

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

8 Stony Point, New York

9 September 26, 2019

10 7:03 p.m.

BEFORE:

10

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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New City, New York 10956

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2 CHAIRMAN GUBITOSA: All right. First
3 item on the agenda is a public hearing,
4 Ba Mar Manufactured Home. This is on the
5 south side of Grassy Point. If you'd like to
6 give us a quick update of where you are and
7 what's going on.

8 MR. DeGENNARO: My name is Ken
9 DeGennaro, engineer for the applicant. Since
10 the last time we appeared before the Board,
11 we modified the configuration slightly. We
12 didn't modify the actual road layout. All we
13 did was we added some additional sidewalks in
14 front of these units along the end where
15 there were long rows of parking.

16 And we also modified the grading around
17 the boat ramp area to -- we made the boat
18 ramp a little bit steeper so we could elevate
19 the road in front of the ramp to a higher
20 elevation. And we submitted a more detailed
21 planting plan, which was also submitted to
22 DEC. And we reconfigured some of the parking
23 for the boat slip area, the oversized
24 parking.

25 And those were the only changes.

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2 They're relatively minor. And that's it for
3 the changes.

4 CHAIRMAN GUBITOSA: All right. Just to
5 follow up, because I know there's going to be
6 questions. I know you've had, you've had --
7 even though it's not part of our purview, the
8 negotiations between you and the tenants, I
9 know that at the TAC meeting, you had some
10 progress, or you had some updates just to
11 give us.

12 MR. DeGENNARO: Yes. In terms of the
13 negotiations, or --

14 MR. BROWN: Hi, my name is Joel Brown.
15 I'm with Ba Mar. Ira Emanuel was supposed to
16 be here, so I was hoping for him to speak on
17 our behalf. Since he's not here, could you
18 repeat the question for me?

19 CHAIRMAN GUBITOSA: Oh. I know that at
20 the TAC meeting, there was some updates on,
21 you know, negotiations with the tenants, or I
22 know that you were relocating some of them.
23 I wanted to see if that was still going on.
24 I know it's not part of our purview, but it
25 was brought up at the last few meetings.

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2 And, you know, this is I think the only place
3 where the residents get to hear something on
4 the project or what's going on.

5 MR. BROWN: I'm certain that if Counsel
6 was here, they would advise me not to --

7 CHAIRMAN GUBITOSA: Okay.

8 MR. BROWN: -- advise about that.
9 However, contrary to advice that I would get,
10 we -- it's our position that we are working
11 with the residents and negotiating with them
12 to a conclusion that's mutually beneficial
13 for both of us. I believe that some of the
14 residents at this point in time may be not
15 satisfied with the progress or the outcome of
16 the negotiations, but that we are still
17 working with everyone, and we have not
18 reached a conclusion with everyone.

19 But we are hopeful that we can do that,
20 and we can remain open. And we are
21 attempting to discuss, obviously, the
22 progress of this. We've been focused on that
23 in the last couple weeks. That's where we're
24 at.

25 CHAIRMAN GUBITOSA: Okay, all right,

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2 thank you. All right, what I'm going to do,
3 we're going to open the public hearing and
4 we're going to take comments on the, on the
5 project. And just so I clarify for the
6 public so they don't get the wrong ideas,
7 we're part of the -- we do the land use. We
8 do the site development. But when it comes
9 to negotiations between, you know, the, you
10 and the landlord and any other agreements, we
11 have no authority over. I mean, you're
12 welcome to speak about it. But just to let
13 you know, we can hear you, and I know this is
14 a platform for you to discuss. But, you
15 know, if you have concerns on the plan at the
16 moment, we'd like to hear them.

17 But what I'll do now is I'll open the
18 public hearing. And if you have, like to
19 say, just state your name, address for the
20 record, and go to the podium and just address
21 the Board. So I'm going to open the public
22 hearing. Go ahead. After you speak, I'm
23 just going to have you sign in with Mary
24 after.

25 MS. DOW: Okay. My name is Taryn Dow.

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2 I reside at 83 Nancy Lane. I'm a Ba Mar
3 resident. I understand what you just said
4 about it not being in your purview, and that
5 it's pretty much about the land.

