier that it's promised, this big amenity. And we only found out about that it seems in the last few months. And this is something that's been in the project now for quite some time. And all of a sudden now, we can't deliver on that. And that's a major amenity for the town. So what kind of benefits are we getting from this project?

So I think it's important for you to consider that you're setting the tone for what we're going to have. Do we want to see another one of these built? Because the zoning, as it stands right now, would allow for it.

I don't think that the Building Inspector was correct in using this, the local law that allows 50 percent of the underwater. You have a hundred more units in this project beyond what the Town Board had approved when it did the zoning of this project at ten units per acre. They're counting another hundred acres -- they're counting another 20 units under, underwater.

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2 Which, the 20 acres underwater yields
3 another, another hundred units.

4 So it's not sustainable to do that. And
5 to apply a law that was meant to apply to
6 ponds and streams, freshwater ponds and
7 streams inland, where the impact would be
8 minimal, to apply that to the Hudson River
9 has a very large impact.

10 So these are all things I think you need
11 to consider. I know you're trying to limit
12 everyone's time, and I appreciate your giving
13 me the time to speak, Gene. I -- you know,
14 I'm concerned about this. I know all the
15 Board Members, all the Board Members that
16 have spoken, many of them are. But I think
17 we have to --

18 CHAIRMAN KRAESE: George, I'm letting
19 you go over a little bit.

20 MR. POTANOVIC: I appreciate it.

21 CHAIRMAN KRAESE: But let me just say
22 this.

23 MR. POTANOVIC: Yeah.

24 CHAIRMAN KRAESE: I really -- and I know
25 the rest of the Board is with me, too. I

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appreciate what you said, what Kevin said, and what Kane McGrath said. But a lot of things that the both, the last two of you said of issues that have been brought up numerous times, and we are definitely aware of all these issues. Yes, they've not been straightened out yet, so.

MR. POTANOVIC: Right.

CHAIRMAN KRAESE: If you have something new.

MR. POTANOVIC: That was the -- I understand, Gene. That was the point. I just want to -- I'm putting a summary document together. I know that you've been discussing these before. But I wanted to put it all together in one place. This is information that I've been collecting for quite some time. So I wanted to have it all in one place.

You know what the issues are. I wanted to put them on the table. You're at the end of the process right now. You've got to make a decision about this project, and I know that, on the site plan. And I think there's

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2 a lot of underlying issues that are very
3 serious and should be addressed before you
4 proceed with any, any types of approvals.

5 Thank you.

6 CHAIRMAN KRAESE: They'll be addressed.

7 Thank you.

8 MR. POTANOVIC: I appreciate your time.

9 CHAIRMAN KRAESE: Thank you, Kevin. And
10 thank you, Mr. McGrath. John, Steve, we have
11 anybody else?

12 MR. HONAN: Yes, we do, Mr. Chairman.

13 We have --

14 CHAIRMAN KRAESE: I like the name.

15 MR. HONAN: Should I call you the Grand
16 Poobah? The next speaker will be with the
17 email address J Jessie. J Jessie, can you
18 hear us?

19 MS. DECRESCENZO: I can hear you. Can
20 you hear me?

21 MR. HONAN: Yes. If you would please
22 just state your name and your address, and
23 then make your comments to the Board, please.

24 MS. DECRESCENZO: Yes. Thank you so
25 much for this opportunity. My name is

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Jocelyn Decrescenzo. I live at 116 Sierra Vista Lane, Valley Cottage, New York. And I'm also speaking for my twin sister, Jacquelyn Drechsler, who also lives at 116 Sierra Vista Lane, Valley Cottage, New York.

So I actually was listening to all the comments. And I totally agree with what Kane McGrath has talked about. I totally agree with what Kevin Maher has talked about. And the fact that he's a structural engineer who has worked for 39 years in the field carries a lot of weight with me.

And the fact that he's this concerned about the overpass and the tunnel, and how it's possibly not even capable of even doing what's being proposed is cause for great concern, that I feel, just because he has this concern. It's very important that you listen to members of the community who have incredible knowledge of how things actually work, and give them the respect that's due to them as well. I listened to George Potanovic and agree with everything he has talked

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2 about.

3 I am totally opposed to this for all of
4 the reasons that everybody has said so far,
5 as is my sister Jackie Drechsler. I think
6 you have a huge responsibility that you hold
7 in your hands right now for trying to decide
8 where and how Stony Point is going to end up
9 being. What is it going to look like in the
10 future?

