

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

3 - - - - - X

IN THE MATTER

4 OF

EAGLE BAY

5 - - - - - X

Town of Stony Point  
RHO Building  
5 Clubhouse Lane  
Stony Point, New York  
April 22, 2021  
7:14 p.m.  
(via Zoom)

9

10 BEFORE:

11

THOMAS GUBITOSA, CHAIRMAN

12

KERRI ALESSI, BOARD MEMBER

ERIC JASLOW, BOARD MEMBER

13

MARK JOHNSON, BOARD MEMBER

EUGENE KRAESE, BOARD MEMBER

14

JERRY ROGERS, BOARD MEMBER

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3 CHAIRMAN GUBITOSA: All right, we'll

4 start. I guess we'll start the meeting. If

5 we could -- we'll do, we'll stand for the

6 Pledge. Yes, thank you.

7 (Whereupon, the Pledge of Allegiance was

8 recited.)

9 CHAIRMAN GUBITOSA: All right, thank

10 you. I guess for the roll, Mary, I know

11 everyone's here. Mike is going to join late.

12 So when he joins, I'll let you -- you'll let

13 us know and we'll mark him in.

14 MS. MELE: Mr. Honan, Max just texted

15 that he needs to be let into the meeting, I

16 believe.

17 CHAIRMAN GUBITOSA: Oh, Max, okay.

18 MR. HONAN: Okay, let me -- he must be

19 an attendee. Hold on a second. Let me find

20 him.

21 THE CLERK: He said he was signing on.

22 MR. HONAN: He might have been signing

23 on to the general number, though. Let's see.

24 CHAIRMAN GUBITOSA: He might be the MPV

25 webinar account.

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2 THE CLERK: Yes.

3 MR. HONAN: That could be. Max, is that  
4 you?

5 THE CLERK: Yes, down on the bottom  
6 here.

7 MR. STACH: Yes, that's me.

8 MR. HONAN: Okay. Let me promote you to  
9 panelist. You are hereby promoted.

10 THE CLERK: Can we have a party?

11 CHAIRMAN GUBITOSA: All right. We're  
12 all good, Steve? Thank you.

13 MR. HONAN: Let's see. Max, can you  
14 hear us?

15 MR. STACH: Yeah.

16 MR. HONAN: Okay, he's here.

17 CHAIRMAN GUBITOSA: All right. What  
18 we'll do is we'll get started. Tonight, it's  
19 a first public hearing. This is Eagle Bay.  
20 And then Dave, I know you or Amy, I'll let  
21 you give a little brief review, and then I'll  
22 go into the guidelines for the public hearing  
23 when we get, when we're ready.

24 MS. MELE: Sure. I think I was  
25 appointed to give a brief overview. And I

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2 will be brief because as we know, tonight's  
3 not about the applicant. Tonight's about the  
4 public. And we want to hear what they have  
5 to say.

6 So just for the public's edification,  
7 the applicant is here tonight applying for a  
8 development under some zoning that the Town  
9 Board enacted several years now, called the  
10 planned waterfront district. They enacted  
11 that legislation to revitalize its  
12 waterfront, to provide open space to its  
13 residents, and to hopefully add ratables to  
14 its tax base.

15 My client -- by the way, my name is Amy  
16 Mele, 4 Laurel Road, New City, New York. I'm  
17 the attorney for the applicant. My client  
18 voluntarily agreed to submit to the  
19 environmental impact statement process. Also  
20 voluntarily agreed to public hearings on the  
21 scoping process. We addressed the public's  
22 comments in that context. We went through  
23 the EIS process and also addressed public  
24 comments during that process. It's been a  
25 couple years now that we've been going

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2 through it.

3 We assembled what I think is a really  
4 great team of professionals to work on this  
5 project, from architects to engineers to  
6 aquatic specialists. We -- and the Town, in  
7 turn, has assembled its own internal team,  
8 both its own in-house experts, and has  
9 retained outside experts to review our work  
10 product, which we have funded. So all data  
11 has been reviewed by both our experts and the  
12 Town's experts, and the EIS was adopted last  
13 year.

14 The current plan is for 264 units of  
15 residential housing in four different  
16 buildings. One building, a building is set  
17 aside for public use, perhaps a restaurant,  
18 offices, retail. We are proposing mostly  
19 two-bedroom units. There are some  
20 one-bedrooms, and there's a handful of  
21 three-bedrooms.

22 We're not seeking any variances. We've  
23 got plenty of parking. All of our setbacks  
24 and everything is in accordance with the  
25 zoning.

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2 We're also proposing pursuant to the  
3 zoning a public esplanade, which would be  
4 accessible to the public. We've offered to  
5 basically give that to the Town in the form  
6 of a perpetual easement, but we would  
7 maintain it in perpetuity for the public's  
8 benefit.

9 We also proposed as part of our plan a  
10 public fishing pier. And I know some of the  
11 people that may be on tonight have been at  
12 the workshops where this has been discussed.  
13 I'm just going to address it briefly.

14 We proposed a fishing pier, an  
15 eight-foot wide fishing pier about 220 feet  
16 long. The DEC has not yet approved that.  
17 We're still going through a process with  
18 them. I think the Town has indicated a  
19 willingness to help us with that process,  
20 maybe get elected officials involved to try  
21 and get that component of the plan approved.  
22 But we're willing to build it, and we hope  
23 that it does get approved. So that's still  
24 an open issue.

25 We've been to the architectural review

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2 board several times now. And they have  
3 reviewed literally every component of the  
4 architectural plan, from lighting to facades  
5 to all of the plantings, the landscaping.  
6 Basically, everything within their authority.  
7 We still have at least one more trip to them.  
8 And we'll obviously, we and the Board will be  
9 reporting back on that.

10 But I think with that said, you know,  
11 that's really the background that I wanted to  
12 give. And I'm going to keep quiet and listen  
13 to hear what the public has to say tonight.  
14 So thank you for hosting this public hearing.

15 CHAIRMAN GUBITOSA: All right. Thank  
16 you, Ms. Mele. All right. And just so,  
17 before we open the public hearing, just go  
18 over some, some of the guidelines that we're  
19 going to work on tonight, is tonight's public  
20 hearing, this is one of, the first one for  
21 Eagle Bay. It will probably be one of many.  
22 What we're going to do is right now,  
23 everyone's microphones are muted. So if you  
24 need to speak, you raise your hand. Steve  
25 Honan will recognize you. And we're going to

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2 try to limit, keep it to three minutes so  
3 that we can get everyone in and get things on  
4 track. And in the, in the things that if you  
5 can't -- three minutes may not be enough.  
6 You can always submit in writing. We did  
7 get, I know we did get some comments  
8 yesterday from a group, so that you could  
9 still put your comments in writing.

10 But what we're going to do is hopefully  
11 tonight, since we know there's going to be a  
12 lot of participants, you know, we -- same  
13 thing we do at our workshops. We try to,  
14 like, we want to try to keep this meeting to,  
15 like, two hours. Maybe a little less or  
16 more. But we're going to keep going with the  
17 public hearing.

18 I know that there's a chat button. And  
19 I'd like to ask people not to put questions  
20 in the chat because we don't look at that.  
21 It's distracting.

22 So tonight is the public comment. So  
23 any comments or questions you have, you can  
24 ask. And it's, just so the public knows if  
25 this is their first public hearing, it's not



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2 a question and answer period. So if you ask  
3 a question, you're not going to get a  
4 response right away.

5 So any things you want to state, just  
6 state. And then what we do is we'll take it  
7 down. The applicant will get it. And  
8 hopefully it will be addressed, maybe at the  
9 next meeting, or after the meeting, but  
10 probably next meeting. So it's more of a  
11 list of questions or concerns that the public  
12 have.

