

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

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IN THE MATTER
OF
EAGLE BAY

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Town of Stony Point
19 Clubhouse Lane
Stony Point, New York
April 24, 2025
7:40 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: All right. Next up
4 we have Eagle Bay.

5 MR. THORVALDSEN: Shea Thorvaldsen here.
6 I got it, and then they can look up there.
7 Shea Thorvaldsen here, Eagle Bay, from TMS
8 Waterfront, representing Eli and Dave Zigler.

9 Seven years ago, when I started my
10 company, I didn't think I would still be
11 here, but I think we're in the last steps.
12 So what we want to do today is give you a
13 couple updates from the last give or take a
14 year from the last time we were in this room
15 with Supervisor Monaghan and the Army Corps.
16 And what we have up on the screen right now
17 is the final rendering that's been accepted
18 by the Army Corps. So, and I'm going to flip
19 the computer. One sec, sorry.

20 MR. STACH: Can you guys all see that?
21 Do we have to move that TV over there?

22 MR. THORVALDSEN: Can you see that, or
23 can I shift that TV? I'll turn the TV. That
24 better?

25 BOARD MEMBER PURCELL: Nice.

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2 MR. THORVALDSEN: Okay. All right. So
3 we're going to talk about the map here, which
4 is also the map there. We've got four parts
5 of the development that were originally
6 developed.

7 Part Number One, which is shown right
8 there, is what we call the screening area.
9 And we're going to go through why we're
10 presenting that today. Part Number Two is
11 the riprap shoreline, which you've previously
12 seen. Part Number Three are the tidal pools,
13 which you've also seen. And Number Four is
14 the public fishing pier. So those items have
15 been presented to the Board before. What we
16 haven't presented to you specifically is the
17 final resolution of what we had to provide to
18 the Army Corps for the screening of the
19 battlefield.

20 So just a little background. We can
21 give you this presentation. You don't have
22 to read every word. Five years ago, we
23 started this process with the Army Corps of
24 Engineers to get the pier and the shoreline
25 stabilized. Because the Army Corps had to

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give us a permit for it, it flagged a federal review.

Unfortunately, we were within the footprint of what they consider to be the visual effects of the Stony Point Battlefield. Completely expected and perfectly reasonable. What we didn't expect, though, was that it was going to take five years.

So the Army Corps instituted what we call a 106 110F process. 106 is the historical process, wherein the State Historic Preservation Office actually pulls all the data, and we give them a lot of information as to what the development is going to be. And they look at it and determine if there's a historic impact on the battlefield. This is notwithstanding the fact that this Board and the Town of Stony Point as a lead agency went through an entire SEQR and EIS process. But this basically reopened a little bit of that process for the federal.

Four years of comments got us to a

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2 meeting last year in March, here in this
3 room, with the Army Corps of Engineers, the
4 DEC, the Palisades Interstate Park
5 Commission, the State Historic Preservation
6 Office, the National Park Service, and --

7 THE CLERK: Everybody and his mother.

8 MR. THORVALDSEN: What?

9 THE CLERK: I said everyone and his
10 mother.

11 MR. THORVALDSEN: Yes. And from that
12 meeting in March 2024, we had direction to
13 commence what we call a memorandum of
14 agreement, which is a document, a legal
15 document between the Army Corps of Engineers,
16 the SHPO, and the applicant. And that there
17 were other additional signatories or
18 invitees, consultants that were part of that
19 process. And the consulting parties that
20 spent this four years included SPACE, which
21 is local, Scenic Hudson, PIPC, National Park
22 Service, the Rockland County Historic
23 Society, of course this Town of Stony Point,
24 and SHPO.

25 As of March last year, we had a pathway

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2 forward, which was to provide a screen on the
3 north side of the building that would grow to
4 maturity and block the visual effects that
5 these buildings would have on the
6 battlefield. We spent another year after
7 that trying to get to the final MOA, mostly
8 because the majority of the stakeholders,
9 SPACE, Scenic Hudson, PIPC, National Parks
10 continued to object to the project. Despite
11 the direction from the Army Corps of
12 Engineers.