11 You know, my father, my father moved our
12 family to Palisades, New York, in 1958, where
13 I grew up. And he'd come home from working
14 in the city. And I remember even as a
15 teenager him saying oh my God, I just, I love
16 the commute home because I know I'm coming
17 back to Rockland County. I'm doing the rat
18 race thing in the city, but I love the
19 commute home because I'm coming back home to
20 Rockland County where it's beautiful and
21 green and serene, and there's the river, and
22 the environmental quality of life is just
23 absolutely, astonishingly beautiful.

24 And I think that the people who are the
25 applicants in this case are totally ignoring

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that. And they're ignoring the nature of this community. And it only serves them well. I don't really see how anything that they're proposing is actually going to serve Stony Point well in the future, now. And I think you're setting a really, really, really dangerous precedent for other projects of this nature. You know, if we chip away at Rockland County bit by bit by bit, and then eventually it's no longer Rockland County. It's just a strip mall with a lot of apartment buildings.

So I think you have to think about what the people of this community want. Not what the developer wants because, you know, when this project is done, they're going to walk away from it. And the Town of Stony Point is going to be left with it, and left with everything, the wreckage that that's going to create.

So are you setting the town up for some sort of, like, disaster? And especially, I'm thinking about CSX with the bomb trains. And the danger that that poses is so

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extraordinary, to even think of putting anything where people can live there is, it's a supreme stupidity, as far as I'm concerned. And I'm sorry to say that. I think it's extremely dangerous. And there's no ingress or egress in the case of an emergency. And with CSX there, and they're running to actually do another, another rail line, from what I understand. So just think about that.

And I think you really have to take to heart what the people of the community are saying to you. You're the people that are going to be making the decision. And you're the people that are going to be living with that decision. And hopefully, you'll make a great decision. So thank you very much.

CHAIRMAN KRAESE: Thank you very much for your comments. Steve, anybody else?

MR. HONAN: Yes, Mr. Chairman. The next person up is Breda Beckerle.

CHAIRMAN KRAESE: Is that Breda or Brenda?

MR. HONAN: Breda.

CHAIRMAN KRAESE: Okay.

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2 MR. HONAN: Mrs. Beckerle, can you, can
3 you hear us? Breda Beckerle, can you hear
4 us?

5 MS. MELE: Mr. Honan, I think there are
6 some still former speakers who have their
7 mics on. I don't know if there's a
8 limitation.

9 MS. DECRESCENZO: Let me turn that off.
10 I don't know --

11 MR. HONAN: Yes. I wasn't aware that
12 they had their mics on.

13 CHAIRMAN KRAESE: Looks like it's off
14 now, Steve.

15 MR. HONAN: Yeah. Breda Beckerle, can
16 you hear us? She's, she had indicated that
17 she wanted to speak, and she appears to be
18 the last speaker.

19 CHAIRMAN KRAESE: Okay. Let's move on,
20 and see if she can reconnect as we're having
21 our conversation and we'll --

22 MR. STACH: Steve?

23 MR. HONAN: Yes.

24 MR. STACH: Did you, did you do the
25 allow her to speak button?

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2 MR. HONAN: I did.

3 MR. STACH: So if you, if you deactivate
4 that, and then you promote her to a panelist,
5 that might do it.

6 MR. HONAN: All right. Let me, let me
7 try promoting her to a panelist and see if
8 that helps. Breda Beckerle? If you can --
9 one second. Let me just see if I have a --

10 CHAIRMAN KRAESE: Looks like here, to
11 me, she's online, but.

12 MR. STACH: Yeah. She's, she's muted.

13 MR. HONAN: Breda Beckerle, are you
14 there?

15 THE CLERK: Mark is trying to say
16 something.

17 BOARD MEMBER JOHNSON: I, I have her
18 number handy.

19 THE CLERK: Oh. Okay.

20 CHAIRMAN KRAESE: Okay, Steve. What --

21 MR. HONAN: Well, I guess, I guess
22 that's it. Let me just see if I, any other
23 attendees have raised their hands in the
24 meantime. She appears to be the last
25 speaker, so.

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2 CHAIRMAN KRAESE: As I said, let's,
3 let's continue. If somehow she can jump on,
4 we'll --

5 MR. STACH: Stephen Beckerle just raised
6 his hand. Maybe.

7 MR. HONAN: I'm sorry?

8 MR. STACH: And Breda is connecting to
9 audio, it says.

10 MR. HONAN: Yeah. I don't see -- if she
11 lost the connection, she'll probably rejoin
12 us as an attendee, though. Perhaps.

