

1 STATE OF NEW YORK : COUNTY OF ROCKLAND

2 TOWN OF STONY POINT : PLANNING BOARD

3 - - - - - X

IN THE MATTER

4 OF

LIGHTFOOT AND HARVEY

5 LOT LINE CHANGE

- - - - - X

6 Town of Stony Point

RHO Building

7 5 Clubhouse Lane

Stony Point, New York

8 September 24, 2020

7:53 p.m.

9 (via Zoom)

10 BEFORE:

11

THOMAS GUBITOSA, CHAIRMAN

12 KERRI ALESSI, BOARD MEMBER

MICHAEL FERGUSON, BOARD MEMBER

13 ERIC JASLOW, BOARD MEMBER

MARK JOHNSON, BOARD MEMBER

14 EUGENE KRAESE, BOARD MEMBER

JERRY ROGERS, BOARD MEMBER

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ROCKLAND & ORANGE REPORTING

18 2 Congers Road

19 New City, New York 10956

20 (845) 634-4200

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1 Proceedings

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3 CHAIRMAN GUBITOSA: And the last item is
4 I guess for Lightfoot and Harvey. We have to
5 readopt a resolution of final approval.
6 Steve?

7 MR. HONAN: Yes. It was advised that
8 recently, the Rockland County departments
9 sent us comment letters. Technically, they
10 were supposed to have sent them to us before
11 we adopted the previous resolution, but for
12 whatever reason, they sent it to us late.
13 And as an accommodation, I redrafted the
14 prior resolution for the resolution I
15 circulated for tonight, and just made mention
16 of the letter dated September 3 from the
17 Rockland County Highway Department, and also
18 the letter dated September 23rd, from
19 yesterday, from the Rockland County
20 Department of Planning. And if you wish, I
21 could just read those provisions of the
22 resolution which are new, and then I would
23 just ask the Board, if it's acceptable, you
24 can go ahead and make a resolution to adopt
25 it.

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2 CHAIRMAN GUBITOSA: All right. Yeah,
3 Steve, just -- I see it. Just, it's that --
4 just read the new section that you put in.
5 That would be good.

6 MR. HONAN: Okay. It's just four
7 whereas paragraphs, starting on the second
8 page, second whereas starting.

9 Whereas, by letter dated September 3,
10 2020, the Rockland County Highway Department
11 submitted the following comments for
12 consideration: The Highway Department has no
13 objection to the application as the proposed
14 action will not impact the County Road, and
15 the proposed gratuitous transfer noted on the
16 plan/map shall be prepared and recorded in
17 the Rockland County Clerk's Office prior to
18 filing for the lot line change; and

19 Whereas, by letter dated September 23,
20 2020, the Rockland County Department of
21 Planning submitted the following comments for
22 consideration: As required by the
23 Rockland County Stream Control Act, the
24 subdivision plan must be reviewed and signed
25 by the Chairman of the Rockland County

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2 Drainage Agency before the County Clerk can
3 accept the plan to be filed, and the deeds
4 transferring the property must be promptly
5 filed and recorded in the Rockland County
6 Clerk's Office to achieve the lot
7 configuration indicated and to ensure the tax
8 maps are properly updated; and

9 Whereas, this application previously
10 came before this Board as an agenda item and
11 was heard, considered and approved by this
12 Board on July 23, 2020, and accordingly a
13 resolution of approval was made at that time.
14 However, thereafter, certain GML responses
15 were received by this Board as submitted by
16 the departments of the County of Rockland
17 which necessitated the amendment of the prior
18 approval and the instant resolution of this
19 Board to reflect these recent GML responses;
20 and

21 Whereas, this application once again
22 came before this Board as an agenda item and
23 was heard and considered by this Board on
24 September 24, 2020, at 7:00 p.m., at which
25 date and time the applicant appeared by their

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2 representative Atzl, Nasher and Zigler, P.C.;

3 and

4 Now, therefore, be it resolved that the

5 subject application and plat submitted for

6 approval concerning the subject premises be

7 and hereby is approved, and the Chairman is

8 hereby authorized to sign same and to permit

9 same to be filed in the office of the

10 Rockland County Clerk as a subdivision plat

11 pursuant to the requirements of the Town of

12 Stony Point Code Section 191-15, upon

13 compliance with all provisions of the Town

14 Code and payment of any and all outstanding

15 fees to the Town, subject and conditioned

16 upon the following:

17 One, all whereas paragraphs are

18 incorporated herein by reference.

19 Number Two, the Board's prior resolution

20 of approval in this matter, dated July 23,

21 2020, is hereby amended and superseded by the

22 instant resolution.

23 And Three, this resolution shall be

24 effective immediately.

25 CHAIRMAN GUBITOSA: All right. Any --

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2 what I'll do is I'll make the motion to
3 accept the amended resolution as given to us
4 by Steve just now. I just need a second.

5 BOARD MEMBER ALESSI: I'll second.

6 BOARD MEMBER ROGERS: I'll second that.

7 CHAIRMAN GUBITOSA: All right. I have
8 a -- I motioned, I had a second. Mary, just
9 poll the Board on this.

10 THE CLERK: Okay. Mr. Kraese?

11 BOARD MEMBER KRAESE: Yes.

12 THE CLERK: Mr. Jaslow?

13 BOARD MEMBER JASLOW: Yes.

14 THE CLERK: Mr. Johnson?

15 BOARD MEMBER JOHNSON: Yes.

16 THE CLERK: Mrs. Alessi?

17 BOARD MEMBER ALESSI: Yes.

18 THE CLERK: Mr. Ferguson?

19 BOARD MEMBER FERGUSON: Yes.

20 THE CLERK: Mr. Rogers?

21 BOARD MEMBER ROGERS: Yes.

22 THE CLERK: Tom Gubitosa?

23 CHAIRMAN GUBITOSA: Yes. All right,
24 thank you. That's been accepted. Thank you.
25 Thank you, Steve.

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2 MR. SHEEHAN: Can I ask a question?

3 CHAIRMAN GUBITOSA: Yeah.

4 MR. SHEEHAN: I'm just a little curious.

5 So the County now wants you to file the

6 widening strip prior to filing the map?

7 MR. ZIGLER: If I could kick in here,

8 it's yes. It creates a real problem, but.

9 MR. SHEEHAN: Yeah, yeah. That's a

10 little ridiculous.

11 MR. ZIGLER: Yeah. But they did it to

12 us on a couple of them. And then, then they

13 didn't on the last one. But on this one,

14 they wanted it. So the attorney, I believe

15 he has it filed. So with this resolution, we

16 can now file the map because the taxes are

17 paid.

18 MR. SHEEHAN: All right. And the second

19 question is I thought the drainage agency

20 only gets jurisdiction on subdivisions, not

21 lot line changes. Or is that new, too?

22 MR. ZIGLER: No. You're right. But

23 it's not worth the argument on these things.

24 So we just get them to sign it.

25 MR. SHEEHAN: Okay.

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2 MR. ZIGLER: Yeah. You're right, but
3 it's --

4 MR. HONAN: Technically, well, this is a
5 lot line change, but it gets filed like a
6 subdivision map.

7 MR. ZIGLER: Subdivision, yeah. So
8 that's where they --

9 MR. HONAN: That's how they --

10 MR. ZIGLER: -- look at it.

11 MR. HONAN: Yeah.

12 THE CLERK: Not worth the fight.

13 MR. ZIGLER: Yes. Thank you.

14 CHAIRMAN GUBITOSA: Thanks, Bill.

15 (Time noted: 7:58 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