13 So what we'll do is when we open the  
14 public hearing is, same thing. You raise  
15 your hand. Steve will recognize you. Raise  
16 your hand, and he'll kind of give you a time,  
17 give you, so you know what your time is, how  
18 long you've been going on for, and then  
19 recognize the next people. But we're going  
20 to keep the public hearing open, probably.

21 So same thing. Public, if you want to  
22 put in, write, put your comments in writing,  
23 we take that. But just make sure the public  
24 knows, not a question and answer, because I  
25 know a lot of people will ask a question and

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2 then hesitate and wait for an answer. That's  
3 not what we're doing tonight. We're just  
4 taking comments so that the applicant can  
5 address them at a later date.

6 All right. So at this time, before we  
7 go, does the Board have any questions before  
8 we open the public hearing? No? Max, any --  
9 go ahead.

10 MR. HONAN: Mr. Chairman, the public is  
11 going to be limited to three minutes of  
12 speaking, is that, is that what you stated?

13 CHAIRMAN GUBITOSA: Yeah, we're going to  
14 try to do three minutes. And so that, you  
15 know, even if they do have, if they have  
16 other concerns, they can still put it in  
17 writing and, you know, if they want more  
18 detail behind it.

19 MR. HONAN: Very good. Thank you.

20 CHAIRMAN GUBITOSA: All right. Any  
21 other -- Dave, I see you raising.

22 MR. ZIGLER: Yeah. Do you want us to  
23 put up the first page of the map? That's the  
24 one with the --

25 CHAIRMAN GUBITOSA: Yeah. Right.

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2 MR. ZIGLER: Okay.

3 CHAIRMAN GUBITOSA: You could put up the  
4 first page. And just to let the public know,  
5 this is the public hearing on the site plan.  
6 It's a site plan review.

7 MR. ZIGLER: Ramya is going to have  
8 that, so --

9 MS. RAMANATHAN: Steve, if you could  
10 just give me access to screen share?

11 MR. HONAN: Yes. One second.

12 MS. RAMANATHAN: Thank you.

13 CHAIRMAN GUBITOSA: All right. Max,  
14 any, you have anything to add, or are we good  
15 with everything?

16 MR. STACH: No, no. I think we're good.

17 CHAIRMAN GUBITOSA: All right.

18 MR. STACH: See what the public has to  
19 say.

20 MR. HONAN: Okay, Ramya, you should have  
21 it.

22 CHAIRMAN GUBITOSA: All right, thank  
23 you. Thank you, Ramya. Thank you, Steve.

24 So at this point, I'll make a motion we  
25 open the public hearing. All right. So I

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2 guess, Steve, you can go ahead. I guess  
3 start -- if you see anyone, go ahead.

4 MR. HONAN: One second. I just, my  
5 screen just changed, so I lost all my people  
6 in the queue.

7 CHAIRMAN GUBITOSA: Okay. Thank you.

8 MR. HONAN: Okay. The first person to  
9 talk is Susan. Susan, please identify  
10 yourself and your address, and address the  
11 Board.

12 MS. FILGUERAS: Hello. This is Susan  
13 Filgueras of 87 Mott Farm Road, Tomkins Cove,  
14 New York, 10986. I think I have three  
15 questions.

16 One, I would like the Board to verify  
17 that there will not be a traffic study done.  
18 Rather, the applicant has stated they will  
19 place two traffic lights, and I'm not exactly  
20 sure of the location. If that can be  
21 answered and if, in fact, were it in lieu of  
22 the traffic study, we're going to have two  
23 traffic lights. I'd like the justification  
24 for why, and then the justification for why  
25 we feel we don't need the traffic study.

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2 Question two, in the description of the  
3 project, Ms. Mele was going in and out. The  
4 audio was exceptionally poor. And she said  
5 there was a law and named it, and I -- the  
6 audio just wasn't there. Can you please make  
7 sure that law is clearly marked in my answer.  
8 I'd like to understand what it was she was  
9 referring to, whether it was a law or zoning  
10 code or amendment.

11 Next, I have heard this project referred  
12 to as a gated community. And I'm not sure I  
13 understand that. But in the context of  
14 having a public fishing pier and a public  
15 esplanade, how does a gated community and/or  
16 a public esplanade and a fishing pier work?  
17 Because if it's gated, generally that means  
18 it's closed and you need permission to get on  
19 to the property. If that could be clarified.

20 And the last question, and there's  
21 several parts to it, is in one of the last  
22 workshop meetings, CSX was addressed, and the  
23 entrances to this project. I'm not sure who  
24 it was had stated we had no real information  
25 from CSX, but their comments to us -- and

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2 they appeared to be verbal, I would prefer to  
3 know if they were verbal or in writing -- was  
4 that once the Town Board has approved the  
5 project, we will discuss with you.

6 That raises several concerns. One, have  
7 you ever heard of CSX allowing an independent  
8 developer to work on their infrastructure?  
9 Now remember, we're talking about both the  
10 oval court, I think it is, and then Tomkins  
11 Ave overpasses, which were both built in the  
12 late 1800s. They both need to be lowered or  
13 raised or widened or -- I don't know, I'm not  
14 an engineer.

15 MR. HONAN: Ms. Filgueras, 15 seconds.

16 MS. FILGUERAS: Okay. So what happens  
17 if CSX refuses to allow you to do that? If  
18 they don't allow you to do that, then we have  
19 a -- let me finish, it's the last piece. We  
20 have a fire department issue. Are we going  
21 to be forced to build a fire station?

22 MR. HONAN: Thank you. Next person up  
23 will be --

24 CHAIRMAN GUBITOSA: Sorry, Susan. We  
25 got you on that one. And you can always put

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2 it in writing, too. But I think we got your,  
3 the gist of everything. Thank you.

4 MR. HONAN: We have next, Jeff Anzevino.  
5 Mr. Anzevino?

6 MR. ANZEVINO: Mr. Chairman, can you  
7 hear me?

8 MR. HONAN: Yes, we can now.

9 CHAIRMAN GUBITOSA: Yes, we can hear  
10 you.

11 MR. ANZEVINO: Mr. Chairman and ladies  
12 and gentlemen of the Planning Board, my name  
13 is Jeff Anzevino. I'm Director of Land Use  
14 Advocacy for Scenic Hudson. I sent a letter  
15 over there yesterday, and we'd like that  
16 letter to be part of the record for the, this  
17 public hearing this evening.

18 But I just wanted to say for the benefit  
19 of anyone who may not have read that letter  
20 on the Board or in the public that Scenic  
21 Hudson is suggesting to the Planning Board  
22 that since the 606 and 110F processes have  
23 not yet been conducted by the Army Corps of  
24 Engineers, and Scenic Hudson, Palisades  
25 Interstate Park Commission, the group SPACE,

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2 at least those three groups will be  
3 participating as consulting parties to ensure  
4 that the visual impacts from the Stony Point  
5 State Battlefield Historic Park, which is a  
6 national historic landmark, are properly  
7 addressed. We would recommend highly to the  
8 Planning Board that you would defer the site  
9 plan approval process until that Section 106  
10 and 110 is complete so that changes aren't,  
11 won't be necessary to the, to the site plan  
12 in the future.

13 Secondly, I'd like to ask and hope you  
14 will put in writing whether or not the  
15 applicant has had a consistency review from  
16 the New York State Department of State  
17 Coastal Management Program that would  
18 determine that the project is consistent with  
19 all of New York State's coastal management  
20 policies. Thank you very much.

21 CHAIRMAN GUBITOSA: Thank you. Yeah,  
22 and we did get your letter, and we'll be  
23 putting it into the record. Go ahead, Steve.

24 MR. HONAN: Next will be Space Zoom.

25 MR. POTANOVIC: Hello. This is George



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2 Potanovic. Can you hear me?