13 MR. STACH: Stephen Beckerle has his
14 hand up in the attendee list.

15 CHAIRMAN KRAESE: I got Jessie back on
16 there. I don't know if she's off.

17 MR. HONAN: I don't see Stephen
18 Beckerle. Yes. Let me add Stephen Beckerle.
19 I'll allow him to talk. Stephen Beckerle,
20 can you hear us?

21 MR. BECKERLE: Yes, I can hear you. Can
22 you hear me?

23 MR. HONAN: Yes, we can hear you now.

24 MR. BECKERLE: Yeah, sorry about all
25 that. It's my fault. This is Stephen

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2 Beckerle. I reside at 49 Beach Road,
3 Stony Point, New York.

4 MR. HONAN: Very good.

5 MR. BECKERLE: I have to make you all
6 laugh. You ready? Why can't you trust, why
7 can't you trust an atom? Because they make
8 up everything. Get it? Atom makes up
9 everything.

10 My name isn't Adam. My name is Steve,
11 so you can trust me. We're on the site plan
12 now. So we've talked a lot about the EIS and
13 the DEIS before that. And you guys have done
14 a tremendous amount of work on all the
15 details, and I appreciate all you do for the
16 community. But I think everybody's crying
17 over spilled milk because you signed your
18 names to those documents. You've approved
19 all those documents. So unless we sue you,
20 we better move along.

21 So we're on the site plan now. So just
22 two points I would like to make. I don't
23 know if they've been brought up or not. But
24 just to try to improve this project a little
25 bit.

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2 One is, you know, the controversial
3 Hunter Place underpass. And it has to be
4 raised or lowered two and a half feet. And
5 in that underpass is three right-of-way
6 easements. Water line, sewer line, and ATT
7 communications cables, as you all know. And
8 those probably will have to be improved. But
9 that's neither here nor there. What is
10 important is that it is maintained water
11 free. And I think, I think that is -- I
12 mean, you can check my elevations out, but I
13 think that's going to be below sea level by
14 the time you go down to two and a half feet.

15 So I would put in that site plan the
16 requirements for 24/7 backup generator pumps
17 because you're going to have a real problem
18 if you start filling those, that hole up with
19 water. And if you lose power in an
20 emergency, that's likely to happen. So you
21 really have to put on that site plan some
22 requirement that the applicant will have to
23 provide 24/7 emergency backup pumping
24 generator facilities. And that's just got to
25 be, that's got to be.

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2 And also, I'm sure there's a bond.
3 There's major league implications for failure
4 of those, any of those three lines. So the
5 applicant should be responsible -- and I'm
6 sure you've done this already -- for a bond
7 of some sort with catastrophic money figures
8 and insurance, the whole bit. So I'm sure
9 that's all covered. So that was one point.
10 So the Hunter, Hunter Place problematic story
11 hopefully will take care of that.

12 And then the other thing is -- and I'm
13 sure you've thought about this, too -- but
14 this project is occupied by the Stony Point
15 Marina. Now, Stony Point Marina, right. So
16 the Stony Point Marina is one of several
17 active marinas along the Hudson, Stony Point
18 project site. It's going to be the first one
19 converted to this PW, protected waterfront.
20 And in the protected waterfront code, town
21 code S 215-89, the waterfront mixed use
22 development must incorporate a marina,
23 meeting requirements as detailed now in the
24 town code.

25 Now, that could be interpreted as you

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2 need, you know, you can have a promenade or a
3 fishing pier. You don't really need an
4 active marina. But you guys have to be aware
5 that this is not a marina. They're saying
6 that this is not a marina, will not be a
7 marina. Any in access will be from the local
8 marinas, other marinas.

9 The project site currently operates as a
10 marina. It's stated in the EIS marina
11 operations on this project site will cease.
12 They stated that publicly. You've signed it.
13 So I guess there's not going to be a marina
14 there.

15 But we probably should get something out
16 of that deal. So you're losing the marina.
17 You're losing boat slips. Let's make, let's
18 make the promenade larger. Let's make the --
19 maybe the DEC doesn't want the fishing pier
20 larger, but it's not a yes or no. You got to
21 debate. You got to get some, some waterfront
22 space back from the things you've lost.

23 You've lost the marina. You're losing
24 space. In all of the documents that you
25 read, they're minimizing the waterfront

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access rights. As a committee, you have to demand of the developer things that would benefit the town. That is one of the things, access to the water.

