

1 STATE OF NEW YORK : COUNTY OF ROCKLAND

2 TOWN OF STONY POINT : PLANNING BOARD

3 - - - - - X

IN THE MATTER

4 OF

BA MAR MANUFACTURED HOME PARK

5 - - - - - X

Town of Stony Point

6 RHO Building

7 5 Clubhouse Lane

Stony Point, New York

8 July 25, 2019

9 7:05 p.m.

10 BEFORE:

PETER MULLER, ACTING CHAIRMAN

11 MICHAEL FERGUSON, BOARD MEMBER

PAUL JOACHIM, BOARD MEMBER

12 EUGENE KRAESE, BOARD MEMBER

JERRY ROGERS, BOARD MEMBER

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16 ROCKLAND & ORANGE REPORTING

2 Congers Road

17 New City, New York 10956

(845) 634-4200

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1 Proceedings

2 CHAIRMAN MULLER: First item on the
3 agenda is Ba Mar, and that's continuing the
4 public hearing.

5 MS. MELE: Good evening. My name is Amy
6 Mele. I'm here of counsel to Ira Emmanuel
7 tonight. Our offices are at 4 Laurel Road in
8 New City, New York. This is a continuation
9 of a public hearing on the revitalization of
10 the Ba Mar Manufactured Home site.

11 I'm -- we're really just here to give an
12 update this evening. Our engineer, Ken
13 DeGennaro from Brooker, is out of town. So I
14 apologize, we don't have any new plans to
15 show you this evening, although there have
16 been some changes.

17 We've made some progress with Orange and
18 Rockland Utilities, because as you know,
19 there is a transmission line or -- a
20 transmission line that goes through there.
21 Distribution, actually. And we've made some
22 progress with them. We've made some changes
23 in accordance with their comments.

24 We've also made some progress with the
25 DEC. They had requested some alternative

1 Proceedings

2 designs with respect to the wetlands, which
3 we submitted. And I think they've decided on
4 one, which we're basing our design on. You
5 have seen before at previous public hearings
6 the layout which, we'll have an updated one
7 for you at the next public hearing.

8 We, we have done some outreach as the
9 Board had requested to the residents. And
10 Mr. Joel Brown is here to speak about that
11 tonight, and he can give you an update on
12 that.

13 So really, all we're here to do is
14 basically tell you that we're moving along,
15 that we have worked out a lot of the issues
16 with the DEC and O and R. At the next
17 meeting, we expect to be able to give you a
18 full rendering of where we are currently.

19 But in the meantime, I think I would
20 hand it over to Mr. Brown to let you know how
21 our outreach efforts are going. And then we
22 just simply ask that you continue the public
23 hearing until next month so that we can
24 finalize the plans and present them to you.
25 Thank you.

1 Proceedings

2 CHAIRMAN MULLER: Okay.

3 MR. BROWN: Thank you. My name is Joel
4 Brown. I'm President of RHP properties. My
5 office is in Michigan, and I represent the
6 ownership group of Ba Mar Manufactured Home
7 community.

8 As you know, we've been working with the
9 Town, our planning team to develop a viable
10 option for the revitalization or
11 redevelopment of the community. In its
12 current state, it is unviable. It is not
13 economically viable, and it is unsafe.

14 We are sympathetic to the experience of
15 all the residents who have endured as a
16 result of Superstorm Sandy. We are
17 particularly sensitive to the circumstances
18 of the current residents that remain in the
19 community. It is for this we would like to
20 clarify statements made by others and outline
21 our current position, which is unchanged.

22 We notified the residents of our plan
23 for redevelopment of the community last year.
24 Since that time, we've been working with the
25 Town Engineers and our planning team. We

1 Proceedings

2 have also worked with public officials,
3 New York Rising, and others to find options
4 for the existing residents.

5 The common refrain was that the New York
6 Rising program is closed, and the opportunity
7 had been extended previously on multiple
8 occasions, and open to all residents to take
9 advantage of previously. The reason the
10 community has so few residents now is because
11 most had accepted the hard to refuse generous
12 offer. We, as owners, were greatly impacted
13 by this. We cannot bring in new homes to the
14 community to replace those that have left to
15 make available for new residents.

16 Most of the existing homes are unsafe.
17 Our only alternative to keeping this as a
18 manufactured home community in a safe, viable
19 manner that complies with the regulations is
20 to redevelop in the form we have presented to
21 the Planning Board for approval. We are
22 driven to maintain this as a manufactured
23 home community that provides affordable
24 housing to those that need it.

25 In an effort to assist the existing

1 Proceedings

2 residents, current residents that remain that
3 will not, that have no plans to move at this
4 time, we are prepared to offer the following
5 to them. A 20 percent discount on the
6 purchase of a new home once redeveloped, or
7 we will pay the cost to relocate the
8 resident's home to another community that
9 they deem appropriate and works. Thank you
10 for the opportunity to speak again.

11 CHAIRMAN MULLER: Can I ask you a
12 question? How many, how many of these people
13 are in this position?

14 MR. BROWN: We -- it's not entirely
15 clear, but we believe it's 18.

16 CHAIRMAN MULLER: 18 that are having
17 trouble. Have you looked into what parks
18 will take their home? You talk about moving
19 them, but have you looked into
20 Rockland County to see if there's actually
21 another park that you can move their homes
22 to?