13 So this March, we had a final meeting
14 with the federal requirements, the Federal
15 Historic Preservation Office. And we
16 reviewed the final comments from all the
17 agencies. And the Army Corps of Engineers
18 closed their public, or their consulting
19 parties' comments on the Section 106 110F
20 process. We believe that's the positives.

21 Right now, we have an MOA under
22 negotiation with the SHPO and the Army Corps
23 of Engineers, which is on its third round.
24 Once that MOA is signed, the Army Corps has
25 30 days to issue a permit, or not issue a

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2 permit. We're 100 percent expecting that
3 they're going to issue the federal permit for
4 the shoreline and the fishing pier. So
5 that's your public esplanade.

6 Once they're done, the DEC, of course,
7 will opine and provide us the permit because
8 SHPO has already opined for the state. And
9 we already have the Department of State
10 consistency form. The last piece, of course,
11 is the Building Department and the Planning
12 Board, which we're doing this.

13 So that's a little bit of the
14 background. We owe effectively five
15 mitigation or avoidance measures. And we had
16 to go through a process called avoid,
17 minimize, and mitigate. If you're sitting on
18 the Planning Board, you understand those four
19 things, three things.

20 So the first thing we had to do is
21 provide vegetative screening. So with
22 eDesign Dynamics, which is, you know, an
23 accredited ecological company, we designed
24 effectively a bathtub that was an elevated
25 platform with which we could plant

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2 everything.

3 It had two advantages. One is it starts
4 the trees that we're going to plant, the
5 bushes higher to begin with. And two, it
6 actually changes the flooding on the north
7 side of the site.

8 So previously the flooding, when it was
9 coming down from the north, would come in
10 through the north side, flood across the
11 marina. This bathtub actually, when we
12 modeled it, increases the resiliency and
13 reduces the flood load on this property,
14 which was an added benefit. So that's the
15 first piece, is the vegetative screening.

16 The applicant confirmed to the Army
17 Corps that they will build this first. So
18 before the remainder of the development and
19 the buildings are going up, it will be
20 leveled, this bathtub, and the trees will be
21 planted first. The intent is that we give it
22 five years of growth before building, before
23 it even goes up.

24 And with these type of trees, which are
25 all native, and proper maintenance, these

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will be at about 25 feet at Year Five. The building is only 45 feet high. So we're expecting at maturity, which is in 25 years, that we're going to be somewhere in the order of 50 to 55 feet tall. Conservatively, we believe that will screen at, which we showed you in the pictures.

The second thing that we had to provide is passive security. Originally, they wanted hard security between the Eagle Bay property and the wetlands, which is impossible because the CSX easement. You can just walk the tracks.

So what we agreed to provide is simple signage along the pathway on that north side that stops the pedestrians, and also provides a visual cue for them to turn and look at the battlefield. The other benefit of the planter is it's about this tall above the ground, which effectively acts as another, you know, implement to moving to the north and to the wetlands.

The third part of the mitigation that's going to be in the MOA will be a conservation

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2 easement recorded with the Town to place all
3 the wetlands to the north in perpetuity under
4 an easement, and a conservation easement that
5 no development can happen there in the
6 future, deeded and closed with the Town. And
7 while the DEC says those are wetlands, you
8 would never develop there anyway, you're
9 right. But the conservation easement is also
10 to insure survivability, and conservation,
11 and cleanliness. We want to avoid what that
12 wetland looked like after having to clean up
13 all the boats, and the docks, and everything
14 that had been dumped there. So the easement
15 will help maintain that for the future.

16 The applicant has generously decided to
17 give a \$50,000 fund to the PIPC for
18 educational materials, hopefully digital,
19 that will help tell the story of General
20 Wayne on the battlefield better than just the
21 visual. Maybe there will be a graphic or a
22 video, so.

23 And then, of course, we had been
24 previously with ARB here. We changed the
25 building color, the parapet walls and

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2 railings, the parapet walls. And there were
3 some parking lot and fire lane revisions on
4 the north side of Building 4 that we're going
5 to talk about.

6 Before I move on to the diagrams, are
7 there any questions on the background? I
8 know it's a lot of talk, but we wanted to
9 make sure we were up to speed on everything.