And I know you're thinking about it. And I know you've talked about it a lot. But you know, there is going to be, it's going to be a gated community as stated in the EIS. How are we going to get through? What are the hours of operation? Will it be manned? All these little details are going to be really important going forward.

So we're on the site plan. These things can be addressed by the site plan. These are just two items. There's lots of detail. I know you guys are not full time planners like Mr. Max.

But let's do our jobs. Let's get some benefits for the town. This project is going to go forward. Let's do it the best we can. Let's not cry over spilled milk. We all know, or we all, some of us know that it's not the best spot for a mixed use waterfront development community. But we're going to

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2 get it.

3 So let's do the best we can with what we
4 got. The site plan can be amended to make
5 more amenities for the town residents. And
6 that's all I got to say.

7 CHAIRMAN KRAESE: Thank you.

8 MR. BECKERLE: My name is not Adam.

9 CHAIRMAN KRAESE: Okay, not Adam, Steve.
10 Thank you very much for your comments.

11 MR. BECKERLE: You're welcome.

12 CHAIRMAN KRAESE: Okay. Steve? I mean,
13 anything left, Steve? Anybody out there.

14 MR. HONAN: That appears to be the last
15 person wishing to speak.

16 CHAIRMAN KRAESE: Okay. Do we have any
17 comments from the applicant at this point?

18 MS. MELE: Just briefly, I sent a letter
19 to the Planning Board yesterday. I would
20 respectfully request that it be made part of
21 the record in this public hearing.

22 And basically, I summarize it on the
23 letter but, you know, our position is we're
24 at the end of this process, as Mr. Beckerle
25 recognized. And there's been a lot of public

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participation, both, you know, I mean, the planned waterfront district itself was created in 2015 by a local law by the Town Board, as you know. And the first iteration of this project was in 2016. And we've been through an extensive SEQR review. We've done every study requested of us.

And you know, look, I'm the type of land use attorney that likes to try and, you know, tell my clients, you know, be a good neighbor. It's a give, it's a give and take process. You know, we understand this. But you know, this is, you know, my kids have, like, grown up and gone off to college at this point. We've been at this for years.

And by the way, I wanted to just give a shout out to Jennifer Johnson because I see her at all of these, and this has got to be a hard job for her to get down all these comments. And I just want to say thank you.

But you know, it's our position, and I know it's probably not going to happen tonight, but I'm asking will somebody move to close this public --

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2 MS. DECRESCENZO: No.

3 CHAIRMAN KRAESE: Okay. Thank you.

4 Well, let me say this. You know, I'm not
5 going to make the motion to close the public
6 hearing. I did confer with the other members
7 that are present tonight. I didn't talk to
8 the ones that are not present. But I think,
9 I think we're going to just keep this going
10 for one, at least one more month.

11 And one of the issues I have is just
12 what happened a little while ago with Breda
13 Beckerle and Stephen Beckerle. I did speak
14 to someone. If you do not know, I've only
15 been back in town for about a week. And I,
16 I've been in touch with some people. A
17 person, not people. A person, who had a
18 little concern that she wasn't computer
19 savvy, and she, she just couldn't do it.

20 So I'm hoping that, like I said, I want
21 to continue this public hearing at least one
22 more month. And I'm not the boss here after
23 that. But I really hope it will be in person
24 because there are a certain amount of people
25 out there who are either shy, don't know how

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to raise their hand, or just computer -- I wouldn't say illiterate, just not computer savvy, who may want to have to say something, you know. I mean, I learned a lot in the computer in the last two years, and I'm not really very savvy, either. But I think it would be a good opportunity to let -- maybe none, maybe some, you know, have their say at the next meeting.

So that's where I stand with my opinion. And the Board, if the Board has any objections to what I just said, fine. But I'd like to continue the, close the public -- not close it, continue the public hearing until next month.

BOARD MEMBER JASLOW: All right. I agree with Gene for the same reasons. You know, there's potential to get a, a good comment that someone hasn't spoken up yet. I know we've given a lot of opportunities. But you know, letting people have another opportunity is not a bad thing.

CHAIRMAN KRAESE: To be honest with you, I'm hoping for some new people to come

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forward. I mean, all the comments that we received today were excellent comments. And some of them have been mentioned before, and they're being addressed by the applicant, and by the Board, and by our John and Max. And they have -- just to let the public know that we are working on the concerns that were brought up tonight and last public hearing. It's not something we write down and forget about, so. That being said, John and -- you have anything to say, Mr. O'Rourke?

MR. O'ROURKE: No. We've provided our comments to the applicant's engineers. So we're just waiting. Mostly technical issues that they're working on, cleaning up some plans and details. But other than that, until they get resubmitted, we're pretty well set.

