

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

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IN THE MATTER

4 OF

BA MAR MANUFACTURED HOME PARK

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Town of Stony Point  
RHO Building  
5 Clubhouse Lane  
Stony Point, New York  
October 24, 2019  
7:00 p.m.

9 BEFORE:

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- THOMAS GUBITOSA, CHAIRMAN
- 11 PETER MULLER, VICE CHAIRMAN
- MICHAEL FERGUSON, BOARD MEMBER
- 12 ERIC JASLOW, BOARD MEMBER
- PAUL JOACHIM, BOARD MEMBER
- 13 EUGENE KRAESE, BOARD MEMBER
- JERRY ROGERS, BOARD MEMBER

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ROCKLAND & ORANGE REPORTING  
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3 CHAIRMAN GUBITOSA: The first item,  
4 before we get to the Ba Mar Home Park public  
5 hearing, we got a letter from Ba Mar that  
6 they want to, they request that the matter be  
7 adjourned from this Thursday, from tonight's  
8 meeting to the December Planning Board  
9 meeting. Because right now, they're in front  
10 of the ARB and ZBA. And once they go through  
11 that, they'll be back in December. But we're  
12 still going to keep the public hearing open.

13 So at this point, I'm going to open the  
14 public hearing for Ba Mar. And if you'd like  
15 to make comments about the project, just  
16 state your name and address for the record,  
17 and then sign in on the sheet. So we'll open  
18 the public hearing, and we'll probably keep  
19 it open until next month. So if you have any  
20 comments, just raise your hand and give your  
21 name and address for the record. George?

22 MR. POTANOVIC: George Potanovic,  
23 597 Old Gate Hill Road, Stony Point, and  
24 president of SPACE. I would like to make a  
25 comment regarding the EAF Part 2 on Page 10.

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2 It's Number 18, called consistency with  
3 community character.

4 Number C, Letter C on that talks about  
5 whether the proposed action may displace  
6 affordable or low impact housing in an area  
7 where there is a shortage of such housing.  
8 I'm sure some of you are aware of the history  
9 of the manufactured housing law in the town.  
10 It's probably been a little bit of a while  
11 now since the town modified the master plan.  
12 Originally, the manufactured housing was  
13 not -- it was considered to be a  
14 nonconforming use for many years in  
15 Stony Point. We had them, but they were  
16 nonconforming use.

17 And the Town decided at that time for a  
18 couple reasons to change that, to change it  
19 to a use by right. One was the reason is  
20 that they wanted the owners of the  
21 manufactured homes, parks to be able to  
22 invest money in those parks, and feel that  
23 they could then turn around and sell it  
24 later, and they would remain as a  
25 manufactured home. They could sell it and

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2 actually increase the value of their property  
3 because now they had a use by right.

4 But the other reason was the Town was  
5 supposed to supply affordable housing. We  
6 don't have apartment buildings in  
7 Stony Point, really, like many towns do. And  
8 that the manufactured home parks provide a  
9 type of affordable housing in our town,  
10 that's important in our town. And every town  
11 is supposed to have that. And that was our  
12 plan, was to consider the manufactured homes  
13 as part of that.

14 Now, I'm concerned particularly about  
15 this project in the way the developer, who  
16 I'm sure is a good developer of this project,  
17 in the end, when it's all approved, will end  
18 up building a very good park. I'm concerned  
19 about the people that are there now. There's  
20 about, I think about eight families that are  
21 left.

22 And these are people, I've spoken to  
23 some of them, but one of the families came to  
24 the Town Board meeting on Tuesday night and  
25 expressed her personal concerns about this,

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2 and that she's lived there for 20 years and,  
3 you know, she didn't have to leave. Her home  
4 was in good enough condition to keep as is.  
5 But the owner of this park, the new developer  
6 is saying she has to leave. You can't move  
7 the building anywhere. Some of you know it's  
8 limited in terms of where you can bring it,  
9 whether you could actually even transport it.

10 So people have mortgages on these units  
11 that -- what are they going to do? Are they  
12 going to be left, left alone? You know. And  
13 I don't think the Town should do that.

14 I think that the builder in this case is  
15 going to do very well once they get all this  
16 work done, and build these units, and is  
17 collecting fees from everybody. But up until  
18 that point, obviously he has to make the  
19 improvements and all that.

20 But the people shouldn't be discarded,  
21 you know, the residents of Stony Point. Some  
22 of them have lived here a long time. One in  
23 particular has only been here for four years.  
24 And you know, but they went ahead and bought  
25 a unit.

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2           This is a hard thing for people to do,  
3   you know. They're trying build their home  
4   and they expected they're going to live there  
5   for a long time, and all this change happens,  
6   and now they're going to be left out and be  
7   forced to move out of the area.

8           So I know the Planning Board's focus is  
9   on land use. I think we have to look at the  
10  result of what was to somehow -- we expressed  
11  this concern to the Town Board on Tuesday  
12  night. But we'd like to ask that you  
13  consider, you know, what can be done in this  
14  process to be sure that the existing  
15  residents of Stony Point are not discarded or  
16  hurt by this process, because I don't think a  
17  law like that should do this.