10 MR. HONAN: Just one item I recall was
11 that during the planning process, we talked
12 about the future possibility of a walking
13 trail from the north side of the complex
14 through the wetland in order to access the
15 park. Is that now out of the question?

16 MR. THORVALDSEN: So it wasn't actually
17 discussed because I tried to do it myself.
18 And I -- so I couldn't physically, even with
19 waders, I couldn't physically cross that
20 mouth. We believe with the parks being more
21 involved and looking at this, we think it's
22 probably going to be good PR for us to look
23 at the potential for that in the future. The
24 problem is that pathway that will remain will
25 go down through, you know, wetlands. And to

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2 be perfectly honest, no human traffic through
3 wetlands is better than human traffic.

4 If we were to do it, we originally
5 looked at it being an easement just to the
6 side of the CSX easement and run up along the
7 tracks, and then come in through the back
8 entrance. There's a gate that leads down
9 there. However, the PIPC didn't actually
10 take that into consideration in the MOA.
11 Frankly, I think in terms of safety and
12 security, it's probably not the best idea
13 with CSX there. But it's not precluded. And
14 once the conservation easement is in place,
15 then that's actually something from the
16 public standpoint working with DEC that you
17 might be able to get eligible grants for.

18 MR. HONAN: Yeah. Because I think it's
19 in the language that we drafted that
20 potential was left in --

21 MR. THORVALDSEN: It's still there.
22 Absolutely, yeah. And the easement only
23 assists that because then you won't be
24 crossing private property anymore.

25 MR. HONAN: Right. The only way I saw

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2 that it would be possible would be something,
3 build like a causeway across that.

4 MR. THORVALDSEN: I know. And that's
5 going to -- that basically ruins the
6 wetlands, so.

7 MR. HONAN: You get access across them.

8 MR. THORVALDSEN: It does, it does, it
9 does. Any other questions before we move?
10 Okay.

11 So as we talked about, same site plan we
12 talked about. One, the screen, two, three,
13 four. And I'm just going to flip through a
14 couple things.

15 So, the screening design. I talked
16 about it really quickly. It's already been
17 designed by an accredited agency. The deed
18 on the property is going to be refiled with a
19 maintenance and perpetuity environmental
20 easement. So whoever owns the property will
21 be required to maintain that screening in the
22 final conditions that the MOA require.

23 The current property owner has a
24 ten-year establishment period, which is five
25 years for planting establishment and an

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2 additional five years to ensure that they
3 actually grow. In that ten-year period of
4 time, it's the owner's responsibility. In
5 fact, it's the owner's responsibility in
6 perpetuity to maintain this and keep the
7 screening intact.

8 The -- what happened was in terms of the
9 diagrams, and you could see it right here as
10 well, you've got Parking Lot 5 right there,
11 and you can see it on the diagram right here.
12 Parking Lot 5, in order to fit the screening
13 planter, which is the dashed line that you
14 see on the big screen, was squeezed. We took
15 the north parking, north spaces out. We put
16 the planter in that spot, and we changed the
17 orientation of the fire lanes slightly. Very
18 slightly. That was the only design change in
19 the entire site layout.

20 The screening, the planter bed right
21 there is actually steel sheet piles. We
22 won't be doing any excavation. We're
23 actually going to be driving the sheet in,
24 filling the bed with horticulture soil, and
25 then building it.

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2 The cross section, if you have any
3 concern, there is positive drainage in this.
4 It's also a drain soil. It's got drains
5 within it. And it's got a maintenance drain
6 within it that we can clear out and flush it.
7 One the reasons why flushing was important
8 for this, if it ever floods with brackish
9 water, we want to be able to flush it with
10 clean, fresh water and flush the salt out of
11 the bed. And that will help preserve it
12 longer.

13 And it's a little bit hard to see, but
14 we'll send you the renderings. And I believe
15 a copy of the current mitigation plan is
16 already with Commissioner Monaghan. But I'll
17 make sure the Planning Board has this.

18 You can't really see the buildings.
19 I'll give you the pictures up front. You can
20 all take a look. But we believe that we have
21 really covered everything.