CHAIRMAN KRAESE: And John Hager, I apologize for not getting you a little more involved. You know, I only do this part time, being the chairman. Do you have anything to say, any comments, would you like to?

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2 MR. HAGER: No, Gene. I don't have
3 anything to add. I understand why you want
4 to keep the comments open. You know, there's
5 pros and cons both ways there. But I
6 understand where you guys are coming from on
7 that.

8 CHAIRMAN KRAESE: Thank you. John, Max?

9 MR. STACH: As I did last month, I
10 really wish Amy could give us an update on
11 the progress of the Section 106 review.

12 MS. MELE: Sure. I can give you an
13 update on that. The update is that we
14 engaged in an effort from AKRF to engage the
15 SHPO in the 106 review process. We were
16 having a meaningful dialogue. They -- we
17 presented our simulations. And then we got
18 the letter that you all received the other
19 day, without any consultation from us
20 beforehand.

21 Suffice to say, we disagree strongly
22 with what is said in that letter. And I
23 believe it was, you know, rather hastily put
24 together. And to be quite honest, I was on
25 the phone, a conference call with the Army

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Corps the other day and a lot of the interested parties and, you know, one agency went so far to admit that the evidence at this point is anecdotal. And I really, I honestly felt like nobody had even read the table of contents of the EIS, let alone the EIS itself because people were asking about balloon tests and, you know, archaeological studies, all of which, as you know, Mr. Stach, were included in the EIS.

MR. STACH: Yeah.

MS. MELE: So we have this letter of no, of adverse effect to deal with. And it's our position, just so I'm clear, that that can come into play in terms of us getting permits from the Army Corps, possibly the DEC. But that those permits -- just like the permit with CSX, just, you know, like any of the other permits that we need to do, sewer, water -- those will be conditions of final approval. And we will have to deal with those issues. And quite honestly, if the SHPO wants, as they concluded in their letter, some screening, some planting, some

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2 things that, you know, that we come to some
3 sort of negotiated conclusion, which Section
4 106 allows for, we would obviously like to do
5 that.

6 And just while we're kind of on the
7 issue of, like, the Army Corps and the DEC,
8 just to kind of set the record straight, you
9 know, we proposed this pier. We want this
10 pier. We have it on our site plan. I
11 believe we'll end up having this pier. I do.
12 We've had meaningful discussion about having
13 the pier back to what we proposed on the site
14 plan. And you know, again, with any permits,
15 CSX, the Army Corps, DEC, if we have to
16 change our design as a result of that, we'll
17 have to come back to this Board. And we know
18 that.

19 MR. STACH: And I think it's worthwhile
20 noting that the Town did write a letter about
21 the pier to, to DEC, I believe. Right?

22 MS. MELE: Yes. Yes.

23 MR. STACH: And did get a response, and
24 almost immediately, stating that the
25 eight feet would be okay.

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2 MS. MELE: Yeah. So thank you.

3 MR. STACH: So I think that again, and I
4 think I -- I don't want to repeat this every
5 month, but you know, I saw a lot of
6 correspondence again, and a lot of comments
7 that sort of sounded like people think their
8 comments are not being taken, have not been
9 addressed. I again encourage everybody to go
10 on to the town website and look at the final
11 environmental impact statement. And
12 90 percent of the issues that have been
13 raised, even recently, are addressed in that
14 document because they were raised previously
15 at the time that there was a DEIS under
16 review.

17 With regard to things like views from
18 the Stony Point park, those were things that
19 would have properly been addressed in the
20 DEIS had the battlefield asked for them at
21 the time of scoping three years ago. So what
22 we have is the battlefield didn't ask for
23 those renderings three years ago. So they
24 weren't prepared.

25 There is a view prepared from the park.

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It's not the exact one that I see they want as part of the Section 106 review now. But they had an opportunity when this, when this Board was doing the visual impact analysis to request whatever views they wanted. And they would have been added to the scope. They would have been done for the DEIS. They would have been done for the FEIS.

So I just would encourage any interested public members -- I know it's a lot of work to read, you know, such a large document. But there's a DEIS and an FEIS available on the town website. And if you go there, you will read all the comments from the Town's consultants, all of the comments from the involved agencies, all of the comments from the public. There are many members of the public that are on tonight that provided a great deal of comments on the DEIS, thankfully. And those were all addressed. So if you're interested in learning more about this project, about the traffic, about the traffic studies, all of that information is available on the town website.