3 MR. HONAN: Yes.

4 MR. POTANOVIC: Okay. Before I start my  
5 time, I would just like to say that I object  
6 to your limiting people's comments to three  
7 minutes. You know, people have been  
8 following this in some cases for as much as  
9 eight years. We ought to get people, I  
10 think, Tom, a little more flexibility if  
11 you're really interested in listening to the  
12 public.

13 I spent some time writing about six  
14 comments that I'd like to have a chance to  
15 present and not feel like I have to rush  
16 through them or just present them in writing.  
17 Even before I start my time, I'd also like to  
18 ask, how many people are on the call? Since  
19 you had a delayed start, I'm hoping people  
20 are still on the call. Did you say there was  
21 about 35 people, or are there more people on  
22 the call now?

23 MR. HONAN: There are about 38.

24 MR. POTANOVIC: Okay. All right. So we  
25 didn't get as many people as we thought might

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2 join. I mean, the late start, that might  
3 have had some effect.

4 So I'd like to have some leniency. You  
5 know, this is a group. It's not an  
6 individual. And we have several points we'd  
7 like to make. We've been participating in  
8 this process, as you know, for quite some  
9 time.

10 It appears that the Town of Stony Point  
11 is holding this public hearing as more of a  
12 procedural step because it's obvious the  
13 Planning Board has already given the nod to  
14 the developer and has no intention of making  
15 any significant changes to the site plan that  
16 has existed since the DEIS review over a year  
17 ago. Stony Point has proposed and  
18 accommodated the high density mixed use  
19 development for our waterfront, and the Town  
20 is therefore getting what it wants and what  
21 it has asked for.

22 Since it has also has some obvious, is  
23 obvious that the Town is moving forward  
24 towards approving the existing site plan, I'd  
25 like to use my time at this public hearing as

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2 an opportunity to summarize some of the  
3 significant outstanding issues that have led  
4 us to where we are today, and unanswered  
5 questions that remain of concern as the  
6 proposed current plan, the proposed Eagle Bay  
7 waterfront development.

8 This development density for Eagle Bay  
9 is too much, too dense, and unsustainable for  
10 this location. There are two main reasons  
11 for this. The Building Inspector's  
12 interpretation of the Town Code Section  
13 215-16, special requirements, granted the  
14 land owner a 50 percent credit applied  
15 towards the buildable acres and their dry  
16 land, on their dry land. And this was  
17 intended to apply to land underwater within a  
18 stream bank, according to that statute, and  
19 freshwater wetlands located within the  
20 property or dry land.

21 This code did not mention the Hudson  
22 River. By applying Section 215-16 to the  
23 riverfront properties, the Town has  
24 significantly added greater residential  
25 development density potential to our

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2 waterfront, and sets a precedent, an  
3 expectation for future waterfront  
4 development.

5 In the case of Eagle Bay, which only has  
6 17 acres of dry land and 20 acres underwater,  
7 with 50 percent credit bonus, it adds about a  
8 hundred additional units of condos for  
9 Eagle Bay, more than the ten units per acre  
10 granted under the Town's zoning provisions of  
11 the Hudson River waterfront PW district in  
12 2014. This is an overreach from the Building  
13 Inspector, in our view, that sets a bad  
14 precedent for our remaining waterfront  
15 properties that will assume entitlement to  
16 some 50 percent bonus for underwater lands by  
17 other property owners. The statute 215-16A  
18 states that the application of 50 percent  
19 credit is the responsibility of the Planning  
20 Board, not the Building Inspector, at the  
21 time of subdivision and site approval. To  
22 date, we have not seen a resolution.

23 MR. HONAN: The next speaker will be  
24 Deirdra O'Connor. Ms. O'Connor?

25 MS. O'CONNOR: Can you hear me?

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2 MR. HONAN: Yes, we can.

3 MS. O'CONNOR: Okay, hi. Good evening,  
4 everyone. So (inaudible). I basically have  
5 two questions.

6 Given that it is a high density area in  
7 the location, you know, have the evacuation  
8 routes been closely looked at, especially  
9 with 600, you know, anticipated parking  
10 spaces, and the impact that has on the  
11 community, the residential homes, the school  
12 districts, and staffing, as well to be able,  
13 should there be any needs for emergency  
14 evacuations, as we've seen with, you know,  
15 super storms or, you know, Indian Point or  
16 all the other areas that are concerns.

17 And also, has a demographic, demographer  
18 reports done that, you know, anticipates the  
19 future births over time. Usually you do  
20 five, ten, 20 year report. And what the  
21 anticipated number of children coming in at  
22 the present time so that the district can be  
23 well prepared for that. And if there's any  
24 need for additional schooling, or buildings,  
25 or classrooms, or staffing, and how that

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2 impacts the community as a whole as well.

3 So those are basically my two questions.

4 Thank you.

5 CHAIRMAN GUBITOSA: Thank you.

6 MR. HONAN: The next speaker will be  
7 Kevin.

8 MR. MAHER: Okay, I just unmuted myself.  
9 Can you hear me?

10 MR. HONAN: Yes, we can. Thank you.

11 MR. MAHER: Okay. Kevin Maher,  
12 130 Central Highway, Stony Point, New York.

13 Design of the CSX underpass project  
14 lacks sufficient information such as soil  
15 conditions, depth of seasonal high ground  
16 water, and construction details such as  
17 shading and cross sections of the area.

18 Also, who is the structural engineer  
19 involved, and the geotechnical engineer to  
20 (inaudible) impacts to the overpass.

21 Also, hydraulic analysis of the new  
22 Hunter Place sanitary sewer needs to be  
23 performed due to the change in the pipe from  
24 an asbestos concrete pipe with a Manning's  
25 coefficient of 0.015 to PVC with 0 -- a

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2 Manning's coefficient of 0.010. Smoother  
3 pipe means fast flow conditions when flowing  
4 full, which will not necessarily be so if the  
5 pipe doesn't flow full, or even half full.

6 The velocity could be such that solids will  
7 drop out and eventually cause a blockage and  
8 possible overflow of the sewer line. So you  
9 need to do an analysis of that pipe.

10 The drainage for the Hunter Place  
11 underpass must clearly show all inverts to  
12 ensure that the runoff will drain out, and  
13 also be above not only the seasonal high  
14 water table, but also the 100-year flood  
15 elevation. Water will otherwise back up,  
16 which doesn't, it doesn't do right now,  
17 thereby placing the overpass in danger.

18 Also, with the traffic signal, which one  
19 of the traffic signals will control the  
20 intersection of Tomkins Avenue, Beach Road,  
21 and Hudson Drive? With the high volume of  
22 cars and buses leaving the site during the  
23 morning rush, which signal will dictate the  
24 flow of traffic?

25 Those are my comments for now. I'll try

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2 to supply others in writing. And also in my  
3 letter, I'll also explain further with my, of  
4 my verbal comments. Thank you.

5 CHAIRMAN GUBITOSA: Thank you, Kevin.

6 MR. HONAN: Okay. The next speaker up  
7 will be Donna. Hello, Donna?

8 MS. JESSIE: Hi, can you hear me?

9 MR. HONAN: Yes, we can now.

10 MS. JESSIE: Hi, my name is Donna  
11 Jessie, 50 Gilmore Drive, Stony Point,  
12 New York. Thank you, Amy, for your  
13 explanation beginning, and thank you, panel.

14 My main concern is to jump off of  
15 Ms. Filgueras's earlier question regarding  
16 CSX. If they do not allow the reconstruction  
17 or alterations on their overpasses, do we  
18 still go forward? And if we do, what is the  
19 liability to the Town, and insurance-wise to  
20 our Town? Thank you.