6 CHAIRMAN GUBITOSA: Right.

7 MS. DOW: When we sit on that land, that
8 should be part of the consideration. We
9 reside on that land, right. So that should
10 be included in any planning that is set forth
11 before you. I can't see how it could not be,
12 right. I mean, we're there, so we have to be
13 dealt with. Granted, negotiations are
14 handled between us and management, and that's
15 a side piece. But to say that this should
16 not be heard here is, I can't even understand
17 how that's possible.

18 Second, now that I'm coming home to all
19 of these markings, and all this spray paint
20 all over my lawn, and all of these flags
21 being placed all over the place, I ask you to
22 tell me what, thus far, has been approved so
23 that I'm aware of what's going on. I
24 understand this has not been approved, but I
25 have the feeling that something else is

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2 happening because otherwise, this is all
3 being done premature.

4 There is no notice. I have strange
5 people walking through my -- I still pay rent
6 there. I still reside there, okay. I'm
7 still a tenant. They are considered my
8 landlord. And normally, landlords are not
9 supposed to be on the property that they are
10 renting out to people without at least
11 notice.

12 My personal property is on this land.
13 And people are traipsing through, I have no
14 idea who they are. I come home and my lawn
15 is a mess. I'm required to maintain it.
16 They own it, great. I'm required to maintain
17 it. And now I can't really do that. I can't
18 really mow my lawn. I still live there. And
19 until that's settled, that should be
20 considered.

21 So I'm asking what has been approved
22 thus far. In layman's terms, too, because I
23 know there's a lot of technical stuff and,
24 you know, O and R this, and all of that
25 stuff. But I'd really like to know in

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2 something, terms that I can understand.

3 CHAIRMAN GUBITOSA: All right. If you
4 want to --

5 MR. HONAN: Just for clarification, I'm
6 the attorney that advises the Planning Board.
7 The Planning Board has not made any
8 determinations as of this date. The
9 applicant is still before this Board making
10 their proposed site plan to this Board and to
11 our consultants. And the process that we're
12 working through has been working through for
13 quite some time.

14 So there's no decision from this Board
15 as of tonight. The Chairman just indicated
16 what the function of this Board is. And it
17 sounds like to me that you're having a
18 hardship, but that really is not something
19 that this Board can deal with. We're just
20 not equipped for. We're here to look at the
21 planning and the future use of this site.

22 I suggest that if you have a problem
23 that you deal with your landlord because this
24 sounds like a tenant-landlord complaint. And
25 then if you cannot deal with your landlord

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2 face-to-face, there are courts that can help
3 you out, and you could consult an attorney to
4 pursue your rights with respect to your
5 landlord. But this Board is not capable of
6 intermediating between you and the landlord,
7 and it's truly not the function of this
8 Board. We're here for a development of a
9 piece of land. So what I'm trying to do --

10 MS. DOW: With all due respect, sir,
11 you're -- it's a development of a piece of
12 land that I reside on.

13 MR. HONAN: Yes.

14 MS. DOW: Okay. Granted, my issues with
15 my landlord are my issues with my landlord.
16 I'm not putting that before the Board. What
17 I'm saying to you is you are approving, or
18 you have an applicant before you that wants
19 to do something with land that, can they
20 really yet? We're there. We are there. And
21 until something is final, decisions and all
22 of that good stuff, but I don't understand
23 why something cannot be deferred or at least
24 stipulated that you need to at least deal
25 with what you've got on this land before we

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2 can act on this land. I don't understand how
3 it can be two separate things.

4 MR. HONAN: Well, the owner of the land
5 has made an application. And this Board has
6 to entertain that application under the law.
7 If you feel you have rights that this Board
8 or the landlord is compromising, you have an
9 avenue in the courts to address that. But
10 this Board is not the place to do it.

11 MS. DOW: Okay. So you're telling me
12 nothing has been approved. So there really
13 shouldn't be anything happening as of yet.
14 Is that what you're telling me?

