

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

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IN THE MATTER
OF
52 WAYNE AVENUE

- - - - - X

Town of Stony Point
19 Clubhouse Lane
Stony Point, New York
April 24, 2025
7:04 p.m.

BEFORE:

MARK JOHNSON, CHAIRMAN
ROLAND BIEHLE, BOARD MEMBER
MICHAEL FERGUSON, BOARD MEMBER
ERIC JASLOW, BOARD MEMBER
JAMES PURCELL, BOARD MEMBER

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3 CHAIRMAN JOHNSON: Thank you very much
4 for coming this evening. First on the
5 agenda, we've got 52 Wayne Avenue.

6 MR. RODRIGUEZ: Hello, everyone.

7 CHAIRMAN JOHNSON: How are you, Kevin?

8 MR. RODRIGUEZ: That was meant to
9 happen. Okay. So today we have -- I'm Kevin
10 Rodriguez from Celentano Engineering. Today
11 we're representing 52 Wayne Avenue. Four-lot
12 subdivision. We have an existing
13 single-family dwelling right about the east
14 of the property. We propose three
15 single-family dwellings, two story each.

16 Utilities are going to be a proposed
17 water main extension by Veolia along the
18 front edge of Wayne Avenue. We're going to
19 have in-site sewer septic for all three lots.
20 We have an easement for Orange and Rockland
21 which we will not be disturbing in the middle
22 of the property. We're also proposing
23 drainage improvements along Wayne Avenue
24 which will help solve the drainage issues
25 currently existing along Wayne Avenue. No

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2 variances will be asked for for this
3 proposal.

4 And tonight, we're just presenting this
5 to take public comments and hopefully get a
6 negative declaration as per the comments from
7 the Town Planner, GML, Highway Department,
8 and so forth and so on. And we look to the
9 public, or to the Planning Board first.

10 CHAIRMAN JOHNSON: All right, thank you.
11 Max, do you have comments, questions on this
12 at this point?

13 MR. STACH: I think --

14 CHAIRMAN JOHNSON: I saw --

15 MR. STACH: Yeah, I did provide a --

16 CHAIRMAN JOHNSON: Yup. I saw it.

17 MR. STACH: -- memorandum. All of our
18 previous comments have been addressed. We
19 did have an outstanding comment on the sewer
20 extension, whether or not an easement was
21 warranted over this lot. I think John Q. and
22 I just discussed it. Doesn't seem to make
23 sense for a sewer easement because of the
24 elevation change. It's going the wrong way.

25 CHAIRMAN JOHNSON: That's the one coming

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2 down from --

3 MR. RODRIGUEZ: Walter.

4 MR. STACH: Yeah. So Walter is higher.

5 CHAIRMAN JOHNSON: Right.

6 MR. STACH: So it doesn't really make
7 sense to provide a sewer easement. But I
8 think John brought up the possibility of
9 whether or not we want a water easement along
10 that property line.

11 MR. QUEENAN: Correct.

12 MR. STACH: Yeah.

13 MR. QUEENAN: Just for potential future
14 to connection between Walter and Wayne.

15 CHAIRMAN JOHNSON: Okay.

16 MR. STACH: They also -- we had a
17 question. Have you received -- so you
18 provided us your submission to DEC. Have you
19 had a response yet from them?

20 MR. RODRIGUEZ: Not so far.

21 MR. STACH: Okay. It really doesn't
22 matter because they're staying a hundred feet
23 away from the wetland. So even if they do
24 find that it's a jurisdictional wetland, they
25 wouldn't be within the service area.

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2 I also provided a Part 3 EAF addressing
3 the impacts that the Planning Board indicated
4 in January were areas of environmental
5 concern. And based on that, we are
6 recommending the adoption of the Part 3 and
7 the negative declaration.

8 Usually we recommend that you do that
9 after you open the public hearing, but before
10 you close it. So if you're ready to adopt
11 it, you could adopt it tonight. And then you
12 could decide whether or not you want to close
13 or continue the public hearing. If not, all
14 your concerns are satisfied, we recommend it
15 continuing the public hearing because once
16 you close the public hearing, you start a
17 62-day clock.