18          Now, the 18C on the Part 2 also relates  
19  back to Part 1, had to do with the definition  
20  the types of use in the zone, the MHC zone.  
21  I think it's Part C2A which defines that idea  
22  of an MHC zone. This is an MHC zone, and for  
23  the reasons that I mentioned, it was done for  
24  specific reasons. And I think we should  
25  understand what those are, and be sure to

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2 keep, are keeping with the reasons, and  
3 reasons why the benefits that were given to  
4 these owners of manufactured homes when the  
5 Town decided to recognize them as a use by  
6 right.

7 Okay, thank you. I'll hold any other  
8 comments I have until -- I would ask the  
9 hearing be continued. I got a copy just  
10 recently of the County Planning Board review.  
11 And on Number 7, it talks about the US Army  
12 Corps of Engineers is required to provide --  
13 I guess you have some reviews that are still  
14 outstanding, too. So of course we should not  
15 close the public hearing until the reviews  
16 are available. Okay, thank you for your  
17 attention. I appreciate it.

18 CHAIRMAN GUBITOSA: George, did you say  
19 for the first one it was Number 10 on Part 2?  
20 You said number -- okay, Page 10. Okay, got  
21 you. Thank you, George.

22 MR. POTANOVIC: Okay, thank you.

23 CHAIRMAN GUBITOSA: All right. Any  
24 other comments tonight? Go ahead, Kevin.

25 MR. MAHER: Kevin Maher, 130 Central

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2 Highway. I'm mainly just going to talk  
3 quickly about two letters, one from the  
4 County and one from the DEC.

5 When you look at Page 2 on the County  
6 letter, Items 7 and 8, they specifically are  
7 pointing out something that's called a  
8 Conditional Letter of Map Revision, CLOMR,  
9 which is required due to the fact that they  
10 are proposing to fill in the floodplain of  
11 the property. So the important thing is  
12 that -- I know Bill Sheehan doesn't know  
13 HEC-RAS. I'm hoping someone from John's  
14 office is, or John himself can review the HEC  
15 data that's going to come in, because you got  
16 to compare the report to the plans and make  
17 sure that they are -- because I don't want to  
18 see this project get lost in the shuffle. We  
19 need this project for grant money for the  
20 Town, because we need the low income housing.

21 On Item 12, they say no net increase in  
22 peak runoff. Let's face facts here. This  
23 location is right up against the Hudson  
24 River. By definition, you really don't need  
25 it. But why don't we just see if we can get



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2 some maybe pervious pavement, maybe a couple  
3 of rain barrels on some of the houses that  
4 are outside the floodplain. Maybe it could  
5 help a little bit. It may sound  
6 inconsequential, but every little bit counts  
7 now, I guess.

8 Item 14, the retaining walls that are  
9 called for on the site. Again, you're  
10 looking at things that are going to be  
11 designed by structural engineers. I think,  
12 I'm pretty confident that Lanc and Tully can  
13 handle that part of their review, I'm sure.  
14 Maybe, John, you have structural engineers on  
15 your staff that can look into this. If not,  
16 even for the HEC-RAS or for the Item 14, you  
17 might have to think about getting another  
18 outside consultant to look at it.

19 If you look at the DEC letter, the DEC  
20 letter's a bit damning because they say  
21 partial submittal. That's not good. I mean,  
22 we got to get, we got to get Brooker to make  
23 a better application because there's a lot of  
24 missing information on the plans, and like I  
25 said, I don't want to see this project get

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2 torpedoed on technicalities.

3 We really need this project. This is  
4 not one that should be, you know, kicked down  
5 the curb, or even just forgotten about.

6 Without this, the Town is going to lose a lot  
7 of grant money, a lot of application.

8 Thanks.

9 CHAIRMAN GUBITOSA: Thank you, Kevin.

10 All right. Any other comments for tonight?

11 MS. GIZZI: Hi, guys. How are you?

12 Boni Gizzi, 34 Terry Lane, Stony Point,  
13 Ba Mar. I just want to thank you for keeping  
14 the public hearing open. That was the main  
15 reason I was here tonight.

16 Also, being a resident, we are in  
17 negotiations with the owners. No resolutions  
18 at the time. However, I do have for -- I  
19 want to say since July, I was asking, we know  
20 of three homes that are staying, they're  
21 allowed to stay. And still haven't been  
22 answered why they're allowed to stay and  
23 we're not. We feel like the majority of us  
24 are being discriminated against with we don't  
25 know why they're allowed to stay and we're

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2 not, so.

3 I have the addresses of the homes that  
4 are staying that I know of. I don't know if  
5 you need those, or if you have those in the  
6 plans. You probably do. But I just want to  
7 thank you again for keeping the public  
8 hearing open. Thank you.

9 CHAIRMAN GUBITOSA: All right, any other  
10 comments for tonight? All right, no  
11 comments. What we'll do is we'll continue  
12 the public hearing to next month. We just  
13 need a motion.

14 VICE CHAIRMAN MULLER: I'll make that  
15 motion.

16 CHAIRMAN GUBITOSA: Second?

17 BOARD MEMBER JOACHIM: Second.

18 CHAIRMAN GUBITOSA: All in favor?

19 (Response of aye was given.)

20 CHAIRMAN GUBITOSA: So, and just so you  
21 know --

22 THE CLERK: Who seconded?

23 CHAIRMAN GUBITOSA: Paul. And  
24 December 12th will be -- we skip November, so  
25 December 12th will be the next meeting for

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the public hearing. Thank you.

(Time noted: 7:08 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