21 CHAIRMAN GUBITOSA: Thank you, Donna.

22 MR. HONAN: Okay. The next speaker up  
23 is Mike Diederich.

24 MR. DIEDERICH: Hi, can you hear me?

25 MR. HONAN: Yes, we can.



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2 MR. DIEDERICH: Yes, I just called in.

3 Hi, Steve. Long time, no see.

4 I appreciate the time that this Board  
5 gives to all planning matters. I'm really  
6 only listening. However, I do want to make  
7 one very strong point, which is I do not  
8 believe when it comes to public hearings that  
9 either the Town Board or the Planning Board  
10 should be limiting people's time,  
11 particularly to an arbitrary number of three  
12 minutes. Some people have a lot of valuable  
13 things to say. And for example, George  
14 Potanovic, he sounded like he was rushed and  
15 couldn't finish what he wanted to say.

16 I don't think when you open up the floor  
17 to public input, unlike the input at the  
18 beginning of a board meeting, but when it's a  
19 public hearing, I think the first amendment  
20 requires you to listen to the speech. It's  
21 also not only speech, but it's the right to  
22 petition government for redress. So I think  
23 you're dealing with the constitutional right  
24 of people to give you input.

25 So I appreciate that you put in long

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2 hours, and sometimes a board meeting may  
3 extend in a lengthy manner. But I do think  
4 you are wrong in cutting off people after  
5 three minutes. And I think both the Town  
6 Board and the Planning Board, when you have a  
7 public hearing, you should allow people to  
8 speak their mind. You can obviously urge  
9 them to be more concise. But I do think it's  
10 wrong to have on arbitrary three-minute time  
11 period.

12 That's my statement for tonight. I  
13 appreciate your consideration of that, that  
14 thought. Have a good evening.

15 MR. HONAN: Our next speaker is Sofia  
16 Aracena. Sofia?

17 MS. AGUILAR: Sorry, I'm actually under  
18 my daughter's account from school. It's Nina  
19 Aguilar, 36 Grassy Point, Stony Point,  
20 New York.

21 Speaking of having my daughter, my  
22 concern as a parent, and someone who follows  
23 the school district budget and Mirant, and I  
24 know there was a cost benefit analysis  
25 provided in regards to the impact of the

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2 school district. However, from what I  
3 recall, those costs were from enrollment I  
4 believe 2016 to 2018. Those costs have  
5 extremely changed since Covid. And to me,  
6 this is a future (inaudible). So that data  
7 is completely outdated. The enrollment is a  
8 lot lower than what it shows to be now. So  
9 again, that's another outdated concern that I  
10 have.

11 The second thing that I wanted to point  
12 out was the benchmark of elevation. You  
13 know, there's clear scientific evidence of  
14 rising sea levels, river levels. And I know  
15 right now the requirement has these units  
16 above sea level.

17 However, in 50 years, when that sea  
18 level requirement changes, these residents  
19 that either live there or purchased there are  
20 going to be required for flood insurance by  
21 their lender, unless they're paying cash. So  
22 what does that do to this development when  
23 those requirements change from --

24 BOARD MEMBER KRAESE: If they don't have  
25 flood insurance, there's something wrong.

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2 MS. AGUILAR: I'm sorry, what happened?

3 MR. HONAN: If you're not speaking,  
4 please mute your mic.

5 MS. AGUILAR: Well, I was going to  
6 say --

7 MR. HONAN: Sorry.

8 CHAIRMAN GUBITOSA: It might have been  
9 some of the Board Members.

10 MS. AGUILAR: Oh, okay.

11 CHAIRMAN GUBITOSA: I'm just going to  
12 ask everyone, I'm just going to ask everyone  
13 to mute their mics except for the speaker.  
14 And that maybe will hopefully address it.

15 MS. AGUILAR: So basically, one of the  
16 points is for development, or even for flood  
17 insurance cases from being on the river and  
18 experiencing Sandy, you have to be above a  
19 certain point of sea level in order to obtain  
20 that insurance. And that's why the whole  
21 River Road area was forced to raise if they  
22 wanted to rebuild. So that is my concern.  
23 You can't -- to reraise something that's  
24 already raised, in 50 years, that river  
25 requirement may be different from what it is

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2 now. So that's my concern and comment.

3 CHAIRMAN GUBITOSA: Thank you.

4 MR. HONAN: Okay. Mr. Chairman, that  
5 appears to be all the people who are looking  
6 to speak this evening.

7 MR. MAHER: 38 people attending and only  
8 five people have spoken?

9 MR. HONAN: If anyone needs to speak,  
10 they should raise their hand, who has not  
11 spoken previously.

12 CHAIRMAN GUBITOSA: And like, I think  
13 like Steve had said, this is just the first  
14 of the public hearings. So if people didn't  
15 get what they wanted to say tonight, we're  
16 going to have another public hearing. And we  
17 always have the written comments, what I  
18 think are more concise, to the point, and are  
19 easily addressed so that, you know, we  
20 always, we are keeping the written comment  
21 section open so that people can write in.

22 MR. HONAN: Mr. Chairman, other people  
23 have raised their hands --

24 CHAIRMAN GUBITOSA: Okay.

25 MR. HONAN: -- while you were speaking.

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2 So I'll go down the list. The next person up  
3 is Walter Cintron.

4 MR. CINTRON: Good evening, Planning  
5 Board and participants. My name is Walter  
6 Cintron. I live on 22 Ridgetop Drive in  
7 Tomkins Cove.

8 I've been following this issue for a  
9 while. I've attended some of your Zoom  
10 meetings. But to get to the point, I want to  
11 echo what Mr. Diederich said about George and  
12 cutting him off with the three minutes, a  
13 couple of comments after me. With regards to  
14 the density of the project being put in  
15 place, I echo what George said regarding the  
16 Building Inspector's interpretation of the  
17 Town Code.

18 In addition to that, I'm concerned that  
19 the Rockland County Department of Planning  
20 also had some concerns. And they stated that  
21 the Eagle Bay significantly overstates the  
22 amount of land area suitable for development.  
23 So that's one comment.

24 There's a lot of comments going on and  
25 about regarding the emergency access as was

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2 already said with the underpass at Hunter  
3 Place. Specifically with regards to the --

4 MS. AGUILAR: You know, there was a cost  
5 benefit analysis provided in regards to the  
6 impact --

7 CHAIRMAN GUBITOSA: I need everyone to  
8 mute their mics, please. Thank you.

9 MR. CINTRON: Okay, I'll go on.  
10 Specifically with regards to CSX and what  
11 they're going to be doing, I understand that  
12 they're going to get involved after there's  
13 some sort of approvals that are going to be  
14 made. But there's a lot of questions about  
15 the stability of the work that's going to  
16 undermine the overhead pass at Hunter Place.  
17 In addition, if any of the work has to go on  
18 to Tomkins Avenue.

19 And we all know that the current Hunter  
20 Place underpass is currently too small to  
21 accommodate a fire truck. And I know you  
22 guys are working on it. But those are  
23 concerns.

24 And one last point I just want to make  
25 out, not so much for the applicant, but I

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2 think for the Zoning Board to look into the  
3 Town's facility with regards to the sewage  
4 treatment plant. Currently, the sewer  
5 capacity is about a million gallons per day,  
6 is my understanding. And I think that number  
7 is going to be approachable with regards to  
8 what I heard on your meetings about a month  
9 and a half ago, I thought it was.

10 And my concern is we don't know the  
11 condition of the plant with regards to its  
12 ability to handle that type of flow. And  
13 with the applicant coming in and putting in  
14 the additional flow to the pipe could bring  
15 it to a point where it could be overflowing  
16 in its capacity. And there's been some  
17 discussions that have been made with regards  
18 to the divergent pipe going down to  
19 Haverstraw in need of major repairs. So I  
20 think that's a concern that the Planning  
21 Board should be taking into consideration  
22 before they allow the applicant to actually  
23 build the facility, to make sure that our  
24 plant can handle that flow.