18 MR. HONAN: Max, I also would suggest
19 that if we're going to be issuing a neg dec,
20 just ask the applicant if they'll waive the
21 Planning Board timing requirements with
22 respect to approval of the project just so we
23 don't get jammed up later.

24 MR. STACH: Okay. And that's my
25 comments.

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2 CHAIRMAN JOHNSON: Okay. Thank you.
3 John Hager, anything?

4 MR. HAGER: I don't have any comments.

5 CHAIRMAN JOHNSON: All right. John?

6 MR. QUEENAN: None at this time. I
7 think we're at a good point, and they're at
8 all the agencies now for their final reviews.

9 CHAIRMAN JOHNSON: I'll make a motion to
10 open the public hearing.

11 BOARD MEMBER PURCELL: Second it.

12 CHAIRMAN JOHNSON: I got a motion and a
13 second. All in favor?

14 (Response of aye was given.)

15 CHAIRMAN JOHNSON: Any opposed? All
16 right. Public hearing is open. Do we have
17 anybody here who would like to speak on
18 52 Wayne Avenue?

19 PUBLIC SPEAKER: Can you tell me the
20 size of the lots?

21 MR. RODRIGUEZ: So size of the lots each
22 are labeled correctly in the bulk one through
23 four here. One, Lot 4 is 65,752 square feet,
24 a little over an acre. Lot 3 is 76,639.
25 That's, you know, over an acre. 65,689 for

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2 Lot 2, over an acre. And then we have 58,845
3 on Lot 1, which is also over an acre. So all
4 in all, over an acre.

5 MR. KELLY: These the three houses
6 you're putting up?

7 MR. RODRIGUEZ: Yes.

8 MR. KELLY: Okay. Is it going to be one
9 driveway, one driveway going for all three
10 houses?

11 MR. RODRIGUEZ: It's going to be one
12 separate driveway for each house. We had
13 developmental limitations for those.

14 MR. KELLY: Going right directly to
15 Wayne Avenue?

16 MR. RODRIGUEZ: Correct.

17 MR. STACH: Are you showing the joint
18 driveway for the two lots that are most --

19 MR. RODRIGUEZ: No, because we have the
20 wetland buffer.

21 MR. STACH: Okay.

22 MR. RODRIGUEZ: And the other two lots
23 are, you know, they're steeper in slope. So
24 we could not get them to work with one
25 driveway.

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2 MR. KELLY: All right. We live at 61.
3 We're just concerned about the driveway
4 coming in opposite our house.

5 MR. QUEENAN: Excuse me. Can you just
6 come up to the podium so that you can get on
7 the --

8 MR. KELLY: Yeah. We live at 61. We
9 just want to make sure that we have enough
10 room for our driveway or -- and our mailbox
11 is, our mailbox is across the street. Our
12 neighbors are still -- we just don't want to
13 be -- you know what I'm saying.

14 MR. RODRIGUEZ: Okay. Where is that in
15 conjunction with the drawing? Is 52 this
16 whole lot?

17 PUBLIC SPEAKER: Could you guys speak a
18 little louder?

19 MR. RODRIGUEZ: Okay. So then you're
20 right in front. So this is 57 here.

21 MR. STACH: Hey, Kevin. He really needs
22 to make his comment to the Planning Board.
23 And the Planning Board needs to ask you so
24 it's on the record.

25 MR. HAGER: State your name and address

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2 too, sir.

3 CHAIRMAN JOHNSON: Is there a sign-in
4 sheet up there?

5 THE CLERK: Yes.

6 CHAIRMAN JOHNSON: Yeah. Name and
7 address, please.

8 MR. KELLY: I'm just, you know, I'm just
9 worried about our mailbox and our driveway,
10 you know, with all the construction going in
11 and out Wayne Avenue. You know what I mean.

12 MR. STACH: What's your address?

13 MR. KELLY: 61.

14 MR. STACH: Kevin, can you turn the map
15 so the Board can see it and point out where
16 this gentleman's driveway is?

