

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

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IN THE MATTER
OF
TOWN LINE

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Town of Stony Point
RHO Building
5 Clubhouse Lane
Stony Point, New York
October 22, 2020
7:10 p.m.
(via Zoom)

BEFORE :

THOMAS GUBITOSA, CHAIRMAN
KERRI ALESSI, BOARD MEMBER
ERIC JASLOW, BOARD MEMBER
MARK JOHNSON, BOARD MEMBER
EUGENE KRAESE, BOARD MEMBER
JERRY ROGERS, BOARD MEMBER

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CHAIRMAN GUBITOSA: All right. Next, next item for the application, we got Town Line. And this is just located on the south side of Holt Drive again. It's a review. Dave, you again.

MR. ZIGLER: Town Line is, as you know, a resurrection of a dinosaur that was in front of the Board about eight, eight, ten years ago. And right now, we're coming back. We resubmitted the same basic plan. We revised it in a few areas of mapping, really.

The plan is based on units that would be for small users, around 2,000 square foot. And the, each unit has a garage door and a ramp and a human door. So it could be utilized for a small van back up. Not a big truck; small van, box truck. And then if you're a plumber and you want to put your van inside, you could do that.

It's quite a useful building. It's called a flex building because you could use it in many ways. You could take the wall out and combine two units and have close to 5,000

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2 square foot.

3 The plan was in front of the public. We
4 were pretty close to being at final. And
5 then it sort of ran into a lawsuit.

6 We did get variances on the plan. And
7 we -- you, the Planning Board, sent it out
8 for comments. We have a few comments. And
9 we have comments from John O'Rourke on the
10 engineering, some engineering on the site.
11 But most of it's offsite.

12 This plan has to do with that drainage
13 going through the parking lot to the north.
14 That's, like, a separate issue. But that's
15 where most of the comments were.

16 And Max said he had comments. But Max,
17 I never received them. If you could just
18 email me those.

19 MR. STACH: I did not have comments,
20 Dave.

21 MR. ZIGLER: Oh, you didn't have. All
22 right.

23 MR. STACH: No. So as a clarification,
24 when I saw this, I saw that it looked a lot
25 like the one that was approved previously,

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2 and that we had issued a neg dec on it
3 previous. You know, it would be helpful if
4 you could describe -- I don't know if you can
5 cloud, like, a plan, or just describe tonight
6 what really has changed from the previous map
7 to this map.

8 MR. ZIGLER: Really the only thing that
9 changed was our title box. Our name changed,
10 and that was about it. Everything else is
11 the same. Offsets the buildings, the
12 pavement, the landscaping, lighting.
13 Everything is the same except the title box.

14 MR. STACH: What about on your, on your
15 variances that you received previously, do
16 you recall if the ZBA gave you a variance for
17 lot width?

18 MR. ZIGLER: It was a discussion. I see
19 that. And the lot width is the setback line
20 of the buildings from the road. And we did
21 not have lot width because at the time, we
22 were a frontage on an old map road. Back in
23 the 70s, Holt Drive was going to go straight
24 through and go all the way out to the marina
25 on Beach, Grassy Point Road. So this

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2 actually fronted on the road. And then the
3 road was abandoned, and Magee purchased it.
4 No, we did not get lot width.

5 MR. STACH: So, so I think this was a
6 discussion last time it was before the Board.
7 The Planning Board is actually able to give a
8 lot width waiver, I think for curved roads.
9 And it's probable that the reason why you
10 didn't get a lot width waiver back in, oh,
11 2006, or whenever it was originally before
12 the Board was probably because the Planning
13 Board had intended to do that. So I just
14 want to remind perhaps Steve that if the
15 Board is entertaining the approval of this,
16 the resolution would have to include that
17 waiver.

18 MR. HONAN: Do you know what provision
19 of the code that waiver is in?

20 MR. STACH: I do. It's 215-16B.

21 MR. HONAN: And what's the size of our
22 waiver that we're looking to, that the
23 applicant is going to be asking us for?

24 MR. ZIGLER: 150 is required and 135 is
25 the envelope.

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2 MR. STACH: And that allows --

3 MR. HONAN: The provision, but it's
4 usually within a certain parameter.

5 MR. STACH: Yeah. It's, they could
6 approve half the lot width, but in no case
7 less than 50 feet.

8 MR. ZIGLER: So we have 135. We're
9 asking for a reduction of 15 foot.

10 MR. STACH: And that's really, you know,
11 sort of my comments. This had received a neg
12 dec previously. So the Board I think is in a
13 good place to affirm that previous neg dec if
14 you feel that conditions down there are
15 essentially the same, and the project is
16 essentially the same, and there are no new,
17 you know, environmental conditions that would
18 have you second guess your original negative
19 declaration.

20 MR. HONAN: It is 14 -- is it 14 years
21 old, the other one? Nothing has changed in
22 14 years? That's --

23 MR. ZIGLER: Could be, yes.

24 MR. HONAN: Little long in the tooth.

25 MR. ZIGLER: Time flies when a lawsuit's

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2 involved. The other item I would like to ask
3 the Board, if they would set a public hearing
4 for December for this.

5 CHAIRMAN GUBITOSA: All right, we'll
6 look. All right, Dave. Let me see. John,
7 you had comments, right? I saw your, your
8 letter.

9 MR. O'ROURKE: Yeah. And most of my
10 comments refer to the offsite drainage, not
11 so much the project itself. But more
12 importantly, and just, Steve was going to
13 check or recommend that he check that because
14 the drainage off site was tied into a
15 lawsuit, you just want to make sure what
16 they're proposing is okay, because I know
17 that went to court. There was a stipulation
18 concerning that between the applicant and the
19 Town. So we have no issue with what they're
20 doing. You just got to make sure that, you
21 know, that it's legal.

22 CHAIRMAN GUBITOSA: Okay.

23 MR. HONAN: Right. I was going to be
24 speaking with the applicant's attorney. And
25 I believe there's been, that issue has been

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determined by the court already. So to a certain extent, our hands may be tied in certain, in certain instances. But I have to speak with the other attorney first.

CHAIRMAN GUBITOSA: All right, good. Thank you, Steve. Thanks, Dave. Does the Board have any, any other questions or concerns on this one yet? Or are we good? I think we're good, right? I don't see any -- all right. What I'll do is I'll make the motion that we set the public hearing for December 10th.

BOARD MEMBER ROGERS: I'll second that, Mr. Chairman.

CHAIRMAN GUBITOSA: Jerry, second. I got a motion, second. All in favor?

(Response of aye was given.)

CHAIRMAN GUBITOSA: Opposed? All right, everyone good. So we'll set the public hearing for December 10th.

MR. ZIGLER: Thank you.

CHAIRMAN GUBITOSA: You're welcome.


(Time noted: 7:18 p.m.)

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Jennifer L. Johnson