23 MR. BROWN: A little background. Part
24 of the reason why many of the residents don't
25 want to relocate, my understanding, and part

1 Proceedings

2 of the reason why it took so long for
3 New York Rising to offer, to offer different
4 iterations and versions of the, of the, what
5 they granted them was because there are
6 limited options for people to go to. There
7 are a few vacant sites in, you know, in the
8 area. But it extends -- some of them are far
9 away, and I recognize that that's a problem.

10 CHAIRMAN MULLER: So you got 18 people,
11 and you say there's only a couple sites that
12 are open. Have you looked in to see whether
13 you can move these trailers into those sites?

14 MR. BROWN: I apologize, I didn't mean
15 to interrupt you. There are -- as far as I
16 know, which I haven't explored explicitly,
17 there are only a few sites nearby. The other
18 sites are further away.

19 CHAIRMAN MULLER: So it may not really
20 be an option for them.

21 MR. BROWN: It may not be an option, but
22 it's the same that the people that were given
23 New York Rising money, many of those people
24 moved far away as well.

25 CHAIRMAN MULLER: Well, those people are

1 Proceedings

2 already gone and taken care of. I'm talking
3 about the 18 that are remaining. We need to
4 do something to find a solution for them
5 because as they've expressed in the meeting
6 before this, they live there. That's their
7 home. They bought it with all the money they
8 had, and now they're really stuck. So to say
9 you'll move them, but then to also say that
10 there's no place for us to move them to in
11 Rockland County is not really an option.

12 MR. BROWN: I'm not saying that there's
13 no place to go in Rockland County.

14 CHAIRMAN MULLER: You said there's only
15 a couple sites that you know of.

16 MR. BROWN: I didn't say
17 Rockland County. I meant in Stony Point, if
18 they exist. I don't know specifically what
19 exists in Rockland County.

20 CHAIRMAN MULLER: Maybe you can come
21 back with a little more detail on how many
22 you could actually move.

23 MR. BROWN: We can look into that.

24 CHAIRMAN MULLER: Please.

25 MR. BROWN: I also, I also, with all due

1 Proceedings

2 respect, I think it's incumbent upon the
3 residents to also do some research. And
4 what's been a common misconception is that we
5 are one and the same with New York Rising.
6 New York Rising was not offering us any
7 funding, they were offering the residents.
8 And so what I think some of the residents
9 think is that we were working with New York
10 Rising. No, we were not. We were affected
11 by what they did. And that's why we're here
12 today.

13 So I, while I'm sympathetic, and we will
14 do research on where there are vacant sites,
15 I think it's also incumbent upon the
16 residents to do some of their own research
17 because they have their own needs. And the
18 offer that I have on the table is to relocate
19 them, which is a very costly endeavor. To
20 relocate homes is very costly, and I
21 recognize that hardship, and that's why we're
22 willing to offer this.

23 CHAIRMAN MULLER: Well, that's what I'm
24 asking, how many sites are available in the
25 area. So you'll look into that and get back

1 Proceedings

2 to us.

3 MR. BROWN: We will do the best that we
4 can. But once again, I would also ask that
5 the residents that are looking to, you know,
6 have this hardship, that they do the research
7 as well.

8 MR. SHEEHAN: Mr. Chairman, if I can
9 mention something.

10 CHAIRMAN MULLER: Yes.

11 MR. SHEEHAN: I think you're going to
12 find it very, very difficult to find any
13 sites mainly because they're limited. And
14 I'm not aware of any existing park that will
15 take homes, used homes. If there's a vacant
16 pad, they're going to want to sell you a
17 home, a new home. So I think you're going to
18 find it very difficult to relocate existing
19 homes. And I don't know which homes they
20 are, but if they're pre-HUD, they won't even
21 be allowed to be moved.

22 CHAIRMAN MULLER: I think that's part of
23 the reason I was asking that question,
24 because I don't really think it's going to be
25 a viable answer for the 18 people that are

1 Proceedings

2 down there. So that's why I'm asking, when
3 they say this is an option.

4 MR. SHEEHAN: Well, I think it's 18
5 homes.

6 CHAIRMAN MULLER: 18 homes.

7 MR. SHEEHAN: Probably more than 18
8 people.

9 CHAIRMAN MULLER: I'm sorry, 18 homes.

10 MR. SHEEHAN: I believe that's correct,
11 18 homes.

12 CHAIRMAN MULLER: 18 homes. I want to
13 make sure that we do whatever we can for
14 them. And I don't really foresee a lot of
15 them being able to move those homes anywhere
16 else in the area. So I really hope that we
17 can find a solution because I don't want to
18 leave these people high and dry.

19 BOARD MEMBER KRAESE: Can I say
20 something, Mr. Chairman?

21 MR. SHEEHAN: Is it 18 homes or people?

22 MR. BROWN: It's 18 homes on 18 sites.
23 And I agree with what Bill said about, some
24 of the things that he said. There are
25 communities that are, I'm not going to say

1 Proceedings

2 how far they are, but they're farther, that
3 do have vacant sites that would accept homes.
4 I'm not going to represent that those are
5 nearby, or what constitutes nearby. But they
6 would accept those homes. I do agree also
7 with what Bill said about pre-HUD homes.
8 That will be more challenging.