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2 MS. MELE: Max, if I may just add two
3 quick things. One, also available on the
4 town's website is we've actually provided a
5 comment response to all of the comments that
6 have been raised in these public hearings.
7 We're not required to do that. We thought it
8 would be helpful to the Board and the public.
9 So we did do it. And I believe that
10 Mrs. Pagano put those comments online.

11 THE CLERK: At the time.

12 MS. MELE: Thank you. And number two, I
13 want to point out also that the first
14 iteration of this project, The Breakers, was
15 referred to SHPO by Atzl, Nasher and Zigler.
16 And they got back to us and said they'd like
17 some simulations. We got them to them. And
18 The Breakers was, it took up more mass than
19 what we're taking up. And a month later,
20 they got back to us with guess what, a letter
21 of no adverse effect.

22 So, you know, just so everyone knows
23 that this has been looked at. And I'll
24 conclude with that. Thank you very much.

25 CHAIRMAN KRAESE: Thank you, Amy. Thank

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2 you, Max. Again, I think everyone, whether
3 the applicant, or this Planning Board, or
4 Mr. O'Rourke, Mr. Hager, Steve, and of course
5 Max, have all put in a lot of time and effort
6 into doing this, and Planning Board also.
7 And we're addressing all those comments. And
8 they will be, they will be answered if they
9 have not already been answered. Any more
10 comments on this application at this time?

11 MR. HONAN: Mr. Chairman, someone who
12 spoke previously is wishing to speak again
13 from the public.

14 CHAIRMAN KRAESE: Okay. I guess we have
15 a little time. We'll give them three more
16 minutes.

17 MR. HONAN: Okay. Okay.

18 MS. DECRESCENZO: Yes, this is Jocelyn
19 Decrescenzo again. And I wanted to know, so
20 you're going to extend this process for
21 another month. So that means until the 27th
22 of June?

23 CHAIRMAN KRAESE: Correct.

24 MS. DECRESCENZO: Is that when the next
25 meeting will be?

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2 CHAIRMAN KRAESE: That's the date I have
3 on my calendar in front of me. Fourth
4 Thursday.

5 MS. DECRESCENZO: Fourth Thursday.
6 Okay. At seven?

7 CHAIRMAN KRAESE: Yes, ma'am.

8 MS. DECRESCENZO: Of June?

9 CHAIRMAN KRAESE: Yes, ma'am.

10 MS. DECRESCENZO: Okay. And regarding
11 written comments --

12 MR. STACH: I'm sorry, that's, that's
13 the 24th of June.

14 MS. DECRESCENZO: Oh, the 24th,
15 June 24th.

16 CHAIRMAN KRAESE: Thank you, Max.

17 MS. DECRESCENZO: Okay. Thank you for
18 that. And one can still put in written
19 comments, or has the time for that passed?

20 CHAIRMAN KRAESE: Written comments are
21 always welcome.

22 MS. DECRESCENZO: And until --

23 CHAIRMAN KRAESE: And encouraged.

24 MR. HONAN: While the public hearing is
25 open.

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2 CHAIRMAN KRAESE: Yes.

3 MS. DECRESCENZO: So --

4 CHAIRMAN KRAESE: And after, and
5 whenever we close the public hearing, the
6 chairman at that point will decide if they
7 give you another week to have written
8 comments. That's usually long. Go ahead.

9 MS. DECRESCENZO: Okay. That's all I
10 wanted to know. I appreciate your time and
11 effort. And again, I hope you come to a
12 decision that's favorable to the townspeople
13 of Stony Point, and considers the
14 environment, and the disasters that can
15 happen in the future. Thank you once again.

16 CHAIRMAN KRAESE: Thank you, ma'am.

17 MS. DECRESCENZO: Thank you.

18 CHAIRMAN KRAESE: Okay. Anybody --
19 Steve, anybody else?

20 MR. HONAN: Mr. Chairman, that's the
21 last of our speakers for this evening.

22 CHAIRMAN KRAESE: Well, if we have no
23 other comments or input from anyone at this
24 point, I guess we're going to be done with
25 this.

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THE CLERK: You have to have a second for continuing the public hearing.

CHAIRMAN KRAESE: Okay. Can we have a second for continuing the public --

BOARD MEMBER JASLOW: I'll second.

CHAIRMAN KRAESE: Eric seconds it.

THE CLERK: I thought you forced him.

CHAIRMAN KRAESE: The next hearing will be on June 24th, 7:00 p.m.


(Time noted: 7:53 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