15 MR. HONAN: No, no, I'm not saying that.
16 I'm saying that --

17 MS. DOW: Okay, so.

18 MR. HONAN: Your landlord, I believe,
19 owns the property. And he can do with the
20 property what, under the law, he's permitted
21 to do.

22 MS. DOW: Understood, understood. So
23 with respect to a landlord and a tenant --
24 and granted, this has nothing to do with you,
25 but since you're speaking on it, I'm going to

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2 speak on it, okay. You cannot -- can a
3 landlord just walk into an apartment that
4 he's renting to a tenant without notice
5 unless it's an emergency?

6 MR. HONAN: If you're questioning me --

7 MS. DOW: I'm not. All I'm -- you're
8 saying, you know, it's his property, it's
9 his -- it very well may be. But there are
10 things that protect us as well.

11 MR. HONAN: You're correct. If you have
12 a lease, you have protection. If you're a
13 month-to-month tenant, you have protection.
14 That's why I think you should go see a lawyer
15 and go to the courts.

16 MS. DOW: And I will totally deal with
17 that. I'm not, I'm not here to banter back
18 and forth. That's, that's, that's not why
19 I'm here. I'm not here to argue. I'm just
20 here to speak. This is all we have. This is
21 all we have. We didn't even have a voice
22 until somebody invited us here. Nobody was
23 willing to talk to us. We cannot be
24 forgotten just because we're only talking
25 about the land. It's unfair. At the very

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2 least, immoral.

3 MR. HONAN: I don't know what to tell
4 you other than what I've told you. This
5 Board is not here to be hearing moral
6 arguments. We're here --

7 MS. DOW: Okay, I just have one more
8 question. And it's a general question. It's
9 not, you know, you won't be able to answer it
10 to an exact science. But in your
11 experiences, typically, how long does
12 something like this, a project of this
13 magnitude take to be approved, give or take?

14 MR. HONAN: I can tell you now that the
15 Board does not take questions. It's a long
16 process, and it has --

17 MS. DOW: That's what, that's what
18 I'm -- I said it wasn't an exact science.

19 MR. HONAN: Right.

20 MS. DOW: I'm just asking for a general,
21 I mean, are we talking months, are we talking
22 years. I'm not saying I'm pinning you down
23 to a number. I'm just asking for a
24 generalization from past experience.

25 MR. HONAN: It has been going on for

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2 many months. And I think it's been over a
3 year. So it's a very long process.

4 MS. DOW: Okay, so you're just not going
5 to answer any of my questions. That's fine.

6 CHAIRMAN GUBITOSA: All right. I know
7 some other tenants want to speak. We're
8 going to keep the public hearing open. So I
9 just -- and like you said, I'm trying to give
10 the public a place to speak, even though
11 we're, we don't, we can't act on it, it's
12 giving you a place to voice your concerns.
13 So if no one else is going to speak tonight,
14 what we'll do is I'll make a motion to
15 continue the public hearing to next month.

16 VICE CHAIRMAN MULLER: I'd like to make
17 that motion.

18 CHAIRMAN GUBITOSA: Second?

19 BOARD MEMBER ROGERS: I'll second that,
20 Mr. Chair.

21 CHAIRMAN GUBITOSA: And then what we're
22 going to do is, we just need to take a five
23 minute adjournment. We're just waiting for
24 the Building Inspector. He has some things
25 he wants to talk about.

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2 MR. EMANUEL: With respect to this?

3 CHAIRMAN GUBITOSA: To this.

4 MR. EMANUEL: Okay.

5 CHAIRMAN GUBITOSA: So just, we're going
6 to five minutes, take a quick recess.

7 MR. EMANUEL: All right, great.

8 CHAIRMAN GUBITOSA: And then as soon as
9 Bill gets in, because I know he wants to
10 address some stuff that's going on, and maybe
11 it will help answer some questions.

12 MR. EMANUEL: Perfect, thanks.

13 CHAIRMAN GUBITOSA: All right. So we're
14 just going to take a five minute recess.

15 (Recess taken.)