9 BOARD MEMBER KRAESE: Mr. Chairman, I'm
10 trying to think of the right words to say.
11 It appears in the last couple of public
12 hearings that -- and I've been going to the
13 TAC meetings -- that the applicant has tried
14 his best to do something. And I don't think
15 no matter what gets done here, the residents
16 are going to be happy because this 20 percent
17 off is the first I heard of it. So it
18 appears that you're working towards a goal of
19 satisfying these residents, but it's possible
20 that you can't satisfy them. And that would
21 be an unfortunate situation, but that's out
22 of the hands of Planning Board.

23 You know, we can take everything into
24 consideration. But he has an application in
25 front of us. And by law, we have to go by

1 Proceedings

2 what's right, and what's it zoned for, and
3 what they're doing. We hope his efforts to
4 continue to find a viable place for the
5 displaced residents come to fruition, but you
6 know, it's possible it will not.

7 CHAIRMAN MULLER: Well, with all due
8 respect, the Planning Board is defined what
9 works best for the applicant and for the
10 people of Stony Point. And we don't want to
11 leave those people of Stony Point high and
12 dry. We have to find a solution. And the
13 way the Planning Board can express their
14 opinion is by the way they vote. We can
15 either vote for this project, and we can vote
16 against this project. That would be your
17 individual interpretation on what you felt is
18 right.

19 And I think it's very important that we
20 do everything in our power to find a solution
21 for the people that are there. They were
22 there. This is their home. They didn't ask
23 for the storms to come. They didn't ask for
24 the flood lands. They didn't ask for these
25 people to want to renovate the property. All

1 Proceedings

2 they know is they're in a home, and the home
3 is being taken out from underneath them. And
4 we have to find a solution that's going to
5 work.

6 BOARD MEMBER KRAESE: Well, we
7 apparently have a difference of opinion. So
8 we'll let it be at that.

9 CHAIRMAN MULLER: Thank you. If anybody
10 would like to speak on the subject, the
11 public hearing, please. Do we have a pad for
12 them?

13 THE CLERK: It's up there.

14 CHAIRMAN MULLER: Sign the pad, and tell
15 us your name and address.

16 THE CLERK: It's right up there, it says
17 Ba Mar.

18 MR. MARTINEZ: Good evening. When I
19 first found my home, I've been living in
20 Ba Mar for two years, two years, not knowing
21 the politics, not even knowing that Irene and
22 Sandy affected that whole area. With that
23 being said, my home was, was being sold by a
24 very reputable realty, Better Homes. The
25 realtor was very honest, came and she got the

1 Proceedings

2 approval from Joel, mentioned his name --
3 first time meeting him -- and the town.

4 Had I known, and had they declared that
5 this is the path that was taken, I would
6 never have invested in Ba Mar. Why would I
7 invest in Ba Mar and buy a home, live with my
8 mother, my elderly mother, knowing very well
9 that I got to deal with this predicament.

10 I don't think they were very
11 forthcoming. They didn't declare anything.
12 They didn't declare anything for people that
13 are buying a home.

14 Even right now, right now it's taking
15 place. They're still selling homes. Still
16 selling homes on Ba Mar knowing very well
17 what's going on in there. And to me, where I
18 come from, that's fraud. That's fraud. You
19 don't do that.

20 A lot of people save their money just to
21 buy a home. And then when they realize it's
22 going to be taken out of their feet -- that
23 was never declared. That was never
24 stipulated.

25 So my question to him is when did he

1 Proceedings

2 realize that this is the path that was going
3 to take place. Was it during Irene, after
4 Irene, after Sandy? If that's the case, why
5 are they still selling homes? Three months
6 ago, they sold a home there.

7 So as far as the question before is
8 getting a difference, that's not going to
9 work for me. I work on Rikers Island. I
10 work, and I bought the home, and leased the
11 home. And when I bought it, it's the way it
12 was distributed to me on the real estate
13 page, which was a dock and right next to the
14 water.

15 That's the home I bought. I sincerely
16 doubt he's going to give me that, okay.
17 Sincerely not. And there's nothing wrong
18 with my home. I bought it, and I made some
19 more improvement. I got a very good home.

20 And again, I hope he can do something
21 for me because I will take to this court.
22 I'll do what I got to do. And hope you guys
23 see exactly what we're talking about. I'm
24 not the only one. There's other families in
25 there who are probably in a worse predicament

1 Proceedings

2 than I am. Thank you, gentlemen.

3 CHAIRMAN MULLER: Thank you. Would
4 anybody else like to speak? Please.

5 MS. DOW: Hi. I'm Taryn Dow, I live at
6 83 Nancy Lane. I'm one of the residents in
7 Ba Mar.

8 Couple of things I'd like to say is one,
9 we don't need any more subliminal messages
10 from RHP Properties through community
11 newsletters. We need answers. I don't
12 understand how they could possibly make an
13 application to redevelop when they have not
14 yet addressed the people that live there.