17 MR. HONAN: You're across the roadway
18 from the development?

19 MS. KELLY: Yes.

20 MR. QUEENAN: Looks like you're across
21 from Lot 2.

22 MR. RODRIGUEZ: Lot 2 is this one. This
23 looks like it's 57. Are you to the right or
24 left of 57?

25 MR. QUEENAN: It's to the left.

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2 MR. RODRIGUEZ: To the left. So then it
3 would be Lot 1.

4 MR. QUEENAN: I don't know. Which one
5 is your driveway? Is it between the two
6 houses or --

7 MR. RODRIGUEZ: So this is one driveway
8 here, and there's another driveway. So would
9 be --

10 MR. QUEENAN: The residents' driveway.

11 MR. RODRIGUEZ: Yeah. Right here. He'd
12 be right here. He's right in front.

13 MS. KELLY: May I get up? I want to
14 look at it. Our house at 61 sits right on
15 the street. What am I looking at here? Show
16 me where.

17 MR. QUEENAN: Excuse me. We need -- for
18 the record, you need to stay at the podium,
19 please. I'm sorry.

20 MS. KELLY: My name is Mary Ann Kelly.
21 I reside at 61 Wayne Avenue. My house sits
22 right on Wayne Avenue. I mean, there is no
23 wiggle room, there's no possibility for
24 parking or anything anywhere along that lot.
25 So I wanted to make sure that the houses that

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2 are going in are not going to be right on top
3 of my house. They're going to be across the
4 street, but how far back are they going to
5 be? Where the driveway, I want to know where
6 the driveways are going to exit. And the
7 drainage. That's what I'm concerned about.
8 That's it.

9 CHAIRMAN JOHNSON: Thank you very much.

10 MR. RODRIGUEZ: So to address the
11 public's comments --

12 MR. STACH: You got to speak in the
13 microphone so they can hear.

14 MR. RODRIGUEZ: Sure. To address the
15 public's concern, we do have improvements for
16 drainage along each of the driveways which
17 the applicant will be installing. We're also
18 dedicating eight and a half foot to the
19 Rockland County Highway Department for road
20 widening purposes. So the road, if
21 Rockland County deems that it's acceptable to
22 extend that road, they will do so. And I
23 think that the driveways are placed
24 accordingly and properly, you know, for them
25 not to be in the way of any additional

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2 traffic or neighboring properties.

3 MR. KELLY: We'll see. Thank you.

4 MR. QUEENAN: Kevin, is the driveway
5 directly across from the existing driveway
6 pretty much, meaning it's not lined up with
7 their house?

8 MR. RODRIGUEZ: It's not directly. It's
9 a little bit --

10 MR. QUEENAN: But it's not lined up with
11 their house?

12 MR. RODRIGUEZ: No.

13 MR. QUEENAN: And then these, the houses
14 are set back about 50 feet, correct, from the
15 new highway boundary?

16 MR. RODRIGUEZ: Yes. 60 feet from the
17 existing and 50 feet from the proposed new
18 widening.

19 CHAIRMAN JOHNSON: Okay. Do we have
20 anyone else to speak on 52 Wayne? Okay.
21 Thank you very much.

22 BOARD MEMBER PURCELL: Thanks, Kevin.

23 CHAIRMAN JOHNSON: All right. I'll make
24 a motion to adopt the Part 3 for the
25 applicant.

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2 BOARD MEMBER BIEHLE: I'll second.

3 MR. HONAN: Before we actually make a
4 vote on that, let's just speak with the
5 applicant. Will you be willing to waive the
6 time restrictions that are imposed upon the
7 Planning Board if, in fact, we were to adopt
8 a negative dec at this point.

9 MR. RODRIGUEZ: I'm sorry, what was the
10 question? Repeat that.

11 MR. HONAN: I'm sorry.

12 MR. RODRIGUEZ: What was the question,
13 can you repeat that?

14 MR. HONAN: Why would you want to do
15 that?

16 BOARD MEMBER PURCELL: No. Repeat the
17 question.

18 MR. HONAN: Oh. Under the provisions of
19 our code, this Board has to act after the
20 public hearing is closed and the SEQRA is
21 issued. But I know there are some things
22 that are outstanding on your project. I've
23 advised this Board not to go ahead and issue
24 the neg dec if you're not going to waive the
25 time restrictions that are placed on the

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2 Board. If you will waive those time
3 restrictions, I've advised the Board to go
4 ahead and give you your neg dec and close out
5 SEQRA.