16 CHAIRMAN GUBITOSA: All right. All
17 right, we're just going to reopen the
18 meeting. Now, before the Building Inspector
19 gets here, we have to go over part of the
20 Part 2, Part 3 to the, to the SEQRA
21 determination. Max, you just want to --

22 MR. STACH: Yeah, so you want me to go
23 up there.

24 CHAIRMAN GUBITOSA: Yeah, go up there,
25 tell them what, you know, exactly what this

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2 is.

3 MR. STACH: So as you may remember, we
4 received a, we adopted a Part 2 EAF
5 identifying potential impacts for this
6 application back in March. And a first draft
7 of the Part 3 was adopted by -- or not
8 adopted, was submitted by the applicant back
9 in April. We discussed it at the meeting in
10 April, and we asked them to correct some
11 photographs and provide some additional
12 information with regard to engineering
13 matters such as flooding and drainage, storm
14 water.

15 An additional draft was submitted in
16 August. We met at the September TAC meeting
17 to discuss that. John had some additional
18 points he wanted clarified with regard to the
19 storm water. And we received another draft,
20 a Part 3 EAF dated last revised
21 September 19th.

22 And all three of your consultants have
23 reviewed that and believe that it is adequate
24 with one amendment. And that is with regard
25 to Page 2-5, in that it still refers to

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2 existing structures along the east side of
3 Ba Mar Drive being removed. The body of the
4 text has been corrected, but the executive
5 summary still refers to that.

6 That's a project change. Now that their
7 structures as you enter the project site on
8 the left side there will remain, and I
9 believe there's going to be another two
10 structures there total. So that needs to be
11 edited. Other than that, we agree with the
12 contents of the Part 3 EAF, and we would
13 recommend your adoption of it tonight as just
14 amended, or as just suggested to be amended.

15 Additionally, I provided you tonight
16 with a negative declaration for your
17 consideration. This would essentially close
18 the SEQR process, indicating that an EIS is
19 not required to be prepared.

20 MR. EMANUEL: Mr. Chairman, just for the
21 record, we have no objection to the
22 amendment.

23 CHAIRMAN GUBITOSA: All right, thank
24 you. Max, once the Part 3 is, we adopt that
25 and do the negative dec, then the DEC can do

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2 their -- I saw a letter from the DEC.

3 MR. STACH: Yeah. So adoption of the
4 neg dec is a formality which must be taken
5 before any agency can approve the plan, but
6 it doesn't necessarily require the plan to be
7 approved. So basically, what it states is
8 that the action, as studied in the EAF, is
9 incorporating appropriate mitigations so as
10 to not warrant additional environmental study
11 in an EIS. That's essentially what it means.

12 After that is adopted, any of the
13 agencies involved with the application would
14 be free to make a decision on the application
15 without doing further environmental review.
16 However, if, for some reason, some other
17 environmental matter should be entered, it
18 can also be considered by this Board in an
19 amended neg dec. But that typically doesn't
20 happen.

21 CHAIRMAN GUBITOSA: All right, thank
22 you, Max.

23 MR. STACH: You're welcome.

24 CHAIRMAN GUBITOSA: All right, so we
25 have the Part 2 review. So we got to --

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2 Part 3, I'm sorry, Part 3 EAF. And we need
3 to adopt it with that one correction that Max
4 talked about. Does the Board have any
5 questions before I ask for a motion to adopt
6 the EAF Part 3? All right, I just need --
7 all right, so I just need a motion to adopt
8 the EAF Part 3.

9 BOARD MEMBER ROGERS: With that
10 amendment, I'll make that recommendation.

11 CHAIRMAN GUBITOSA: All right. We need
12 a second.

13 BOARD MEMBER FERGUSON: I'll second it.

14 CHAIRMAN GUBITOSA: All right. I have a
15 motion and a second. Any questions on the
16 adoption of the EAF Part 3? All right.
17 Mary, just poll the Board on this one.

18 THE CLERK: Mr. Muller?

19 VICE CHAIRMAN MULLER: Yes.

20 THE CLERK: Mr. Jaslow?

21 BOARD MEMBER JASLOW: Yes.

22 THE CLERK: Mr. Joachim?

23 BOARD MEMBER JOACHIM: Yes.

24 THE CLERK: Mr. Ferguson?

25 BOARD MEMBER FERGUSON: Yes.

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2 THE CLERK: Mr. Rogers?