15 They had no plan for us. They're
16 offering us 20 percent off. Does he really
17 think that any one of us would want to come
18 back the way we've been treated this first
19 time around? Absolutely not. We don't want
20 20 percent off.

21 Has anybody spoken to our banks for the
22 people who hold mortgages? Because
23 technically, until my last payment is made,
24 that bank owns my home. Nobody's spoken to
25 them.

1 Proceedings

2 I have. They're unwilling to agree to
3 this. They have written letters to New York
4 Rising stating the same. Because New York
5 Rising had no plan for people with mortgages.
6 Even if it was extended to everybody, it
7 doesn't mean that everybody qualified.

8 We are stuck there with no help from RHP
9 Properties at all. They send us things like
10 you could help, you could try to go out and
11 find something. This is not our problem.
12 This is their problem. They're trying to
13 make it everybody else's but theirs. It is
14 unfair, at the very least, immoral. And I'm
15 not too sure it's legal to demolish a home
16 that is being held for collateral through a
17 bank that you have not even discussed
18 anything with.

19 I bought my home three and a half years
20 ago. I'm in the same predicament as this
21 gentleman. Told nothing. I'm sure they knew
22 something was happening then. Maybe they
23 didn't bank on the fact that New York Rising
24 would grab so many people, and they don't
25 know what to do. They can buy us out.

1 Proceedings

2 That's an option.

3 One question I have is timeline. How
4 long do we have? Nobody's told us anything.
5 Again, we get newsletters. That gentleman
6 asked for my name and my telephone number at
7 the last meeting. I haven't received a phone
8 call. We don't need to put on a show. We
9 just need answers.

10 If we refuse to leave, does the normal
11 eviction process come into play? Do I get to
12 now tell my story to a judge and let him
13 decide? I would think that all of that stuff
14 had to be ironed out before he can get
15 approval to demolish. Because we can hold it
16 up.

17 I just want answers. And they have to
18 be fair. But what's being offered here today
19 is not. To offer us something that you don't
20 even have the background on to speak on
21 doesn't even make any sense. It means you
22 haven't thought through your offer. You came
23 up with that to tell that story here.

24 Again, you haven't been spoken to us.
25 Why is this the first we're hearing about it?

1 Proceedings

2 You send us a newsletter. You didn't say
3 anything other than please try to contact
4 somebody else.

5 Something needs to be done. And I
6 really, really, really hope you see it from
7 our side. Thank you.

8 CHAIRMAN MULLER: Is there anybody else
9 that would like to speak?

10 MS. GIZZI: Hi, guys. That's really
11 loud, sorry.

12 I am actually in a different situation.
13 I have been living in Ba Mar for 15 years. I
14 lived through Hurricane Irene, Hurricane
15 Sandy, yada yada. You guys know the whole
16 story.

17 I did apply twice with New York Rising.
18 Second -- first time they reopened, they
19 reopened to -- I can't remember the year.
20 But they reopened the second time. So in the
21 meanwhile, as we're trying to get our
22 applications and everything processed the
23 right way, we're getting the runaround from
24 New York Rising, we need this affidavit, we
25 need this notarized, that notarized, blah

1 Proceedings

2 blah blah, back and forth.

3 Paperwork was being faxed, mailed,
4 emailed. Still, a month later, oh, we need
5 this again from New York Rising, we need that
6 again. Okay. What the heck else do you
7 need? Oh, we need this again. All right.
8 In the meantime, families are moving out
9 before us who actually came in after
10 Hurricane Sandy, as we were there for
11 Hurricane Sandy.

12 So getting the runaround through them.
13 In the meantime, people are moving out,
14 houses are condemned. Renters are moving
15 again. They reopen the program again. What
16 do you think happens? An influx of people
17 who -- they reopened the program, and now we
18 have another 30 residents applying for
19 New York Rising, too.

20 So in the meantime, they're in and out,
21 the renters are in and out. And eight
22 months, six months, five months, they're in
23 and out. They have homes, they moved to
24 Orange County, Albany, wherever they went.
25 And we're still trying to fix our paperwork

1 Proceedings

2 because they're not accepting this, not
3 accepting that.

4 We don't understand how they rented to
5 homes, to people homes that were condemned.
6 And they were in and out. The place was
7 destroyed. They didn't care, whatever. So
8 we're sitting there, trying to do what we can
9 to make it a nice, reasonable place to live.

10 And so that's basically -- at June 1st
11 of this past month, June -- when was that
12 meeting, June 25th, we were at the meeting
13 here. And out in the hallway, we were told
14 by Joel in the hallway that we need to
15 contact New York Rising to beg them basically
16 to reopen the program, as we did.

17 Zachary Tierney was the contact. We got
18 a newsletter two weeks later, the newsletter,
19 newsletter. We got the contact information.
20 I called, a couple of people call. They
21 don't know who he is. We heard the name, we
22 don't know who he is, he's never been in this
23 office. We can't help you, we're not going
24 to reopen the program to anyone.