25 And I guess I'll leave it at that.



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2 Thanks very much.

3 MR. HONAN: The next speaker up is Jeff  
4 Charles. Mr. Charles?

5 MR. TEW: Hello?

6 MR. HONAN: Yes, hello. We can hear  
7 you.

8 MR. TEW: Hi, my name is Jeffrey Tew,  
9 actually. 2 Rheajack Drive, Stony Point,  
10 New York.

11 I'm talking primarily about the impact  
12 upon the historical site. One of my  
13 ancestors died there, and another one fought  
14 there on both sides. I'm very concerned  
15 about the noise, the density of the housing,  
16 and the impact upon traffic. I think a  
17 traffic study should definitely be done on  
18 the site.

19 Also, you know, the history of the site  
20 in terms of flooding and those type of  
21 things. I think it's much too dense a  
22 property. The problem with the 50, the extra  
23 acreage underwater, I think that should be  
24 addressed.

25 The other thing is a little comment, I

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2 was looking over some of the site plans, and  
3 it has it, like, ships, like, that use to ply  
4 the Hudson, you know, the Clearwater, things  
5 like that. I think it should have the  
6 Titanic and the Andrea Doria as well because  
7 it's a disaster with the present site plan,  
8 with the ingress and egress, and flooding.

9 And the other reason -- I'm one of the  
10 cofounders of SPACE many moons ago. And the  
11 thing is, the people who live there right now  
12 who are going to be severely impacted, those  
13 people on Tomkins and River Road and  
14 particularly East Main Street, the traffic is  
15 going to be horrendous. And to not have a  
16 traffic study I think is unconscionable in  
17 this matter.

18 The problem with Rockland is we put up  
19 traffic lights, but the traffic continues.  
20 And I don't think a traffic light is going to  
21 fix the problem there. I think people  
22 already go too fast on that road. You're  
23 going to have lots of traffic coming in. And  
24 the children and the local communities where  
25 people will now go through to bypass the main

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2 roads, I think can be in danger with this  
3 issue.

4 So I ask that -- as the site plan is  
5 right now, it's too dense. It needs to be  
6 altered. And I thank you for your time.

7 MR. HONAN: Okay. Thank you, sir. The  
8 next person up, Mr. Chairman, is Gregory  
9 Julian. Mr. Gregory Julian?

10 MR. JULIAN: Yes. I, too, have been a  
11 participant in watching your Zoom and  
12 attending the meetings. And you know, I look  
13 at the Board Members with incredible -- you  
14 spend so much time doing this, and you really  
15 need to be credited with that.

16 My problem is that I don't think you can  
17 do the job that you sometimes thought you  
18 were going to be able to do being on the  
19 Planning Board. Because I think most of us  
20 have a vision of Stony Point that this  
21 complex insults. You know, we -- people are  
22 not against development. They're against  
23 unsustainable development.

24 And I know it's been hard. I -- we lost  
25 Bill Sheehan. And Bill Sheehan, whether you

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2 like it or not, was incredibly knowledgeable,  
3 but he also was incredibly powerful. And he  
4 really was the, he really was the master  
5 plan. He was the interpreter. I was at  
6 meetings where he gave a definition of  
7 changing a definition that created 70 more  
8 units at this place.

9 So the BS Bill Sheehan method of  
10 development here is, just isn't sustainable.  
11 And I know you're caught between a rock and a  
12 hard place because if you really object and  
13 go to your hearts and listen to the common  
14 sense comments that people are making, you'd  
15 want to change it. But I think you're, I  
16 think you're caught between a rock and a hard  
17 place. I don't think you can get out of this  
18 because you face the legal and all the other  
19 problems if, in fact, people present rational  
20 arguments saying this is too big. I don't  
21 know how you guys would get out of it  
22 gracefully.

23 So I respect the double bind that you're  
24 in. I think you're doing your work. But I  
25 think the direction that this takes is really

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2 an insult to the waterfront revitalization of  
3 Stony Point. And I only wish you'd have  
4 enough courage to say we need to listen to  
5 people who really do love this town as much  
6 as you love it by your service. Thank you.

7 MR. HONAN: Mr. Chairman, I don't see  
8 anyone, other hands raised at this point.

9 CHAIRMAN GUBITOSA: Hang on one second.  
10 I'm checking something. Maybe I'll go to go  
11 Board and see if they have any comments right  
12 now. Jerry, you're on mute, I know that.

13 BOARD MEMBER KRAESE: I'll say  
14 something, Tom.

15 CHAIRMAN GUBITOSA: Go ahead, Gene.

16 BOARD MEMBER KRAESE: I'm just, I'm just  
17 a little disappointed that we don't have more  
18 participation at, at this time. I would  
19 assume SPACE and some other organizations may  
20 have some more comments which they'll do in  
21 writing. But I mean, we're going to continue  
22 this public hearing to the best of my  
23 knowledge. So I mean, they'll be able to  
24 speak again at next month's meeting and get  
25 some of these questions answered.

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2 BOARD MEMBER ROGERS: Well,  
3 Mr. Chairman, if I may, since this is the  
4 only topic on the agenda tonight, might we  
5 not consider getting Mr. Potanovic back up to  
6 finish his, his concerns?

7 CHAIRMAN GUBITOSA: All right. I think  
8 we could. Steve, if there's no one else, we  
9 probably, we could go back to George.

10 MR. HONAN: If you'd like to.

11 CHAIRMAN GUBITOSA: Yeah.

12 MR. HONAN: I'll have him --

13 CHAIRMAN GUBITOSA: George, why don't we  
14 get you back? It's not, like, I just wanted  
15 to make sure we got to everyone. But, like,  
16 I know you have a lot to, you have a lot  
17 going on. And we appreciate your comments  
18 because there are things that you point out  
19 that we might not see. So, you know, I  
20 appreciate it.

21 MR. POTANOVIC: Okay. Can you hear me?

22 CHAIRMAN GUBITOSA: Go ahead, George.

23 BOARD MEMBER ROGERS: Yeah, go ahead,  
24 George.

25 CHAIRMAN GUBITOSA: Go ahead, George.

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2 BOARD MEMBER JASLOW: I think if you  
3 give George more time, you have to offer more  
4 time to everybody.

5 MR. POTANOVIC: Well, we have worthwhile  
6 things to say. I think we should listen to  
7 them.

8 CHAIRMAN GUBITOSA: We'll give him --  
9 yeah. We'll give him a couple more minutes.  
10 But he, like George said, I just want to make  
11 sure we get everyone's comments and precise.  
12 Like, George, I understand, and I just want  
13 to make sure that nothing gets lost in the --  
14 that's all I'm worried about is, you know,  
15 the meetings I've been in with the county and  
16 state, they've limited me to three minutes.  
17 And I just want to make -- and they said it's  
18 so that you can get concise. I just want  
19 to -- I don't want to lose anything when you,  
20 when you speak and the comments. That's all.

21 MR. POTANOVIC: I understand. You know,  
22 I try to be concise in writing them down.

23 CHAIRMAN GUBITOSA: No, I know. Thank  
24 you.

25 MR. POTANOVIC: Yeah. Thank you. Well,

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2 I started talking about the density issue,  
3 and there were two issues regarding that.  
4 One was the 50 percent credit, which I  
5 believe is an issue. The Building Inspector  
6 may have that authority to make that  
7 decision.