22 Along the shoreline, the riprap remains
23 the same as the design was previously. We're
24 not actually going out board into the water.
25 Currently, the bulkhead, that is a timber

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2 bulkhead, is starting to fail. We're
3 actually going to take the revetment and
4 start at the bulkhead and move inland. So
5 not only are you not losing water space,
6 we're putting structure in water, but we're
7 pulling it back, and the water will actually
8 be closer to the public esplanade. And that
9 was one of the reasons why the DEC was in
10 favor of the project.

11 We did put some tidal wetlands, sturgeon
12 pools. And then, of course, of all the
13 things that we wanted to make sure still
14 happened was the public fishing pier. So
15 that hasn't changed.

16 The only thing that changed about the
17 public fishing pier back in the day, just to
18 remember, remind everybody is we used to have
19 a much bigger square on the end of it with a
20 canopy and some additional fishing
21 promontories. That was pushed back on pretty
22 hard by the DEC. So we reduced it to this
23 line. It is still a full access public pier,
24 and it's capacity for small ambulance. So we
25 have the public loading available for it.

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2 So what we're looking at on the next
3 steps within the next week, we have to return
4 the MOA to the Army Corps of Engineers.
5 We're expecting within 30 days that that MOA
6 is approved. And hopefully within the June
7 timeframe, we have an Army Corps permit.
8 Which puts us on a general schedule for Q3
9 this year to look at starting the plans
10 around the waterfront work.

11 Dave, anything to add before I open?

12 MR. ZIGLER: I'll just go over site plan
13 change.

14 MR. THORVALDSEN: Sure.

15 MR. ZIGLER: Or you want to open that
16 for questions now?

17 MR. THORVALDSEN: Yeah. Before I turn
18 it over to Dave for the site plans, do you
19 guys have questions and concerns?

20 BOARD MEMBER FERGUSON: Question.

21 MR. THORVALDSEN: Please.

22 BOARD MEMBER FERGUSON: You said the
23 three groups that were against you said was
24 SPACE, Scenic Hudson. What was the other
25 one?

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2 MR. THORVALDSEN: PIPC, which is
3 Palisades Interstate Park Commission.

4 BOARD MEMBER FERGUSON: That's the only
5 one that's government related.

6 MR. THORVALDSEN: National Park Service.

7 BOARD MEMBER FERGUSON: Right. The
8 other two are not --

9 MR. THORVALDSEN: The other two are
10 private, yes, in fact. They were all, as
11 consulting parties, they all had an
12 opportunity to provide their comments. We
13 will still have to maintain an open line of
14 communication with Palisades Interstate Park
15 Commission because they're the managers of
16 the park. And so I think the early
17 relationships as we start building with them,
18 with Eli and the owners here, we'll make sure
19 we work with them so that they're informed on
20 what things are going on.

21 MR. HAGER: I have a question. The old
22 plan included an eco-viewing platform in that
23 area of the property. Is that still planned,
24 or is that --

25 MR. THORVALDSEN: The original one

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2 several sequences ago, that was removed in
3 favor of the screening planter. So that is a
4 promontory. It's about 11 feet above the
5 water. So when you actually walk to the end
6 of public esplanade, you can actually stand
7 on the planter bed and look. So there is a
8 good viewing platform. It's just not as high
9 as the original eagle viewing platform would
10 have been.

11 MR. HAGER: The reason I was asking was
12 I was wondering if this change in grade would
13 impact the accessibility of that. That's now
14 going to be an earth area, it's not going to
15 be a structure.

16 MR. THORVALDSEN: It's all going to be
17 earth, around sheet pile with earth. So you
18 actually can't access around that towards
19 CSX. There's a buffer, a 25-foot buffer and
20 a fence for CSX. But as you come to the end
21 of the public walkway, about where Number 2
22 is, it will actually elevate slightly up
23 towards the planter. And you've got a
24 promontory where you can see the battlefield
25 from, and that's where the signage will be.

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2 MR. HAGER: Thank you.