25 All right. So this was told to

1 Proceedings

2 management. But prior to any of this
3 happening, before the, before they reopened
4 it the second time for the Sandy, the
5 New York Rising, we were told by
6 management -- and you guys can vouch for
7 me -- you're okay, you don't need to leave,
8 you're grandfathered in, what are you worried
9 about? You're not even in the flood zone,
10 what's the problem?

11 What do you mean, what's the problem. I
12 said we have to go. Who told you you have to
13 leave? You don't have to leave. Worst case
14 scenario. Come in, get called into the
15 office down in Ba Mar. We all called in the
16 office to update our information, to update
17 this, update that.

18 New York Rising, would you accept a new
19 home probably at no cost, is what we were
20 told. I'm sure that's probably not what the
21 actual scenario was. But would you move back
22 in if New York Rising was to help you
23 purchase a new home in Ba Mar at no cost.
24 Sure.

25 And at that time was when we found out

1 Proceedings

2 that we were being basically kicked out,
3 leveling the property, we have to relocate,
4 blah blah blah. That's when we found out
5 that there were even -- we knew something was
6 going on, but we weren't told precisely what
7 was going on, with the elevation of the
8 property, us having to leave. We thought
9 that we could stay, they were going to build
10 around, elevate certain areas. You're not in
11 this zone, you're Zone A, you're Zone B,
12 whatever it was. Got the runaround from
13 management for a year.

14 So, what else do I have to say. I'm
15 just saying that when I reapplied, when I
16 reapplied to New York Rising the second time
17 around, I called them up. Application was
18 active, okay, no problem.

19 As of June 1st, I called back. There
20 was actually a property that I heard about in
21 Stony Point. My house is too big to actually
22 go into the lot where it is.

23 All right. Call New York Rising. Your
24 application's withdrawn. What do you mean
25 it's withdrawn, I never withdrew it. As of

1 Proceedings

2 June 1st, the program's closed, we withdrew
3 it. I said well, if I was aware of that, it
4 was kind of like we were on a -- we have to
5 hurry up and quick and find something,
6 whatever we can. But everything was being
7 taken by people moving in, moving out, moving
8 in, moving out.

9 So I feel that we were misled by
10 management. I feel that we were not told a
11 hundred percent what was really going on.
12 I'm sure they did a few years ago. I think
13 that they should have been upfront and
14 honest. And maybe we would have jumped on
15 some other kind of bandwagon that was
16 available. We don't know.

17 And I also would like to know, out of
18 all the residents in Ba Mar who were also
19 told that they were grandfathered in, is
20 everyone -- are there any families in Ba Mar
21 currently, right now? 18 families. Is there
22 anybody, any families, any homes that are
23 staying there, or is all, are all 18 families
24 moving out? Or did they come to some
25 agreements with other, with other residents

1 Proceedings

2 there? That's another answer I'd like.

3 And that's about it. I'm sure I'll have
4 more questions, but as of right now, I don't.
5 Thank you very much.

6 CHAIRMAN MULLER: The public hearing is
7 going to be continued, so if you want to
8 speak again, you have more questions that
9 come up, more concerns, you'll have an
10 opportunity again to address the Board, so.
11 Do we have anybody else tonight that would
12 like to speak?

13 MR. MARTINEZ: I spoke, but I'm going to
14 say, you know, there's 18 families left and
15 I -- I'm sorry.

16 CHAIRMAN MULLER: Please.

17 MR. MARTINEZ: I know I spoke earlier.
18 Sorry, I was kind of angry. There's 18
19 family left. 18 family, a lot of elderly.
20 All different type of kids, the whole
21 nine yards.

22 They can't, they can't -- there's no way
23 in the world they should be allowed to do
24 this to the 18 people that are left. If
25 you're going to do something, if you want to

1 Proceedings

2 do something to your property, do it with
3 them in mind. 20 percent does not even cut
4 the butter.

5 And the 18 people that are left, again,
6 they got family, they got elderly living
7 there. And a lot of them was misled like
8 myself. I would never put myself in this
9 situation if I had known, if I had known, and
10 if they were more forthcoming into what's
11 going on with Ba Mar. And like I said, it
12 all depends what happens, where it's going to
13 go. I want you guys to think about that
14 before you approve anything they want. Thank
15 you guys.

16 CHAIRMAN MULLER: George? George?
17 George, can you sign in, please?

18 MR. POTANOVIC: Oh, sure. George
19 Potanovic, 597 Old Gate Hill Road, Stony
20 Point, and President of Stony Point Action
21 Committee for the Environment.

22 I raised the question about the way the
23 applicant was going to handle the, at the
24 time I thought 20, now I guess it's 18
25 families that are existing on the property.

1 Proceedings

2 Is it that it's impossible to use the
3 existing buildings that they're living in
4 because they have to be moved and regraded?

5 I realize there's a need to increase the
6 elevation overall, so that would be
7 disruptive to the plan to change the, what
8 I'm assuming is the contour of the property,
9 to increase the height by what, 12 feet, I
10 think it is, right? Is that a, is that what
11 the main issue is, or are the existing homes
12 in a condition that is not acceptable to the
13 Building Inspector, or whoever has to make an
14 inspection on an existing building, if the
15 building's in violation right now of the
16 building code, according to what is the
17 building code for a mobile home owner?

