

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

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IN THE MATTER
OF
TYLER PLACE

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Town of Stony Point
RHO Building
5 Clubhouse Lane
Stony Point, New York
January 26, 2023
7:01 p.m.

BEFORE:

JAMES PURCELL, ACTING CHAIRMAN
KERRI ALESSI, BOARD MEMBER
ROLAND BIEHLE, BOARD MEMBER
MICHAEL FERGUSON, BOARD MEMBER
ERIC JASLOW, BOARD MEMBER
JERRY ROGERS, BOARD MEMBER

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CHAIRMAN PURCELL: First on tonight's agenda is Tyler Place for the resolution of the three-lot subdivision. Can Tyler Place come up and speak?

MS. RAMANATHAN: Hello, good evening. Ramya Ramanathan from Atzl, Nasher and Zigler, New City, New York. Nothing much, nothing's changed. We've met with the comments. We should be good to go.

CHAIRMAN PURCELL: Okay. Thank you very much for your time.

MS. RAMANATHAN: Thank you so much.

CHAIRMAN PURCELL: So I need a motion for me to read Tyler Place three-lot subdivision. I need a motion.

BOARD MEMBER ROGERS: I'll make that motion.

CHAIRMAN PURCELL: Second?

BOARD MEMBER ALESSI: I'll second.

CHAIRMAN PURCELL: Okay, so. Resolution granting approval for a three-lot subdivision for the project Tyler Place, by application of Robert Varano of 10 Tyler Place,

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Stony Point, New York.
Whereas, an application dated March 3, 2022, and revised August 8, 2022, and a short EAF dated March 3, 2022, and revised full EAF dated June 7, 2022, and a project narrative summary, dated July 7, 2022, have been submitted to the Planning Board for approval of a three-lot subdivision of a project designated Tyler Place and seeking to subdivide an existing lot with a single family residence thereon, Lot 1, and creating two additional residential lots, Lots 2 and 3, to be improved with a home on each newly created lot, and Lot 2 will have access off of Tyler Place, and Lot 3 will have access off of John F. Kennedy Drive, and which will require an area variance for lot frontage, and upon a submitted plat designated Subdivision Plat, dated March 2, 2022, and last revised November 7, 2022, prepared by Atzl, Nasher and Zigler, P.C., consisting of six sheets, hereinafter Subject Application, and affecting premises commonly known as 10 Tyler Place, Stony Point, New York, and

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designated as Section 15.03, Block 1,
Lot 21.2 on the tax map of the Town of
Stony Point, consisting of 4.89 acres,
located in an RR Zoning District,
hereinafter, subject premises; and
Whereas, pursuant to the New York State
Environmental Quality Review Act, the
Planning Board designated this as an unlisted
action, circulated a notice of intent to
become lead agency and thereafter, this Board
assumed lead agency status, and after
considerable review, it was determined that
the proposed action will not result in any
significant adverse environmental impacts and
a negative declaration was issued by this
Board on December 8, 2022; and
Whereas, by the letter to this board
dated August 4, 2022, the Rockland County
Department of Planning, pursuant to its GML
review obligations, determined that the
instant application should be denied based
upon the applicant's failure to file the
appropriate deed with the Rockland County
Clerk's Office pursuant to a 2016 resolution

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of this Board approving a lot line change affecting the subject premises in order to achieve the lot configuration indicated on the filed subdivision map, i.e., a discrepancy between the applicant's provided plans and the existing tax map, and the Department of Planning also submitted additional comments outlining its recommended modifications to the application and submissions; and

Whereas, by a letter to this Board dated July 15, 2022, the Rockland County Department of Health made the following comments applicable to the project: Realty subdivision application is to be made to this office, and two, should the Board require a stormwater management system to remediate the increase in impervious surface, application is to be made to the RCDOH for review of the system for compliance with the County Mosquito Code; and

Whereas, the memoranda to the Planning Board dated April 5, 2022, June 3, 2022, September 13, 2022, and October 12, 2022, of

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John O'Rourke, P.E., of Lanc and Tully Engineering and Surveying, P.C., the Town of Stony Point Engineer, reflect the successive reviews he conducted of the various amended maps and proposed subdivision plats and submissions of the applicant and by his recommended amendments to the plans and submissions, resulted in the applicant's most current proposed plat incorporating all recommended revisions and resulting in a revised plat plan which is currently acceptable; and

Whereas, the memoranda to the Planning Board dated April 14, 2022, and September 21, 2022, were received from Max Stach, AICP, of Nelson, Pope and Voorhis, LLC, the planning consultant to the Town, and based upon his multiple reviews of the application and preliminary plat plans and submissions of the applicant, including suggested revisions to the same and to the applicant's SEQRA related submissions, has resulted in the applicant's most current proposed plat incorporating all recommended revisions and resulting in a

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revised plat plan which is currently acceptable to this Board; and

