

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

3 -----X

4 IN THE MATTER

5 OF

6 BLANCHARD HOLLOW

7 -----X

8 Town of Stony Point
9 RHO Building
10 5 Clubhouse Lane
11 Stony Point, New York
12 Thursday
13 December 13, 2018
14 7:46 p.m.

15 BEFORE:

- 16 THOMAS GUBITOSA, CHAIRMAN
- 17 MICHAEL FERGUSON, BOARD MEMBER
- 18 ERIC JASLOW, BOARD MEMBER
- 19 PAUL JOACHIM, BOARD MEMBER
- 20 JERRY ROGERS, BOARD MEMBER

21 APPEARANCES:

- 22 STEPHEN M. HONAN, ESQ., Special Counsel
- 23 MAX STACH, Town Planner
- 24 JOHN O'ROURKE, P.L.S, Town Engineer
- 25 WILLIAM SHEEHAN, Building Inspector
- MARY PAGANO, Clerk to the Planning Board

26 ROCKLAND & ORANGE REPORTING
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28 New City, New York 10956
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Proceedings

CHAIRMAN GUBITOSA: Next item on the agenda, Blanchard Hollow. This is a eight lot average density subdivision located on the west side of Jessup along Burkhart Drive. All right. Dave, give us an update.

MR. ZIGLER: Hi, Dave Zigler from Atzl, Nasher and Zigler. And finally back to the Board with this Blanchard Hollow. We were waiting to get an agreement with Mrs. Mason about the two spots that odd shaped piece of property that's surrounded her house. This is Jessup Lane and here's the cul-de-sac that we were talking about (indicating). As the Board knows this is currently an eight lot subdivision and there's road that traverses this whole property so instead of doing this massive road and these lots up on the whole hill, we're doing an average density condensing the site to being east of the power lines. The back side of this which is crosshatched will become a conservation buffer or conservation easement whatever the Board chooses on that. So that lot up here in the corner with the lake that

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2 basically owns all this property from the
3 center of the easement out all the way
4 around and then down this throat which is
5 the old access way into the back of the
6 property.

7 What we're proposing to do is take the
8 road pattern that was used in the original
9 subdivision and just turn this into a
10 cul-de-sac and we opened up this curve
11 because since that map was approved some of
12 the codes have change in Stony Point, and
13 one of them is the twenty-four foot road I
14 think has to now be as thirty-foot road and
15 has to have curbs so we just needed more
16 room to get around the corner. This
17 subdivision would have service from sewer
18 and water. It was already approved for
19 sewer and water originally, but it's
20 changing, it's changing in shape and size.
21 We have to come back to both agencies, we
22 have to go back to SUEZ for the water and
23 now Health Department for the water and
24 sewer. Both of those services and electric
25 and the gas would come off the end of Jessup

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2 Lane. We're showing lots of average
3 density. Average density lots you can use
4 smaller lot sizes, smaller width, smaller
5 areas and that's how you can produce the
6 subdivision which basically uses I'd say
7 less than half the property of the original
8 layout.

9 The first lot is here on your right so
10 you have to two lots that's where the house
11 sits. The house sits right there, but lot
12 one if the house is taken down then we have
13 building envelope for a new house. So most
14 likely that house would be removed, you'd
15 have a new house. So you have one, two,
16 three lots and then you have this flag lot
17 to the rear which is lot four and that's the
18 lot that owns all this property to the back
19 so total area of that lot is like ten acres,
20 but the usable area right here is almost
21 18,000 square foot, and then you have the a
22 two lots at the end of the cul-de-sac and
23 then as you come into the left past
24 Ms. Mason's house here on the left and then
25 there'll be two lots right here

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2 (indicating).

3 That dashed line is the existing the lot
4 line and we're proposing to add an
5 additional area to the west and then
6 offering this weird little triangle piece to
7 the east of her property, all that would
8 merge. The agreement they have now is that
9 she agrees to the concept and the idea and
10 as it moves forward hopefully she'll
11 continue to agree with the plan. One of the
12 concerns she had the drainage and the impact
13 on the front of her house cause you guys
14 were up there and when you stood there her
15 driveway was done lower than the grade, but
16 this grade is being dropped here just to get
17 up through here and a six percent grade
18 cutting probably four, five, and here's six
19 then up in here you're cutting more up to
20 eight-foot. These homes would all sit up on
21 the hill looking at the cul-de-sac and then
22 these two homes will be level because that
23 -- the grade drops off so they'd be filled
24 so they'd most likely be a front garage or
25 something with a basement, exposed basement

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2 on top it.