3 BOARD MEMBER PURCELL: So, a question.

4 I've only been on the Planning Board a couple
5 years, so I wasn't here when it was actually
6 approved. How many units you're looking
7 to --

8 MR. THORVALDSEN: 264.

9 MR. ZIGLER: 264.

10 BOARD MEMBER PURCELL: Thanks, Dave.
11 Thank you.

12 MR. THORVALDSEN: Any questions before I
13 turn it over to Dave? Okay, thank you.

14 MR. ZIGLER: Basically Shea was talking
15 about the north end of the site. That's
16 right there. North is to your right. The
17 river is on the bottom. And that's the
18 planter. And this was the original plan.

19 So what happened, what happened was all
20 these spaces on the right side here, north
21 side of Building 4, were removed for that
22 planter. And as you see, the planter comes
23 down and it wraps around a corner. That
24 would be right here.

25 So this end of the north end of the walk

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2 moved over a slight bit, and we lost some
3 spaces in here. So overall, I think we lost
4 26 spaces. Although we met the code and
5 spaces for everything on the site, for the
6 boats, for the commercial, and for all the
7 units, we need to gain those back because we
8 want to stay within the same approval.

9 So if you look at this map on my left
10 here, your left, you'll see that the parking
11 lot stops above the building. If you look at
12 this one, it goes down further. So what we
13 can do is we can actually extend this parking
14 lot, change some of these handicaps up here,
15 add a couple spaces here, and we can actually
16 pick up the 26 spaces right in here. And I
17 think what happens with this spaces and the
18 ones up here, and if it gets approved the way
19 we're going, everything would be -- the
20 revisions would be between Building 3 and off
21 to the west side of 4.

22 So that's what we're aiming. Until the
23 agreement is signed, we won't know for sure.
24 But once that MOA is assigned, we would come
25 back to you, and explain it to you, and hope

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2 that you would look at it as being a field
3 change or construction change.

4 We would really like to ask for these
5 spaces to be, these additional spaces to put,
6 be put in reserve. This is the last three or
7 four buildings that are going to be built.
8 And by that time, we're going to know if
9 we're over in parking, which I think we are.

10 Because remember, if you live here and
11 you go down to the restaurant, you also have
12 a parking space counted there for you. So
13 we're kind of doubling up in several factors.
14 So if you go to the restaurant, and you live
15 here and have a boat, you actually have three
16 more spaces. So we could be overdeveloped in
17 parking.

18 But if we ask to be put in reserve, and
19 Eli, by the time he gets up to this third
20 building, he's going to know if he has to
21 build it. It's not the point in trying not
22 to build it. The point is trying not to have
23 too many parking spaces on-site.

24 And that's where it is now. It's just
25 sitting. So if there's any fluctuations in

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2 the end of that, or making it bigger, it
3 would impact. I might have to pick up some
4 more spaces. But right now, it isn't too
5 hard to pick the spaces up.

6 And that's where it is. We have
7 approval from Veolia. My son-in-law works
8 for them. I forget. I got so many clothes
9 from them with different names on it.

10 That's the offsite pipe that goes on
11 Reservoir Road. He has to put an offsite
12 pipe from Reservoir Road out, south of 210,
13 Old 210. He has the Health Department.

14 The County permit we didn't get. The
15 County permit is for the change out front.
16 Where you go into this site, remember that
17 becomes a T intersection with the light. So
18 you know, there's many different things on
19 this.

20 But the ones that we could get the
21 permit for, the sewer and water, that's done.
22 The SWPPP is going to be done. And then the
23 last thing would probably be the County
24 permit. And then pay the fees so we could
25 start.

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2 Just wanted to bring you up to date so
3 that goes through. We would ask on how to
4 proceed with this slight revision.

5 MR. HAGER: What about the railroad?

6 MR. ZIGLER: The railroad is fine.
7 Actually, they got the permit for the sewer
8 and they put the sewer through, but they
9 wouldn't let them put the water through
10 because that wasn't approved. So they had to
11 pull out. They left it -- the casing is in.
12 But now that the water is approved, they
13 don't want to go back and put the water in
14 until they actually start the job.

15 So the water is down to the railroad
16 from whatever the name of that street is now.
17 I forget. And that would be brought through.
18 And the sewer is all the way through. And
19 that's the new sewer.