8 But the way the law reads, and I'd  
9 encourage you all to go back and look at it,  
10 the 215-16, it actually says that the  
11 Planning Board is supposed to make that  
12 decision as to whether or not you give that  
13 credit to the applicant. And I just had --  
14 and that's where I think where maybe I was  
15 cut off. I had not seen any resolution on  
16 the part of the Planning Board to say that  
17 you are indeed giving that 50 percent credit  
18 based on that law. Which is usually applied  
19 just to things on land, not on the river.

20 So the, the issue, the big issue with  
21 the river is once you do it to one property  
22 on the river, the next one's going to expect  
23 the same thing. And of course, we're  
24 counting underground acreage. You're going  
25 to add highly to the density along our



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2 waterfront. That was the point on that.

3 The second had to do with the Town Board  
4 in 2018 gave this developer a credit to the  
5 number of buildings, because when Eli  
6 Hershkowitz successfully convinced them to do  
7 a reduction in the boat slips, in effect what  
8 that did is it increased the number of the  
9 condos, because originally, they had to build  
10 one to one, and now they could build three  
11 condos for every boat slip, thereby building  
12 less boat slips. We know that they would  
13 have had a very difficult time putting in the  
14 number of boat slips that originally they  
15 wanted for condo units at 264. So he would  
16 not have been able to build the number of 264  
17 units if he had to build a boat slip for each  
18 one.

19 So that was a whole issue there. And it  
20 increased the number of boat slips by about  
21 64 units. Don't forget we saw Wayne Corts  
22 came by with The Breakers originally in 2015,  
23 and he had planned 200 condo units, a  
24 restaurant, commercial office space, 250  
25 slips, boat slips, a service marina. Yet

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2 this applicant says they couldn't make money  
3 doing it that way. That, to me, is a concern  
4 because I think that we've shifted from  
5 waterfront usage now just more to residential  
6 uses along our waterfront.

7 And one of my big concerns about this is  
8 that there's other marina property below  
9 this, south of this, that the same thing  
10 could happen, I suppose, if that marina owner  
11 wanted to do a similar kind of thing and drop  
12 the idea of being a functioning marina and  
13 turn it into another condo unit. So we have  
14 to think about the future of our waterfront  
15 as well as when we're looking at this  
16 project.

17 As was the CSX underpass issue was  
18 discussed, the, that bridge is, as you know,  
19 is a very old bridge. And I'm not sure if  
20 CSX is going to give you the approval. David  
21 Zigler said on a previous workshop meeting  
22 that they would not consider whether or not  
23 they would give an approval until this Board  
24 approves a site plan.

25 Well, then you already approved the site

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2 plan. Then they're going to decide whether  
3 or not they're going to give you the  
4 approval. And as someone else pointed out  
5 already, what happens if they don't give the  
6 approval and you've already given the  
7 approval to the site plan? Where do you go  
8 from there?

9 Also, I had put in a FOIL request for a  
10 copy of the Fire Inspector's report on  
11 Eagle Bay and that access, that emergency  
12 access route under Hunter Place. And I was,  
13 my response was, the response that I received  
14 was that the Fire Inspector's report was --  
15 there was no formal Stony Point Fire  
16 Inspector's report on file. I would have  
17 expected that we would have had that on file,  
18 and if it's not been done, I would think that  
19 this Board would want to have that report  
20 from the Fire Inspector.

21 What does the Fire Inspector think about  
22 the plan for emergency access? I mean, we  
23 all know what happens on Beach Road and the  
24 flooding. Beach Road floods out frequently.  
25 And oftentimes, you can have several feet of

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2 water on that road. That's going to be one  
3 of the main access points into this property.

4 We know we can't put a fire truck under  
5 Tomkins Avenue. So this is going to be your  
6 fire entrance, if you go under Hunter Place,  
7 and you're all banking on that access which  
8 has not been approved by CSX. I think that's  
9 an important question that should be answered  
10 before you proceed to a final site plan.

11 And as far as traffic goes, I agree with  
12 what other people had stated, was that we  
13 didn't -- from what my understanding is, that  
14 the applicant decided not to do the full  
15 traffic study, but said they agreed to put a  
16 light in. Okay, maybe two lights. I know  
17 the original plan was to put a light in I  
18 guess at Tomkins Avenue, and only put it up  
19 on 9W at Tomkins if the State -- which is a  
20 state road, 9W -- required them to do it.  
21 But, you know, okay.

22 Is the light going to be the answer to  
23 that problem of traffic? We got 600 parking  
24 spaces, and probably close to that number of  
25 cars. Is that traffic light going to answer

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2 the traffic issues? And I think the only way  
3 you're going to understand that is if you  
4 know, and you do a traffic study.

5 The limited sewer capacity has been a  
6 concern. I just have one more, one more  
7 issue, two more issues, Tom.

8 The limited sewer capacity, okay. You  
9 know that the applicant said they would  
10 contribute towards the sewer capacity. This  
11 development, my understanding is, this  
12 development can't be built without improving  
13 the sewer capacity because we, it's not a  
14 capacity issue as much as it is an  
15 infiltration, water infiltration problem with  
16 the town sewer. There's even a hundred feet  
17 of missing pipe down by Tomkins Avenue.

18 So they're agreeing to do that work. I  
19 mean, are they agreeing to do that work  
20 because we gave them all these extra condo  
21 units, and they're going to pay for it that  
22 way, and give \$40,000 that they're, that  
23 they're contributing to a, to a study? I  
24 mean, the Town is now negotiating off,  
25 offsite, you know, the Town Board is

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2 negotiating with them. I asked for a copy of  
3 the MOU. What is the Town agreeing to  
4 exactly with this applicant as to what kind  
5 of sewer improvements should be made?

6 And the last one I want to say is the  
7 historical resources. SPACE made an  
8 application to the Army Corps of Engineers,  
9 along with Scenic Hudson and the PIPC, and  
10 possibly the Rockland County Historical  
11 Society, to be a consulting parties to this  
12 Section 106 and 110F review. So we plan on  
13 participating in that. And I agree with  
14 Scenic Hudson. The Planning Board should not  
15 proceed with any approval of a site plan  
16 until that, that review is completed.

17 So I tried to summarize my points. I  
18 will send in written comments in addition.  
19 And I appreciate the extra time. Thank you.

20 CHAIRMAN GUBITOSA: No, thank you,  
21 George. And just so everyone knows, the  
22 reason why we opened the public hearing early  
23 is because of things like you brought up,  
24 George. A lot -- the public has a lot of the  
25 same questions we do, and there might be some

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2 questions that we're not thinking of. So  
3 this is why we started the public hearings  
4 early so that we -- we know there are things,  
5 questions to be answered. And we wanted to  
6 make sure we started early to get them. So,  
7 you know, people said why are you starting  
8 the public hearing early, this is why.

9 There are a lot of questions out there.  
10 You had a lot. You have good points. And we  
11 want to make sure that they get answered. So  
12 that's why, you know, I like things in  
13 writing, too. And I know you do, too, so  
14 that at least we don't get -- there's no  
15 miscommunication. But thank you, George.  
16 Steve, anyone else?

17 MR. HONAN: I do not see any other hands  
18 raised, Mr. Chairman.

19 CHAIRMAN GUBITOSA: All right. Does the  
20 Board -- I'll go to the Board. Does the  
21 Board have any -- I mean, I know we'll  
22 probably continue. Does the Board have any  
23 questions or concerns going at this time?  
24 I'll go. Max, anything for you?

25 MR. STACH: Yeah, Tom. I, I just wanted

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2 to, to make sure the public, especially some  
3 of the newer voices that we heard tonight,  
4 understand that there was already a  
5 significant public hearing on this project as  
6 part of the environmental review. And that  
7 there is a lengthy response document, the  
8 FEIS for this project, that has a lot of  
9 answers to the questions that were asked  
10 tonight, including a full traffic study for  
11 this project.