3 This plan has been in front of the
4 Board, we've been back and forth at no fault
5 of the Board that's for sure, but we're here
6 and we have comments from John O'Rourke
7 which, you know, we had to (inaudible), we
8 have some comments from the Rockland County
9 Planner and I don't think I have anything
10 from Max on this one, but what we're asking
11 to do tonight is to just set a public
12 hearing and bring it to the public and then
13 pursue the comments and do a comment
14 response for the comments that we have and
15 then forward it to United Water and start
16 the process with the services both water and
17 sewer.

18 CHAIRMAN GUBITOSA: You have anything,
19 Max?

20 MR. STACH: Yeah, so I do think that one
21 of things that we need to do is we need to
22 start the SEQRA process. So I would
23 recommend you start your notice of the
24 agency status and the look at the date and
25 Mary could send that out. I have -- I have

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2 not prepared my review of the application as
3 of yet.

4 CHAIRMAN GUBITOSA: John, anything?

5 MR. O'ROURKE: The Board should be aware
6 of that the lot width on lot four is the a
7 road frontage. The taking doesn't meet your
8 code. It is average density, but there also
9 taking the credit for Conklin Drive which is
10 really not accessible. So that was the only
11 thing I think the Board and Bill and the
12 applicant should discuss before you actually
13 schedule a public hearing whether the lot is
14 legitimate, the Board's okay with it or not.

15 CHAIRMAN GUBITOSA: All right. Bill?

16 MR. SHEEHAN: I agree with John. I
17 wouldn't count Conklin Drive, but as far as,
18 you know, legitimate pretty much it's up to
19 Board because with the average density you
20 have the rule or the control over the bulk
21 requirements. So, you know, one thing you
22 have to keep in mind on this it's kind of
23 unusual only because it's an approved eight
24 lot subdivision already so that's why
25 they're trying to obviously -- they can't

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2 exceed eight lots, but they're trying to
3 keep the eight lots. So I think if the
4 Board is comfortable with the shape of that
5 lot I really don't have an issue with it at
6 this point. I think what we need to see or
7 I need to see I'd like to see driveway
8 profiles especially up on that northwest
9 corner cause you're dropping that
10 cul-de-sac, you know, eight feet, what kind
11 of grade we're going to have to get into
12 these homes or garages or something to that
13 effect.

14 MR. ZIGLER: We have no problem with
15 that.

16 MR. SHEEHAN: And the other question we
17 have is for the disturbance of the 25
18 percent.

19 MR. ZIGLER: I didn't catch that.

20 MR. SHEEHAN: The disturbance of the
21 25 percent. I understand where the
22 applicant's going, you're doing average
23 density, you're saving X amount of property
24 in its natural state, now that you should be
25 able to do whatever you want with the other

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2 part of the property, but the whole reason
3 for average density is to save the actual
4 features and you get to move around some
5 land on the other portion, but I need to
6 look into that.

7 MR. O'ROURKE: I did speak with the
8 highway superintendent just so the Board is
9 aware he had concerns about so many
10 driveways in a cul-de-sac, but as long as
11 they can coordinate where a snow easement
12 can go for plowing cause they're concerned
13 cause I just envision a lot of driveways in
14 a pretty tight area and he has concerns with
15 that in existing cul-de-sacs now so that was
16 his concern as well.

17 CHAIRMAN GUBITOSA: Mrs. Mason, are you
18 -- you've been going over the details with
19 your lots?

20 MRS. MASON: With Dave you mean?

21 CHAIRMAN GUBITOSA: Yeah.

22 MRS. MASON: Yeah.

23 CHAIRMAN GUBITOSA: Are you getting
24 there?

25 MRS. MASON: I'm getting there. I

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2 requested certain things originally that was
3 agreed to and then they kinda changed it
4 around it cause they do need to get their
5 footage to get that last lot, but in return
6 I asked for other things we haven't gotten
7 there yet.

8 CHAIRMAN GUBITOSA: And your big concern
9 is the drainage?

10 MRS. MASON: A lot of it's the drainage
11 if they're gonna lower it, they're gonna do
12 a lot of blasting. I know that they blasted
13 on the opposite side of my house got damage
14 and then they said it wasn't from blasting
15 and everything else. That's really even
16 closer. I'm worried about that right there.
17 There's a lot of different stuff all up
18 there. I mean, I have all channels under my
19 property if you remember. And the corner
20 they did need to make that wider so the
21 property I have now, well, that I've been
22 using now that technically was mine.