3 BOARD MEMBER ROGERS: Yes.

4 THE CLERK: Mr. Kraese?

5 BOARD MEMBER KRAESE: Yes.

6 THE CLERK: Chairman Gubitosa?

7 CHAIRMAN GUBITOSA: Yes. All right.

8 Now we'll do the negative dec, Max. All
9 right, we'll do the negative dec. I'll read
10 the negative dec, and then we'll go over.
11 I'll ask for a motion and a second on this
12 one.

13 This is the State Environmental Quality
14 Review, Negative Declaration, Notice of
15 Determination of Non-Significance. Project
16 is Ba Mar Site Plan, Town of Stony Point,
17 September 26, 2019.

18 The notice is issued pursuant to
19 Part 617 of the implementing regulation
20 pertaining to Article 8, State Environmental
21 Quality Review Act, of the Environmental
22 Conservation Law.

23 The Planning Board of the Town of Stony
24 Point, as lead agency, has determined that
25 the proposed action described below will not

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2 have a significant effect on the environment
3 and a Draft Environmental Impact Statement
4 will not be prepared.

5 The name of the action is Ba Mar Site
6 Plan, Type 1. Condition Negative
7 Declaration, no.

8 Description of the action:

9 Reconstruction of a manufactured home park
10 inundated by Superstorm Sandy, reducing the
11 previously constructed 152 unit park to 140
12 units and meeting the requirements of the MHC
13 zoning district. Although an existing park
14 exists, this plan is being considered as an
15 initial approval under New York State
16 Department of Health's Type 1 list given the
17 completely revised home configuration and
18 proposed replacement of all units.

19 Location: South of the intersection of
20 East Main Street and Grassy Point Road in the
21 Town of Stony Point. Tax Map is designated
22 as Section 20.02, Block 11, Lot 7.1.

23 Reasons supporting this determination:

24 The proposed action is not anticipated to
25 result in any adverse environmental impacts

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2 based on the following: On or about
3 January 2, 2019, the Town of Stony Point
4 received an application for site plan
5 approval and supporting documentation for the
6 action, action above along with a Full
7 Environmental Assessment Form dated
8 December --

9 MR. STACH: December 21st -- actually,
10 I'm sorry, that's 2018.

11 CHAIRMAN GUBITOSA: December 21, 2018.
12 On January 1, 2019, New York State DEC
13 required that the new Environmental
14 Assessment Forms be used for all SEQOR
15 reviews.

16 On or about January 24, 2019, the
17 Planning Board noticed its intent to declare
18 Lead Agency status, and on or about
19 February 19, 2019, the applicant submitted
20 revised EAFs Part 1 meeting the new New York
21 State DEC standard which were circulated
22 along with the above-referenced notice of
23 intent to the following involved agencies:
24 A, Stony Point Town Board; B, Rockland County
25 Health Department; C, US Army Corps of

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2 Engineers; D, New York State Department of
3 Environmental Conservation; E, New York State
4 Department of State; F, Stony Point
5 Waterfront Advisory Committee; G,
6 Rockland County Drainage Agency.

7 Four, on or about March 28, 2019, the
8 Planning Board assumed lead agency status and
9 adopted a Part 2 Environmental Assessment
10 Form indicating the following areas of
11 potential environmental impact:

12 A, potential impact on land from
13 construction where depth to water table is
14 less than three feet;

15 B, potential impact on land from
16 construction on slopes over 15 percent in
17 grade;

18 C, potential impact on land from
19 construction lasting more than one year;

20 Potential impact on surface water,
21 particularly adjacent wetlands;

22 E, potential impact on surface water,
23 particularly the water quality of adjacent
24 water bodies;

25 F, potential impact to flooding from

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2 development in a floodway;

3 G, potential impact to flooding from
4 development in a hundred-year floodplain;

5 H, potential impact to flooding from
6 development in a 500-year floodplain;

7 I, potential impact to flooding from
8 modification of existing drainage patterns;

9 J, potential impact to flooding from
10 changes to flood water flows;

11 K, potential year-round impacts to
12 aesthetic resources as viewed by people
13 involved in recreation and routine travel;