18 CHAIRMAN MULLER: For those that may not
19 know how the Planning Board meetings work, or
20 public hearings work, if I can just tell you
21 that we ask you to come up and speak, but
22 it's not interactive. You raise your
23 questions, we write it down. We get you
24 those answers at the next meeting. We bring
25 up some of the questions that you've talked

1 Proceedings

2 about to the people we got the answers from.

3 What George is asking us to do -- he does
4 know a little better, I'm not yelling at you,
5 George -- raise your questions, we'll write
6 it down. You know we can't interact with
7 you.

8 MR. POTANOVIC: I understand.

9 CHAIRMAN MULLER: Raise your questions
10 and we'll --

11 MR. POTANOVIC: I understand. I guess
12 I'm trying to think, is there other options,
13 or have all the options been looked at for
14 the existing residents to remain on the
15 property, where the applicant could
16 accommodate them for the time being, where
17 down the road, they may decide to leave and
18 go someplace else in the future, and then the
19 applicant can certainly take over that lot
20 again and sell it as a new lot if they decide
21 to. You know, it wouldn't all happen at one
22 time. Which I'm sure they would prefer, is
23 to make all the changes and put in all new
24 units, you know, all at the same time. I'm
25 sure that's the way they would prefer to do

1 Proceedings

2 it.

3 But considering the fact that this is a
4 longtime existing community, and some people
5 even bought these properties not knowing that
6 there was potential for having to move out as
7 part of the plan for redevelopment of this
8 property, is there a way that the applicant
9 can accommodate the remaining people who
10 would like to stay and not buy a new unit
11 right now, and when they decide to leave at
12 some point in the future, of course, then the
13 applicant can certainly upgrade that, upgrade
14 that lot and put a new unit in there, and
15 sell it to someone else. But at least they
16 could accommodate the current residents who
17 want to stay.

18 I'm not sure how many they were in
19 total. I don't remember how many total units
20 they were. 18 represents what portion of --

21 CHAIRMAN MULLER: 18 I think is the
22 number we're speaking of.

23 MR. POTANOVIC: Yeah, but what's the
24 overall, what percentage is that of the
25 entire --

1 Proceedings

2 CHAIRMAN MULLER: That I don't know.

3 MR. POTANOVIC: Yeah, that I don't know.

4 I wasn't sure. I had written it down, I
5 thought it was --

6 BOARD MEMBER KRAESE: Somewhere around
7 121 when they started.

8 BOARD MEMBER ROGERS: It was 138, I
9 think.

10 MR. POTANOVIC: We're talking about
11 12 percent of the overall, maybe, or
12 15 percent of the overall number of units,
13 with the 18 that we're talking about. So I
14 guess that would be something that I'd like
15 to see looked into.

16 And also, I know that at the last
17 meeting, the applicant said the DEC was doing
18 some review. In fact, at this meeting, the
19 attorney representing the applicant said that
20 the DEC had some issues that they were
21 addressing.

22 We don't have maps tonight,
23 unfortunately, but is it possible that those
24 issues can be identified by the applicant and
25 explained as to what issues are currently

1 Proceedings

2 being looked into or addressed by the
3 applicant that the DEC had? I wasn't sure
4 what those were. They weren't really
5 identified at the last meeting. And they're
6 saying they made some progress on those
7 issues, and separate from the issues --

8 CHAIRMAN MULLER: If I understood them
9 correctly, they would have maps up next.

10 MR. POTANOVIC: So you want to have that
11 discussion --

12 CHAIRMAN MULLER: They would explain all
13 the things that they would --

14 MR. POTANOVIC: You want to have that
15 discussion when the maps are available. I
16 understand. Okay, thank you very much.

17 BOARD MEMBER KRAESE: George, let me
18 just say I know I'm taking notes. I know
19 colleague here is taking notes. And I hope
20 the applicant is taking notes to see what
21 questions are being risen, and to address
22 them at next month's meeting.

23 MR. POTANOVIC: Okay, thank you.

24 BOARD MEMBER KRAESE: And being at the
25 last TAC meeting, let me just say this about

1 Proceedings

2 the DEC notes. It had to do with the amount
3 of room from the wetlands to XYZ number of
4 trailer, Number 10 or 20 like that. They
5 were technical numbers that they were working
6 out, from the understanding that I had. I
7 thought there would be a map here, too. From
8 my recollection, it was, had to do with that
9 issue with Orange and Rockland and the
10 roadway. I'm sure it wasn't -- it was
11 something that will be addressed.

12 MR. POTANOVIC: Okay, thank you.

13 CHAIRMAN MULLER: Would anybody else
14 like to speak tonight on this issue? I'm
15 sorry, we'll get you next time.

16 MS. DRECHSLER: Hi. My name is Jackie
17 Drechsler. I live in Valley Cottage,
18 New York.

19 I've come to a lot of these meetings. I
20 didn't know that this was on agenda tonight.
21 I thought it was actually something else.
22 And I'm really disturbed by the, what I'm
23 hearing.