23 CHAIRMAN GUBITOSA: Is that where the
24 driveway was on the other side?

25 MRS. MASON: Yeah. So they cut it and

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2 they took away property line there from me
3 and some on the other side cause they did
4 need the extra space for the lot and for the
5 roadway which I understand, but then I said
6 can you put up a rock wall there or
7 something, work with me, I'm working with
8 you and.

9 CHAIRMAN GUBITOSA: We'll get to that.
10 That's when you come right around the bend
11 when you're coming around.

12 MRS. MASON: Yeah. The property was
13 like --

14 CHAIRMAN GUBITOSA: Is that where that
15 tree was, remember that?

16 MRS. MASON: That tree's still down.
17 The one that blew down, yeah.

18 CHAIRMAN GUBITOSA: We can work on that.

19 MRS. MASON: Yeah, the extra -- like, I
20 know he wants to finish this stuff, but I
21 mean, if you're going to take the property
22 extra from me, how about a rock wall and a
23 fence or something, but the snow issue is
24 something too. There's already problems
25 across from that development too with snow.

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2 Actually, where a lot of the people are
3 bringing the snow is to that spot, well,
4 that you don't see there now at the end
5 where the road is where they cut is. That's
6 where they've been piling the snow the last
7 year or two so.

8 MR. SHEEHAN: If I could say something,
9 are they actually taking your property?

10 MRS. MASON: Yeah, well it's my property
11 for the past 17 years.

12 MR. SHEEHAN: You don't own it.

13 MRS. MASON: I don't own it, but Marty

14 --

15 MR. SHEEHAN: I understand, but they're
16 taking away their own property.

17 MRS. MASON: Yeah, they're basically
18 what --

19 MR. SHEEHAN: I just want to make that
20 clear cause I wanted to make sure.

21 MRS. MASON: I've been maintaining it
22 for all these years. Yeah, that's why I was
23 saying if Marty would just pay me the money
24 he owed me instead, but we're going it
25 through this.

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2 MR. O'ROURKE: I think we need the
3 driveway profiles looks where the driveways
4 are averages tensivity is.

5 CHAIRMAN GUBITOSA: So I guess we need a
6 motion, what do you want January, Dave?

7 MR. ZIGLER: Sure. I mean we'll work
8 through these other issues and let's see
9 what the public has to say because it did
10 start quite a bee's nest the last time it
11 was here so it might not want to get too
12 far.

13 CHAIRMAN GUBITOSA: Before we do that I
14 need a motion to be lead agency declare our
15 intent for lead agency, need a motion?

16 BOARD MEMBER FERGUSON: Motion.

17 BOARD MEMBER JOACHIM: Second.

18 CHAIRMAN GUBITOSA: All in favor?

19 (A response of aye was given.)

20 CHAIRMAN GUBITOSA: Opposed?

21 BOARD MEMBER JOACHIM: So that's Conklin
22 Drive goes down on Stacy Court?

23 MR. ZIGLER: Right. So this Conklin
24 Drive that's mapped here is probably I'd 300
25 foot from the end of the pavement so that's

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2 did in the woods there. That's actually
3 where they're accessing for the gas line so
4 there's no pavement street.

5 CHAIRMAN GUBITOSA: Bill, Tuesday night
6 the Town Board, they dedicated two roads,
7 was one of them --

8 MR. SHEEHAN: They dedicated Jessup
9 Valley West Estates or whatever it's called
10 today which is Margarita part of Crosscreek
11 and part of Jessup Lane.

12 CHAIRMAN GUBITOSA: Okay. We need a
13 motion to set the public hearing I guess for
14 the next available meeting which is
15 January 24th. I need to set a motion to the
16 set public hearing to January 24th.

17 BOARD MEMBER JASLOW: I'll make that
18 motion.

19 BOARD MEMBER FERGUSON: Second.

20 CHAIRMAN GUBITOSA: All in favor?

21 (A response of aye was given.)

22 CHAIRMAN GUBITOSA: All opposed? We'll
23 set the public hearing for the 24th. We
24 declared ourselves lead agency and for the
25 next meeting you're gonna answer the

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2 comments from the County; right?

3 MR. ZIGLER: Yes.

4 CHAIRMAN GUBITOSA: And John O'Rourke
5 and --

6 MR. ZIGLER: Max hasn't said anything.

7 CHAIRMAN GUBITOSA: And Max will put
8 something in.9 MR. ZIGLER: If you would just allow
10 them to e-mail it to me, his comments.

11 CHAIRMAN GUBITOSA: All right.

12 MR. ZIGLER: Thank you.

13 CHAIRMAN GUBITOSA: You're welcome. All
14 right.

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