14 L, potential impact to community
15 character from inconsistency with the
16 predominant scale and architectural
17 character;

18 Five, on or about April 26, 2019, the
19 lead agency and its consultants reviewed a
20 Part 3 Environmental Assessment Form prepared
21 by Brooker Engineering, PLLC, on behalf of
22 the project sponsor dated April 14, 2019, and
23 determined that additional information and
24 modification to analyses were required to
25 appropriately assess environmental impacts;

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2 Six, on or about September 12, 2019, the
3 lead agency and its consultants reviewed a
4 Part 3 Environmental Assessment Form prepared
5 by Brooker Engineering, PLLC, on behalf of
6 the project sponsor dated August 30, 2019,
7 and determined that additional information
8 and modification to analyses were required to
9 appropriately assess environmental impacts;

10 Seven, on or about September 26, 2019,
11 the lead agency reviewed, amended and adopted
12 a Part 3 Environmental Assessment Form
13 prepared by Brooker Engineering, PLLC, on
14 behalf of the project sponsor dated last
15 revised September 16, 2019, indicating the
16 following clarifications with regard to the
17 potential moderate or large environmental
18 impacts identified in the Part 2:

19 A, potential impacts to land from
20 shallow groundwater will be mitigated by
21 minimizing excavation and incorporating best
22 management practices in accordance with New
23 York State DEC standards that were determined
24 adequate by the Town Engineer;

25 B, potential impact on land from

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2 construction on slopes over 15 percent in
3 grade will be mitigated through the
4 incorporation of best management practices
5 and soil and erosion control methods designed
6 to the satisfaction of the Town Engineer;

7 C, potential impact on land from
8 construction lasting more than one year will
9 be mitigated by a soil and erosion control
10 plan and phasing plan designed to the
11 satisfaction of the Town Engineer;

12 D, potential impact on surface water,
13 particularly adjacent wetlands, have been
14 minimized through close consultation with the
15 New York State DEC and by implementation of a
16 Stormwater Pollution Prevention Plan and the
17 removal of existing encroachments;

18 E, potential impact on surface water,
19 particularly the water quality of adjacent
20 water bodies is mitigated through
21 implementation of a soil erosion and sediment
22 control plan designed to the satisfaction of
23 the Town Engineer;

24 F, potential impact to flooding from
25 development in a floodway is not relevant

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2 given there is no floodway adjacent to the
3 site;

4 G, potential impact to flooding from
5 development in a hundred-year floodplain are
6 mitigated by constructing finished floor
7 elevations two feet above the hundred-year
8 floodplain, conforming with all requirements
9 of the Town Floodplain Administrator and
10 elevating site roadways to improve access by
11 emergency vehicles to the greatest extent
12 possible;

13 H, potential impact to flooding from
14 development in a 500-year floodplain are
15 similarly mitigated;

16 I, potential impact to flooding from
17 modification of existing drainage patterns is
18 not likely given that existing drainage
19 patterns are being maintained;

20 J, potential impact to flooding from
21 changes to flood water flows is not likely
22 given that the peak rate of runoff is being
23 reduced through the reduction of impervious
24 surfaces;

25 K, potential year-round impacts to

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2 aesthetic resources as viewed by people
3 involved in recreation and routine travel are
4 mitigated by installation of a considerable
5 landscape plan and replacement of older often
6 storm-damaged structures with newly
7 constructed manufactured housing;

8 L, potential impact to community
9 character from inconsistency with the
10 predominant scale and architectural character
11 have been mitigated by decreasing the overall
12 number of units on the site, reducing the
13 average size of each unit, providing greater
14 buffers between proposed structures and
15 wetlands and water bodies than the existing
16 layout, and implementing a landscape plan
17 proposing significant landscape plantings to
18 screen and beautify the site;

19 Eight, the Town of Stony Point Fire
20 Inspector has reviewed the application and
21 his environmental and safety concerns will
22 all be addressed;

23 Nine, the Town of Stony Point Consulting
24 Engineer has reviewed the application and his
25 concerns will all be addressed;

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2 Ten, no other adverse impacts were
3 identified.