6 MR. RODRIGUEZ: Okay. I guess that's
7 something I'd have to speak with the
8 applicant about.

9 CHAIRMAN JOHNSON: Does the time, does
10 the clock start if we don't close the public
11 hearing?

12 MR. HONAN: I'd like to close the public
13 hearing and issue the SEQRA at about the same
14 time, which we're at that stage now.

15 CHAIRMAN JOHNSON: Okay.

16 MR. HONAN: If the applicant wants to
17 keep it open, it's their prerogative. What
18 we could do --

19 CHAIRMAN JOHNSON: As long as the
20 consultants here are satisfied.

21 MR. HONAN: Yes. And it sounds like
22 they are and they're ready to move forward.
23 But I'd advise not to do that if the
24 applicant is not willing to waive the time
25 restriction, because it's like 62 days, and

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2 then there would be an automatic approval.

3 CHAIRMAN JOHNSON: Right.

4 MR. HONAN: And if there's outstanding
5 items, we don't want to be put in that
6 position.

7 MR. STACH: Just for clarification,
8 Steve, the code reads that the public hearing
9 has to be held within 62 days of the neg dec.
10 And then the approval comes 62 days from the
11 close of the public hearing.

12 MR. HONAN: What I don't want is, a lot
13 of applications, we lose track of the time.

14 BOARD MEMBER PURCELL: I agree.

15 MR. HONAN: And it's very easy when
16 we're dealing with a number of applications
17 and people going out and getting their
18 approvals from these agencies that do not
19 move very quickly, it comes back to us, we
20 got a problem. So that's why I said let's
21 just make it clear right now, if the
22 applicant will waive, let's issue the neg dec
23 and get them on their way.

24 MR. RODRIGUEZ: Okay. I think we'll do
25 that.

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2 MR. HONAN: Okay. So you're willing to
3 waive the time restrictions and you can move
4 forward?

5 MR. RODRIGUEZ: Yes. Yeah.

6 MR. HONAN: Okay, great. I have no
7 problem, then, with us moving forward.

8 CHAIRMAN JOHNSON: All right. Thank
9 you. Appreciate that. Now I'll make the
10 motion to accept the Part 3.

11 BOARD MEMBER BIEHLE: I'll second it.

12 CHAIRMAN JOHNSON: I got a motion and a
13 second. All in favor?

14 (Response of aye was given.)

15 CHAIRMAN JOHNSON: Any opposed? All
16 right, motion carries.

17 BOARD MEMBER PURCELL: Hold on one
18 second. The public hearing is still open,
19 right?

20 CHAIRMAN JOHNSON: Yes.

21 BOARD MEMBER PURCELL: Sir, come on up.

22 MR. SPIATTO: Thank you.

23 BOARD MEMBER PURCELL: Public hearing is
24 still open. We didn't close it yet.

25 CHAIRMAN JOHNSON: Just give us your

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2 name and address, please.

3 MR. SPIATTO: My name is Al Spiatto.

4 I'm 25 Woodrum Drive. My property backs up
5 these four lots. And my question is to the
6 Board, with respect to the septic system, is
7 there a criteria on how far from the property
8 lines the septic tank field has to be
9 located?

10 MR. QUEENAN: Generally, it's ten feet.

11 MR. SPIATTO: Just ten feet. And again,
12 I'm an electrical engineer, I'm not a --

13 BOARD MEMBER PURCELL: Civil.

14 MR. SPIATTO: Civil, thank you. And the
15 question being typically, is it usually close
16 to the perimeter, or is it more centralized
17 into the lot?

18 MR. QUEENAN: Depends on every lot.
19 Depends where you got good soils, where
20 there's separation to the groundwater,
21 separation to wells. So there's no standard.

22 MR. SPIATTO: There's no rule.

23 MR. QUEENAN: Correct.

24 MR. SPIATTO: Okay. Then I'll ask the
25 last question. May I ask the developer, have

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2 you positioned the houses on the lot yet, on
3 the lots yet?