12 So, you know, it just seems that there  
13 may be some people that, that feel this is a  
14 different project than we looked at in the  
15 FEIS. And you know, there haven't been that  
16 many changes since the Planning Board went  
17 through that review and that public hearing.  
18 So if the public wants to learn more about  
19 the concerns that were already raised and how  
20 the plan has been adjusted over time in  
21 response to that, they may want to look at  
22 that document, which should still be  
23 available on the Stony Point website.

24 CHAIRMAN GUBITOSA: Yeah. I think, like  
25 you, you did say, Max. And then I just tell



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2 everyone that any comments, if you send it to  
3 Planning at Town of Stony Point dot org,  
4 we'll get them. I mean, Scenic Hudson, we  
5 did get the comments yesterday, and we'll be  
6 putting them into the record. Like Max had  
7 said, a lot of the questions, you know, we're  
8 going to -- were answered during the EIS.  
9 But, like, this is the site plan.

10 And so that the public also knows is,  
11 we're not the only Board looking at this.  
12 The ARB looks at this. The County looks at  
13 this. The DEC is looking at this. And the  
14 Army Corps. So there's a lot of set of eyes  
15 on this. So it's not just hey, the Planning  
16 Board is looking at this. We have all those  
17 different agencies looking at it, and we're  
18 getting the comments.

19 And that's what, that's what we're  
20 looking for right now. And we get the  
21 comments from the public. And like, like  
22 George, and from Jeff from the Scenic, this  
23 is what we're looking for, is the comments  
24 and questions.

25 John and John, anything, any things for

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2 you right now?

3 MR. O'ROURKE: Tom, this is John  
4 O'Rourke. Nothing, nothing on my end yet.  
5 We're waiting for revised site plans from the  
6 applicant.

7 CHAIRMAN GUBITOSA: All right.

8 MR. O'ROURKE: And when they address  
9 those and any comments that were raised  
10 tonight, we'll continue with our review.

11 CHAIRMAN GUBITOSA: All right. John  
12 Hager, anything for you? I know --

13 MR. HAGER: No, I don't have anything to  
14 add, really. I did hear a few comments about  
15 the Building Inspector. That was stuff that  
16 was determined before my appointment with the  
17 Town.

18 CHAIRMAN GUBITOSA: Yeah.

19 MR. HAGER: Generally, the Building  
20 Inspector can make interpretations to the  
21 codes. So I don't believe those  
22 interpretations were appealed. So that's,  
23 that's all I would say about that.

24 CHAIRMAN GUBITOSA: All right. And just  
25 so the public knows that John Hager's our new

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2 Building Inspector. Bill Sheehan retired, so  
3 he's still around. So I didn't want people  
4 to think that, you know, something happened  
5 to him. So, you know, Bill is around, but  
6 he's -- we have a new Building Inspector.

7 Steve, any, any comments you want to  
8 make at this point?

9 MR. HONAN: No comments from me, but we  
10 do have another person who would like to  
11 speak further, Deirdra O'Connor. And the  
12 public portion of the meeting is still open.

13 CHAIRMAN GUBITOSA: Okay. Go ahead.

14 MR. HONAN: So if you wish to entertain  
15 her, would you like to give her another three  
16 minutes?

17 CHAIRMAN GUBITOSA: Yeah, give her  
18 another three. We're good.

19 MR. HONAN: Okay, very good. Can you  
20 hear me, Ms. O'Connor?

21 MS. O'CONNOR: Oh, yes. Sorry. Can you  
22 hear me now?

23 MR. HONAN: Yes, I can hear you now.  
24 You can go right ahead.

25 MS. O'CONNOR: All right. Thank you,

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2 Steve. Thank you, Tom, and the Board. I  
3 just want to clarify because it does sound  
4 like, you know, the traffic study has been  
5 done. But it's really important to clarify  
6 and distinguish between a traffic study and  
7 an emergency response plan.

8 So the comprehensive emergency response  
9 plan, you know, for the town, as well as for  
10 the county, and the requirements that are  
11 needed to be met for that, as well as how  
12 that impacts the whole picture, you know,  
13 with the golf course and the possibility of  
14 another huge hotel going in, you know. Has  
15 that been, you know, well thought out in the  
16 larger plan, you know, to meet not only the  
17 town requirements, but state requirements and  
18 federal requirements for those emergency  
19 response plans, you know. Especially, you  
20 know, in fire situations and storms and all  
21 of those things.

22 You know, we all just saw we  
23 unfortunately, you know, lost a fireman in  
24 Rockland County. And the amount of support  
25 and emergency response that needed, you know,

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2 to take place for a much smaller, you know, a  
3 senior housing building, and the amount of  
4 time it took for people from New York City  
5 and Brooklyn to come and accommodate those  
6 emergencies. So on a larger scale, you know,  
7 unfortunately that's an area that floods  
8 significantly and has done major damages in  
9 destroying houses and homes and roads and,  
10 you know, what the impact is on the cost on  
11 the roads as well over time with that many  
12 people. So, you know, just making sure the  
13 traffic study goes hand in hand with the  
14 emergency response plan study and that it's  
15 well, you know, looked at from a, from a  
16 bird's eye view, including all the  
17 components, especially any new ones that are  
18 coming in planning, you know, for the next  
19 presently five, ten, 20 years. Thank you.

20 CHAIRMAN GUBITOSA: Oh. All right,  
21 thank you. And just to follow up with you is  
22 the Fire Inspector has been involved in this  
23 process since the beginning. He's been in  
24 multiple meetings, and I know he's been down  
25 at the site. They did, I know they did

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2 studies with the fire truck going in and out.

3 So, you know, the Fire Inspector has been  
4 involved. So, you know, just to make sure  
5 that you guys know that he's also been  
6 involved in the process.

7 I'm trying to look else -- any from the  
8 Board? Kerri, Mark, Eric, anything? Do you  
9 want to at this time, or you want to, like,  
10 you know, just wait for the public to keep  
11 their comments, and then hopefully we'll get  
12 responses from the applicant.

13 BOARD MEMBER JOHNSON: I've got nothing  
14 else aside from the things that I brought up  
15 in the past. But I think it's definitely  
16 going to be helpful to hear what the public  
17 has to say. And that could, that could  
18 prompt some more questions from myself, and  
19 I'm sure the other Board Members as well.

20 CHAIRMAN GUBITOSA: Right. Thank you.

21 BOARD MEMBER ALESSI: Tom, just in terms  
22 of process at the next public hearing is,  
23 will we have the applicant address the issues  
24 that were raised tonight?

25 CHAIRMAN GUBITOSA: Hopefully. Dave,

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2 you're on, right?

3 MS. MELE: I'm not sure --

4 CHAIRMAN GUBITOSA: Oh, Amy, you're  
5 there, right?

6 MS. MELE: -- if Dave is on. But we're  
7 certainly happy to address. I took very  
8 detailed notes of all of the comments  
9 tonight. And we're happy to address all of  
10 them and in whatever fashion you'd like.

11 CHAIRMAN GUBITOSA: All right. You're  
12 right. Thanks, Kerri. Maybe at, like, the  
13 next public hearing, you know, we might be  
14 able to, when we go over the review is maybe  
15 give some updates if you're still  
16 investigating so that there might be some  
17 more follow up questions. But thank you,  
18 Amy. Thanks, Kerri, for that.

19 MR. HONAN: Mr. Chairman, Jeff Charles  
20 has asked to give further comment.

21 CHAIRMAN GUBITOSA: All right, go ahead.

22 MR. HONAN: I'll recognize him, and an  
23 additional three minutes, Mr. Chairman?

24 CHAIRMAN GUBITOSA: Yeah.

25 MR. TEW: Thank you very much. Can you

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2 hear me?