4 All right, so I have the negative dec,
5 with that one correction of the date. Max,
6 anything else we need to correct, other
7 than --

8 MR. STACH: Yeah. One typo I noticed,
9 patters should be patterns.

10 CHAIRMAN GUBITOSA: Oh, the patterns,
11 right.

12 MR. STACH: We corrected that.

13 CHAIRMAN GUBITOSA: We corrected that.
14 Oh. All right, yeah. And I did, on Line 4,
15 I said March 28, 2018. It's 19, so. But
16 it's in the, it's in the negative dec.

17 VICE CHAIRMAN MULLER: Just telling you.

18 CHAIRMAN GUBITOSA: Thank you. All
19 right, so I have a negative dec. I need a
20 motion to adopt.

21 BOARD MEMBER JOACHIM: I'll make a
22 motion.

23 CHAIRMAN GUBITOSA: I need a second.

24 BOARD MEMBER FERGUSON: I'll second it.

25 CHAIRMAN GUBITOSA: Any questions on

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2 that? John, any? You're good?

3 MR. O'ROURKE: No, we reviewed it
4 before.

5 CHAIRMAN GUBITOSA: Max, you're good.
6 Mr. Larkin, you're good with --

7 MR. LARKIN: Yes. We have, we've
8 received our flow test from United, Suez
9 Water. And we're going to review it with the
10 Fire Department.

11 CHAIRMAN GUBITOSA: Right.

12 MR. LARKIN: Currently, everything
13 that's, everything that was proposed is,
14 seems to be in order.

15 CHAIRMAN GUBITOSA: Okay, thank you,
16 Mr. Larkin. All right, on the neg dec, I
17 have a motion and a second. Mary, just poll
18 the Board on this.

19 THE CLERK: Mr. Muller?

20 VICE CHAIRMAN MULLER: Yes.

21 THE CLERK: Mr. Joachim?

22 BOARD MEMBER JOACHIM: Yes.

23 THE CLERK: Mr. Jaslow?

24 BOARD MEMBER JASLOW: Yes.

25 THE CLERK: Mr. Ferguson?

1 Proceedings

2 BOARD MEMBER FERGUSON: Yes.

3 THE CLERK: Mr. Rogers?

4 BOARD MEMBER ROGERS: Yes.

5 THE CLERK: Mr. Kraese?

6 BOARD MEMBER KRAESE: Yes.

7 THE CLERK: Chairman Gubitosa?

8 CHAIRMAN GUBITOSA: Yes. We adopt the
9 negative dec. Oh, I did, yeah.10 All right. I did the -- for the public
11 hearing, I made a motion and a -- we had a
12 motion and a second to move it to, continue
13 it to the next --

14 THE CLERK: Who made the motion?

15 CHAIRMAN GUBITOSA: What is it,
16 December 12th? October, October 12th.

17 THE CLERK: Tom, who made the motion?

18 CHAIRMAN GUBITOSA: Paul made the
19 motion.

20 MR. EMANUEL: October 24th is --

21 CHAIRMAN GUBITOSA: Yes. Sorry. We're
22 going to move the, continue the public
23 hearing to the October 24th meeting. I have
24 a motion and a second. Any questions?

25 THE CLERK: Who seconded?

1 Proceedings

2 CHAIRMAN GUBITOSA: Pete seconded.

3 VICE CHAIRMAN MULLER: I make a motion.

4 CHAIRMAN GUBITOSA: I missed that. All
5 right. All in favor?

6 (Response of aye was given.)

7 CHAIRMAN GUBITOSA: Opposed? All right,
8 we'll continue the public hearing to next
9 month. The negative dec.

10 MR. EMANUEL: Thank you very much.

11 CHAIRMAN GUBITOSA: I think Bill wanted
12 to --

13 THE CLERK: He's not coming.

14 CHAIRMAN GUBITOSA: Oh, he's not. All
15 right, so yeah. We'll see you next month.

16 MR. EMANUEL: Okay, great. Thank you.

17 (Time noted: 7:38 p.m.)

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Proceedings

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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