20 MR. HAGER: Thanks.

21 MR. ZIGLER: All right.

22 MR. HONAN: Dave, when you're making up
23 these additional parking spaces where you
24 indicated, are the buildings moving at all?

25 MR. ZIGLER: No.

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2 MR. HONAN: The location?

3 MR. ZIGLER: No. No, nothing's moved.

4 And the only thing we have here, this was
5 like a book reading park, a sitting park to
6 look out at the Hudson. And if you see here,
7 it's the same thing, but we've lost, we lost
8 some landscaping spots there. You know. You
9 can see this is a good 25, maybe 30-foot
10 there. So we kind of lost that landscaping
11 in here. But we could add it down in the
12 bottom.

13 CHAIRMAN JOHNSON: I was going to say,
14 you will have more, since we're in a smaller
15 spot there, you're still going to have some
16 screening between the parking area and the
17 park.

18 MR. ZIGLER: Oh, yeah. Yeah. This
19 screening, this screening in this area is all
20 very low so it doesn't block the view. I
21 mean, this -- if you weren't here, you don't
22 understand. We went to the ARB maybe five
23 times. We actually had two ARB meetings in
24 the park underneath the canopy because Covid.
25 That's how long ago this was. And everything

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2 that was involved with this site, meaning
3 buildings, the signage, everything, they
4 reviewed.

5 They even reviewed the color of this
6 pavement. You might think it's going to be
7 black, but it isn't. The lights and
8 everything, so. You guys put it through the
9 wringer. ARB put it through the wringer.
10 But this other agency put it beyond. Someday
11 it will be built.

12 MR. HONAN: Did they ever indicate why
13 they waited so long to participate in the
14 SEQRA process?

15 MR. ZIGLER: You just couldn't believe
16 some of the stuff. I mean, he has the heart
17 of a saint because I would probably be in
18 jail for the rest of my life. You just
19 couldn't believe.

20 BOARD MEMBER PURCELL: You're talking
21 about Eli has the heart of a saint?

22 MR. ZIGLER: Yes.

23 MR. THORVALDSEN: It was the most --
24 it's been the most frustrating federal action
25 I've ever dealt with in my career.

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2 BOARD MEMBER PURCELL: Welcome to the
3 government.

4 MR. THORVALDSEN: Yeah.

5 MR. ZIGLER: And then -- yeah, never
6 mind. Any other questions?

7 MR. STACH: Can you just clarify, you
8 said you're going to give five years before
9 you start the buildings?

10 MR. THORVALDSEN: No, I'm sorry.

11 MR. ZIGLER: No, no, no.

12 MR. THORVALDSEN: Sorry, that's --

13 MR. ZIGLER: Building 4.

14 MR. STACH: Okay.

15 MR. THORVALDSEN: In terms -- yeah, in
16 terms of sequencing. The sequencing, so you
17 know, is the screening will go up first. Get
18 those trees planted because we have a wide
19 open site while everyone's clearing. The
20 shoreline's concurrent with that fishing
21 pier. And then we want to establish sort of
22 the waterfront, be done with it, raise it up,
23 so then while the buildings are being built,
24 you'll have a more insulating site. And
25 they're going to start from the south and

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2 move north. So by the time Building 4 is
3 built five, six years down the line, whatever
4 it is, the planter will have been growing for
5 five or six years.

6 MR. STACH: Got it.

7 MR. THORVALDSEN: And that was part of
8 the key to the improvement because they're
9 like, well, it's going to take forever to
10 grow, what are you doing do about it. We'll
11 put it in first, and the development is the
12 last to be built.

13 MR. STACH: Okay.

14 BOARD MEMBER PURCELL: Dave, could you
15 just get those to John, to Mary to give to
16 John to review so hopefully, with a fast
17 timeline, you can get all your memorandums,
18 agreements, and approvals to get going. John
19 will have this ready to go so we can wrap
20 this all up in one big package and get it
21 moving.

22 MR. THORVALDSEN: Hope so, yes. That's
23 our goal.

24 BOARD MEMBER PURCELL: In your
25 estimation, what's the approximate time of

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2 the outstanding issues you have with the
3 agencies that you think you could -- with
4 lawyers, you're dealing with the bureaucrats.