Whereas, by letters to the Planning Board dated May 27, 2022, August 22, 2022, September 30, 2022, and November 27, 2022, the applicant's engineering firm, Atzl, Nasher and Zigler, P.C., hereinafter, ANZ, responded to the comments set forth in the memoranda of John O'Rourke, P.E., dated April 5, 2022, June 3, 2022, and September 13, 2022, and also responded to the memoranda of Max Stach, AICP, dated April 14, 2022, and September 21, 2022, and the aforesaid responses by ANZ indicated compliance with the respective comments of the Town's consultants; and

Whereas, by letter to the Planning Board dated August 22, 2022, the applicant's engineering firm, ANZ, responded to the comments set forth in the letters of the Rockland County Department of Health, dated July 15, 2022, and that of the Rockland County Department of Planning, dated August 4, 2022, and indicated that there has

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been or would be compliance with the
respective comments submitted by these County
departments; and

Whereas, this Board has been provided a
copy of a duly executed deed, dated
August 29, 2022, created by the applicant and
filed in the Rockland County Clerk's Office
on August 31, 2022, which is consistent with
this Board's 2016 resolution, and resolves
the discrepancy between the provided plans
and the existing tax map concerning the
configuration of the subject premises, and in
so doing the applicant has satisfied the
requirement contained in the August 4, 2022
Rockland County Department of Planning letter
to this Board, which had previously called
for this Board to deny this application, and,
accordingly, no override of the same by this
Board is required as the basis for the
requested denial has now been removed and/or
satisfied by the applicant; and

Whereas, the consultants to the Planning
Board initially recommended that the
applicant create and reserve a utility

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easement in favor of the Town extending from John F. Kennedy Drive to Tyler Place, for the possible future extension of water and sewer service, and upon further investigation and consideration it was determined that due to the elevation of utility infrastructure upon John F. Kennedy Drive and the existence of access to water and sewer utilities at other locations, there was no need for the applicant to create and grant a new utility easement; and

Whereas, this Board referred the applicant to the Zoning Board of Appeals of the Town of Stony Point, ZBA, for an area variance it sought in order to implement its proposed subdivision plan, and more particularly, seeking a reduced frontage for the lot proposed to be upon John F. Kennedy Drive, and by a decision dated January 19, 2023, and filed on January 23, 2023, the ZBA granted the application, ZBA Number 22-09, for the area variance sought, and issued a conditional approval of the application; and

Whereas, this application was scheduled

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for a duly noticed public hearing before the Planning Board on October 27, 2022, at 7:00 p.m., at which time the public hearing was opened, conducted, and continued to December 8, 2022, at 7:00 p.m., and at which date the public hearing was continued, closed, and concluded; and

Whereas, the applicant's engineering firm, ANZ, submitted a revised plat dated November 7, 2022, which addressed the concerns and incorporated the modifications to the plat recommended by the GML reviewing agencies and the Town's consultants, and the same is acceptable to this Board; and

Whereas, this matter was an agenda item before this Board on January 26, 2023, at 7:00 p.m. and all submissions relative hereto were duly considered by the Planning Board.

Now, therefore, be it resolved that the subject application for a three-lot subdivision concerning the subject premises be and hereby is approved, and the Chairman is hereby authorized to sign the subdivision plat and to permit same to be filed in the

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office of the Rockland County Clerk, upon payment of any and all outstanding fees to the Town of Stony Point and its consultants, subject to the following:

All whereas paragraphs are incorporated herein by reference as though set forth in full herein.

All conditions of the area variance granted and contained in the decision of the Zoning Board of Appeals dated January 19, 2023, ZBA Number 22-09.

Due to the unsuitability of the immediate neighborhood for properly located parks, recreation, or playgrounds, the Town hereby requires money in lieu of land in the amount set forth in the Town's schedule of fees or in an amount to be determined upon a hearing.

Signature of the Chairman of the Rockland County Drainage Agency pursuant to the requirements of Section 13-A of the Rockland County Stream Control Act, L. 1975, Chapter 846, as amended.

Prior to the Chairman signing the final

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plat, John O'Rourke, P.E., as the Town of
Stony Point Engineer, shall conduct a review
of the final plat for completeness and
compliance with all conditions and code
provisions and shall advise the Chairman
accordingly whether the plat is in a form
which will permit the Chairman to sign same.

The question of the adoption of the
foregoing resolution was duly put to a vote
on roll call on January 26, 2023, which
resulted as follows.

Any discussion from the Board? Mary,
would you please call the roll?

THE CLERK: Okay. Mr. Rogers?

BOARD MEMBER ROGERS: Yes.

THE CLERK: Mr. Jaslow?

BOARD MEMBER JASLOW: Yes.

THE CLERK: Mr. Ferguson?

BOARD MEMBER FERGUSON: Yes.

THE CLERK: Mrs. Alessi?

BOARD MEMBER ALESSI: Yes.

THE CLERK: Mr. Biehle?

BOARD MEMBER BIEHLE: Yes.

THE CLERK: Chairman Purcell?

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CHAIRMAN PURCELL: Yes.

THE CLERK: Okay.

MR. HONAN: Mary, who made that motion
and seconded it?

THE CLERK: Jerry Rogers made the first
motion, and Kerri Alessi seconded it.

MR. HONAN: Thank you.

CHAIRMAN PURCELL: So moved.

(Time noted: 7:11 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