4 MR. RODRIGUEZ: So, yeah. I'm the
5 applicant's engineer.

6 MR. SPIATTO: Engineer.

7 MR. RODRIGUEZ: Yes. No problem. But
8 yes, we positioned them on the lot.

9 MR. SPIATTO: Number, I guess it's
10 Number 1. Wayne Avenue, this is me. Okay,
11 yeah, Number 1. Could you just show me where
12 you propose the house? Is it in the front on
13 Wayne, close to Wayne?

14 MR. RODRIGUEZ: There's three houses
15 proposed.

16 MR. SPIATTO: Yeah. This one is the one
17 I'm interested in.

18 MR. RODRIGUEZ: Okay.

19 MR. STACH: Kevin, do you have the map
20 that shows the sewer, the septic field?

21 MR. SPIATTO: Thank you. Thank you.

22 BOARD MEMBER PURCELL: Oh, thank you.

23 CHAIRMAN JOHNSON: Thank you very much.
24 Okay. Did we -- the Part 3 was accepted and
25 approved, okay. So now we need the neg dec.

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2 I'll make a motion to accept the neg dec.

3 BOARD MEMBER PURCELL: Second.

4 CHAIRMAN JOHNSON: I got a motion and a
5 second. All in favor?

6 (Response of aye was given.)

7 CHAIRMAN JOHNSON: Any opposed? Motion
8 carries. Neg dec is approved.

9 MR. RODRIGUEZ: Thank you.

10 CHAIRMAN JOHNSON: Is there anyone else
11 who would like to speak on 52 Wayne Avenue?

12 BOARD MEMBER PURCELL: Come on up.

13 CHAIRMAN JOHNSON: Please.

14 MS. KELLY: Mary Ann Kelly again,
15 61 Wayne. I would just like to know, are
16 these plans available to the public? And if
17 they are, where would I find them?

18 MR. QUEENAN: So yes, they are. You
19 contact the Planning Department. You contact
20 Mary and she'll help you.

21 MS. KELLY: Give us a copy of it,
22 because I'd like to see exactly what's going
23 in.

24 MR. QUEENAN: It's at the Building
25 Department.

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2 THE CLERK: Here. Come here. Here's my
3 number.

4 MS. KELLY: Okay.

5 CHAIRMAN JOHNSON: Thank you very much.
6 Please sign in with your name and address,
7 please.

8 MR. ZUBER: We both have to sign in?

9 BOARD MEMBER PURCELL: You both live in
10 the same domicile?

11 MS. BRUCKMAN: Hi. 71 Walter Drive. We
12 just wanted to look at the sewer --

13 MR. ZUBER: The septic.

14 MS. BRUCKMAN: Where that is for Lot 3.

15 CHAIRMAN JOHNSON: Can you please speak
16 into the microphone?

17 MS. BRUCKMAN: I'm sorry, where is
18 Walter Drive?

19 MR. RODRIGUEZ: Yeah, so Walter Drive,
20 it's not shown here because of the scale.
21 But Walter Drive is all the way back here.
22 Essentially your septic system will be right
23 about here, right behind the houses. At
24 least 150 feet away from any of them.

25 MS. BRUCKMAN: Thank you.

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2 CHAIRMAN JOHNSON: Thank you. Is there
3 anyone else who would like to speak on
4 52 Walter Drive? I'm sorry, 52 Wayne Avenue?
5 Okay. I'll make a motion to close the public
6 hearing.

7 BOARD MEMBER BIEHLE: I second.

8 CHAIRMAN JOHNSON: I got a motion.

9 MR. STACH: Are we closing or are we
10 continuing?

11 MR. QUEENAN: They waived the timeframe,
12 so.

13 BOARD MEMBER PURCELL: That's what Steve
14 suggested.

15 MR. STACH: Okay.

16 CHAIRMAN JOHNSON: So I got a motion and
17 a second. All in favor?

18 (Response of aye was given.)

19 CHAIRMAN JOHNSON: Any opposed? All
20 right. Motion carries. Thank you very much,
21 Kevin.

22 MR. RODRIGUEZ: Appreciate it. Have a
23 good night.

24 (Time noted: 7:25 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