3 MR. HONAN: Yes, we can.

4 MR. TEW: I just want to raise this  
5 point as well. And I was a lifetime member  
6 of the community, and was a county park  
7 ranger. And one of the things that I have to  
8 remark about what's going on with the high  
9 density residential thing is the river is  
10 more than just expensive condominiums, you  
11 know. People worked, a lot of people worked  
12 to clean up the river. Scenic Hudson, the  
13 Riverkeeper, and all these things I was  
14 involved with, with Alex Gregorias (ph) years  
15 ago. And again, you know, we have to look  
16 very carefully at the projects that are going  
17 because the impact upon the history is my,  
18 one of my primary concerns, with that being a  
19 historic site down there, you know,  
20 available. The noise, the traffic, and  
21 things like that.

22 But again, I think we have to focus on  
23 the fact that, you know, what is our  
24 community going to be? And a lot of people  
25 can't live here. This was a kind of a, you



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2 know, working class, you know, middle class  
3 community that I grew up in. And now it's  
4 being turned into, you know, expensive condos  
5 on the river. And I think that's not a  
6 proper use. I mean, you know, economic  
7 reasons, like marinas which are, got to be,  
8 you know, worth a lot, you know, are  
9 important things and have been there for a  
10 while. But it appears, I think a big picture  
11 has to be looked at in this.

12 And again, the people who have lived in  
13 this community along that river and who are  
14 going to be impacted, you know, I would like  
15 to see more about the traffic study. Because  
16 they're going to be the biggest people  
17 impacted here. And they've lived here for  
18 years, paid taxes, raised their children.  
19 And all of a sudden, you know, you can't even  
20 find affordable housing. It used to be down  
21 by the river, and that's gone now, too, with  
22 Ba Mar.

23 So, you know, we don't want to impact  
24 and drive away the people who built this  
25 community and are the backbone of this

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2 community. But I thank you for the extra  
3 time.

4 CHAIRMAN GUBITOSA: Oh. Thank you.  
5 Thank you, Mr. Charles. And just so you know  
6 with the waterfront, the Army Corps and the  
7 DEC are looking at this with, with fine tooth  
8 combs. So they are looking at all of your  
9 concerns when it comes to the river. So  
10 thank you. Steve, anyone yet?

11 MR. HONAN: We seem to be -- I think  
12 everyone has spoken at this point.

13 CHAIRMAN GUBITOSA: All right. Maybe  
14 we'll do tonight is, I'll make a motion to  
15 continue the public hearing to next month.

16 BOARD MEMBER ROGERS: I'll second that.  
17 I'll second that, Mr. Chair.

18 CHAIRMAN GUBITOSA: All right. All in  
19 favor?

20 (Response of aye was given.)

21 CHAIRMAN GUBITOSA: Opposed? All right.  
22 We'll move -- and then just to let the public  
23 know --

24 BOARD MEMBER KRAESE: Mr. Chairman?

25 CHAIRMAN GUBITOSA: Go ahead, Gene.

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2 BOARD MEMBER KRAESE: Can you just make  
3 notice, make a statement regarding the  
4 workshop we're going to have?

5 CHAIRMAN GUBITOSA: Yeah, that was going  
6 to be next. May 11th, for the public,  
7 May 11th, 6:00, we're going to have one of  
8 our other workshops where we go through some  
9 of the plans with the applicant. And just to  
10 get the public up to speed, why we do the  
11 workshops is we usually have TAC meetings two  
12 weeks before each Planning Board meeting  
13 where three Board, Planning Board Members and  
14 our consultants meet with the applicant just  
15 to review their paperwork to make sure that  
16 they have everything necessary for the next  
17 meeting so they're prepared, that there's  
18 nothing missing. And because there's only  
19 three Planning Board Members, the other four  
20 really, we don't get up to speed of what's  
21 going on.

22 So one way to get around this is if we  
23 do a workshop and make it a public meeting,  
24 the whole Board and now the public will get  
25 to hear some of the things that we're working

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2 on with the applicant. So we might, you  
3 know, we might answer some questions at the  
4 May 11th meeting before the next Planning  
5 Board meeting. So this is why we do these  
6 workshops. So thank you, Gene. Yeah,  
7 May 11th, 6:00. It will be on the Town  
8 website.

9 I'm trying to think what else. The  
10 other thing, like, like we said in the  
11 beginning, you know, written comments, you  
12 know, if -- I know a lot of people don't like  
13 to speak in public, or even on Zoom right  
14 now. So, the written comments. And, you  
15 know, I thank the public. George, I didn't  
16 mean to cut you off. But like you said, I  
17 just want to make sure we get everyone in,  
18 all the comments, and we're going to have the  
19 next public hearing next month. Jeff, you  
20 too.

21 So I think for now, we'll do the next  
22 public hearing next month. And that meeting  
23 is -- all right, let me look at my calendar.

24 MR. HONAN: I think it's the 27th, but  
25 I'm not sure.

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2 THE CLERK: Yes, the 27th.

3 MR. HONAN: Okay.

4 CHAIRMAN GUBITOSA: All right. So  
5 May 27th, 7:00 will be the next public  
6 hearing. It will be a webinar. Probably  
7 will be the same format. And then we'll, you  
8 know, we'll see everyone then.

9 And then for tonight, I just need the  
10 Board, we're going to approve the minutes for  
11 March 25th. I need a motion.

12 BOARD MEMBER ROGERS: I'll make that  
13 motion, Mr. Chairman.

14 CHAIRMAN GUBITOSA: I need a second.

15 BOARD MEMBER ALESSI: I'll second.

16 CHAIRMAN GUBITOSA: All right. All in  
17 favor?

18 (Response of aye was given.)

19 CHAIRMAN GUBITOSA: Opposed? All right.  
20 I'm trying to think what else. That was it.  
21 Mary, I didn't see Mike.

22 THE CLERK: I didn't see him, either.

23 CHAIRMAN GUBITOSA: All right. So  
24 Mike -- all right. So, you know, I'll thank  
25 the public. We'll, we'll see you in May.

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2 We'll see you for the workshop and for the  
3 next public hearing. And we'll do the same  
4 kind of format for the public, where we can  
5 get all their comments in. And like Amy  
6 said, hopefully they can address some of the  
7 issues and we'll go from there.

8 So I know, like, one of the, one of the  
9 parts we said is we've looking at this for a  
10 long time. And a lot of the Board and our  
11 consultants, we've been looking at this, and  
12 all the other agencies. The County's looked  
13 at it, everyone.

14 So it's not something we're taking  
15 lightly. It's something that we're, you  
16 know, looking at, and just to make sure we  
17 get things looked at. So I thank everyone.  
18 And at this time, does anyone have any other  
19 comments from the Board? All right. If not,  
20 I just need a motion to close.

21 BOARD MEMBER ROGERS: I'll make that  
22 motion, Mr. Chairman.

23 CHAIRMAN GUBITOSA: All right. Second?

24 BOARD MEMBER KRAESE: I'll second it.

25 CHAIRMAN GUBITOSA: All right. Gene,

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2 second. All in favor?

3 (Response of aye was given.)

4 CHAIRMAN GUBITOSA: Opposed? All right.

5 Close. And once again, I just want to thank  
6 everyone for joining. I know these Zoom --  
7 if you're not used to Zoom meetings, looking  
8 at this computer screen all day, you get kind  
9 of a headache. I know I do. So I appreciate  
10 everyone's patience with doing these Zoom  
11 meetings. And hopefully we'll, and we'll see  
12 you next month. So thank you, Steve, and  
13 thank you, everyone.

14 MR. HONAN: Thank you, Mr. Chairman.

15 (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.

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Jennifer L. Johnson