24 I mean, this has been going on a very
25 long time. And I think the distress that the

1 Proceedings

2 residents are in and everything that they've
3 endured, I just, I can't imagine why this is,
4 you know, just going on and on and on. It's
5 really an appalling way to treat a community.
6 Whether it's up to you, or other people, the
7 developer, whatever, I just think it shows a
8 complete disregard for the people's lives.

9 I wanted to know if you have copies of
10 minutes from the meetings that this issue is
11 being addressed for all of these years,
12 because I would like to know more about it.

13 I don't live here. I know that I oftentimes
14 come to meetings, my sister and I do because
15 we're concerned about land use and wetlands
16 and environmental effects of different
17 projects on the land. But this is, this is
18 the human effects here. And this is really
19 pissing me off. So I would love to know how
20 I can get copies of the minutes that relate
21 to this particular project.

22 CHAIRMAN MULLER: You can FOIL it.

23 MS. DRECHSLER: I can FOIL it?

24 CHAIRMAN MULLER: Yes.

25 MS. DRECHSLER: And do I have to direct

1 Proceedings

2 that to anyone here? I mean, if I'm FOILING
3 it.

4 THE CLERK: Town Clerk.

5 MS. DRECHSLER: Town Clerk? Okay, thank
6 you very much.

7 CHAIRMAN MULLER: If I could just
8 comment for a moment. Ba Mar is in a little
9 bit of trouble. It's flooding. There's an
10 area of it that when these storms, these
11 hundred year storms that seem to come about
12 every five or seven years, the whole park is
13 flooding, and it's leaving homes that are
14 worthless. I'm not speaking about the 18
15 homes that are there now.

16 If we can get -- now this is called the
17 Planning Board. We plan. We work. It's a
18 work in progress. Our goal is to make Ba Mar
19 liveable, safe. Our goal is to make sure the
20 18 residents are accommodated, that something
21 right happens by them. Our goal is that when
22 we're done, there will be a beautiful park
23 that a lot of people will want to live there.

24 But it's a work in progress. No
25 decisions have been made yet. We must hear

1 Proceedings

2 from the people. I'm hearing these comments
3 for sometimes the first time tonight.

4 It's being written down. It will be
5 addressed. It will be considered. Nobody is
6 pushing anything through. And in the end,
7 I'm hoping that we all have a nice place to
8 live, that we're all accommodated.

9 We welcome the project to move forward.
10 We really do want it to move forward. We
11 want the right thing to happen. It's our job
12 to get it right. So we're all working on it,
13 and we have everybody's consideration in
14 mind. I mean, that's really what we're
15 doing.

16 MS. DRECHSLER: I would like to continue
17 that for one moment because my parents moved
18 down to the Keys. Down in the Keys, it
19 floods. And the last super storm that hit
20 the Keys, even, you know, people who thought
21 they were safe, everything was gone. In
22 Piermont, during Hurricane Sandy, just like
23 in this area, the flooding was tremendous
24 and, you know, houses were wiped out,
25 especially down in Paradise Avenue. You

1 Proceedings

2 know, people are rebuilding, they're
3 rebuilding up, right. That's, that's, that's
4 something to be considering.

5 CHAIRMAN MULLER: That's what we're
6 doing.

7 MS. DRECHSLER: Well.

8 CHAIRMAN MULLER: We're raising the
9 whole park. That's the whole reason for this
10 project.

11 MS. DRECHSLER: Well, I'm saying the
12 house is built up, not just the land built
13 up. And I guess my point here is that --
14 well, this isn't the point. But my main
15 point here is I know people in Piermont that,
16 you know, the whole process of going through
17 the insurance after a storm, you know, kids
18 sick from the flooding, asthma, all sorts of
19 things, things that don't get covered. And
20 then you have to deal with trying to rebuild
21 and continue your life, and it's how many
22 years after.

23 It's just something, I'm not really sure
24 who's responsible for this, but it needs to
25 be resolved. And like, you know, saying

1 Proceedings

2 well, next month we'll have the slides, and
3 then we can talk about the other thing, and
4 then next month we'll do this and that.

5 And I know it's all a process. But you
6 know, we've been coming up here for the last
7 three or four years on other issues, and this
8 is always, this is always here, and it
9 doesn't seem to be getting results. So I'm
10 glad that you're working towards helping
11 people. Thank you.

12 CHAIRMAN MULLER: Would anybody --
13 ma'am, did you want to speak?

14 MS. GOOLER: Well, I'll just go up. My
15 name is Marisa Gooler. I live at 101 Marie
16 Lane in Ba Mar in Stony Point. I used to
17 live in West Nyack, and then I met my husband
18 in Stony Point, and his name is Henry Gooler.
19 He's been living in Ba Mar with his father
20 his entire life. And him and I and his
21 father bought a home back, I would say nine
22 years ago.

23 We have a home that is elevated. It's
24 up there. We didn't -- all, all our damage
25 that we got from Hurricane Sandy was

1 Proceedings

2 underneath, so we didn't get -- our home was
3 one of the lucky ones. We didn't get flooded
4 out.

5 But we did apply for New York Rising.
6 And we got denied because our flood insurance
7 paid for New York Rising. So they wouldn't
8 give us any money.

9 So I called again, like the letter said
10 to call. And this guy Zachary wasn't there.
11 There is no such thing by that name, they
12 told me.

13 And they told me my case was closed.
14 And I said well, who told you to close it.
15 They said we did as of June 1st. I said I
16 didn't give you permission to close it. And
17 they told me well, you got, your case is
18 closed, you can't reopen it because your
19 damage was covered by flood insurance and you
20 have a mortgage.

21 Well, we've been living there for nine
22 years. I have a daughter that's now, she's a
23 little over two. And we want to raise her in
24 North Rockland. And she has special needs,
25 but we're working through it. But we need a

1 Proceedings

2 home.

3 We -- our home is nice. It's
4 comfortable. My husband doesn't want to
5 leave unless Ba Mar pays us out. You guys
6 have to buy us out. That's the only way
7 we'll leave.

8 We want to stay there. I've been living
9 there nine years. I'm happy. My family is
10 happy. Just the fact that my husband and his
11 father has been living there his whole life,
12 and he don't want to go, to just go ahead and
13 just pick up everything and leave, and leave
14 their life away after they were born and
15 raised, my husband was actually born and
16 raised in Ba Mar.

17 He's 39 years old. He's been there for
18 39 years. I mean, I'm 39, he's been there
19 for 43 years. He's been there for 43 years.

20 And for them to go ahead now and
21 redevelop the park and not tell us anything,
22 just the fact that oh, you're just going to
23 lose your home. Well, you can't just go
24 ahead and knock down a home that still has a
25 mortgage on it. You have to go through our

1 Proceedings

2 bank. I think that's illegal if you're just
3 going to go and knock our home down.

4 And 20 percent off on a new home, or to
5 go and pay for a relocation, that's, that's
6 crap. Give us more than 20 percent. Give us
7 50 percent. Give us 75 percent. Buy us out.
8 Buy us out. That's my, that's my, my thing.

9 I need answers. Because if I don't have
10 answers, I'm going to go up to legislature.
11 I'll go to Zebrowski. I'll go to Carlucci.
12 I'll go to Senator Schumer. I'll do whatever
13 I have to do to get answers so I can, and get
14 my thing resolved. Or I'll go to Channel 2
15 News. Or I can go to Channel 7 News.
16 Whatever I have to do, I'll do it. But you
17 know what? Buy us out.

18 PUBLIC SPEAKER: There's always Letitia
19 James.

20 MS. GOOLER: That's my issue. Buy us
21 out. We're not going to leave unless you buy
22 us out.

23 I got denied from New York Rising. I
24 bet you other people here did, too, because
25 of our mortgage, because of flood insurance.

1 Proceedings

2 I had flood insurance, and they said our
3 flood insurance was paid because my house was
4 more than -- my house was worth more than the
5 flood insurance was. So that's why I got
6 denied. I have the paperwork to prove it.

7 And they won't reopen my case. So I'm
8 there, left in limbo. I have a mortgage I
9 have to pay, plus the rent. Buy us out. Pay
10 it. Give us an offer. Give us 125 grand
11 that you're offering for New York Rising that
12 they were offering. Give us that.

13 We want answers. And I'm done. I'm fed
14 up. I am stressed, I'm dealing with stress
15 from there, and I'm dealing with stress from
16 basic life, and I'm dealing with stress from
17 just living there. We want answers.

18 I mean, my home, yeah, didn't get
19 destroyed like everybody else's. But there's
20 all these homes around us that's been sitting
21 there since Hurricane Sandy. They didn't
22 knock them down. There's mold growing in
23 those homes. People are getting sick. My
24 husband has asthma now because of those
25 homes, because of the mold.

1 Proceedings

2 I mean, knock them down so then the
3 environment can be better. I mean, there's
4 mold growing, there's whatever else growing
5 in these homes. And it can get into others'
6 homes that are still there.

7 I mean, I just want answers. That's all
8 I want. And my main issue is buy us out.
9 I'm not leaving unless you buy us out.
10 That's it.

11 CHAIRMAN MULLER: Would anybody else
12 like to speak tonight on this issue?

13 MR. MARTINEZ: We'll save our energy for
14 the next meeting.

15 CHAIRMAN MULLER: We are going to
16 continue --

17 MR. POTANOVIC: I'm sorry, is there an
18 August meeting?

19 CHAIRMAN MULLER: What's that?

20 MR. POTANOVIC: Is there an August,
21 going to be an August meeting?

22 CHAIRMAN MULLER: Yes. August 22. This
23 will be continued at that time. So if you
24 want to speak again your concerns, you want
25 to reiterate, please come back on

1 Proceedings

2 August 22nd. You'll get another chance.

3 Can I have a motion to continue the
4 public hearing?5 BOARD MEMBER JOACHIM: I'll make a
6 motion.

7 BOARD MEMBER KRAESE: Second.

8 CHAIRMAN MULLER: All in favor?

9 (Response of aye was given.)

10 CHAIRMAN MULLER: All opposed? Okay,
11 very good. On that issue, we'll take it up
12 again on August 22nd.

13 (Time noted: 7:50 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