5 MR. THORVALDSEN: Yeah. I think Army
6 Corps --

7 BOARD MEMBER PURCELL: For yourselves,
8 what's your projected timeline?

9 MR. THORVALDSEN: Army Corps is 60 days.
10 Once the MOA signed, they have a statutory
11 timeframe that they have to adhere to. It's
12 15 days, within 15 working days within the
13 government. So that's, you know, so we'll be
14 30 days on the MOA, I think, and then 30 for
15 the final approval.

16 BOARD MEMBER PURCELL: We're talking 90
17 days.

18 MR. THORVALDSEN: DEC is another 30. So
19 you're talking 90 days. Just, we also are
20 under, subject to a moratorium for sturgeon
21 up in this vicinity, so.

22 BOARD MEMBER PURCELL: When does that
23 start?

24 MR. THORVALDSEN: That starts -- geez.
25 Actually, it's three things. It's sturgeon,

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2 flounder, and birds, eagles. So we
3 technically, we can only work in the water
4 from September to October.

5 BOARD MEMBER PURCELL: All right. Yeah,
6 I'm just --

7 MR. THORVALDSEN: So what's going to
8 happen is -- actually, I think most likely,
9 if everything goes through, construction is
10 going to be in September.

11 BOARD MEMBER PURCELL: Well, my point
12 is, you're saying you'll get all this
13 information together, Dave's talking about
14 exchanges. Let's get it all together so
15 whatever Steve has to review, John, Max, the
16 Board has to review, this way you guys have
17 no more hesitation. You get a shovel and a
18 backhoe in the ground and start --

19 MR. THORVALDSEN: Yeah, I don't think
20 this group is the problem. Once we have --
21 it's the DEC and the Army Corps. If we can
22 hand those to you, that's the end of our --
23 that's the effective end of the total SEQR
24 process.

25 BOARD MEMBER PURCELL: Okay.

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2 MR. HONAN: Also keep in mind, the memo
3 of understanding. I saw a memo of
4 understanding, I believe, or memo agreement
5 had the Town as a participant.

6 MR. THORVALDSEN: So, yes. So the
7 MOA --

8 MR. HONAN: If that's going to happen,
9 we have to get the Town Board.

10 MR. THORVALDSEN: That's a good
11 question. So we do have a signatory page in
12 the MOA for the Town. The draft will be --

13 MR. HERSHKOWITZ: It's been passed on to
14 the supervisor already.

15 MR. THORVALDSEN: Yes. Sorry.
16 Supervisor Monaghan has seen it once.

17 MR. HONAN: Okay.

18 MR. THORVALDSEN: The new revision will
19 also go out to all parties that are
20 signatories.

21 MR. HONAN: It's usually a little dicey
22 to get the municipality to sign on that. And
23 that -- look, we already have site plan
24 review and enforcement. So I know the people
25 in the Town will say why do we need to sign

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2 off on it, so. You might need to get that
3 balling rolling.

4 MR. THORVALDSEN: Explain why they need
5 to be signatories. So there's two parts to
6 that, so the Board knows. One is we're going
7 to request an MOA formally that the Town be
8 the third party inspector. That because the
9 owner of the property will be responsible for
10 keeping it in perpetuity and that the
11 conservation easement will both be in the
12 Town's name, and the deed will be filed with
13 the County, we're going to be formally asking
14 the Town of Stony Point to be the third party
15 inspector to make sure that it's adequate.
16 That's the first thing. And the conservation
17 easement being under the Town. Those two
18 things together, we would still need to come
19 back and present that MOA for those specific
20 reasons.

21 MR. ZIGLER: And the last thing is if we
22 could continue this to the workshop and
23 discuss the process once this thing is
24 closed.

25 MR. HONAN: Okay.

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2 MR. QUEENAN: Makes sense.

3 MR. ZIGLER: Because we did have
4 established bonds amount and everything. And
5 how we can do this amendment, be able to
6 change whatever. And so do you need me to
7 write a letter, Mary, for Eagle Bay?

8 MR. QUEENAN: No.

9 MR. ZIGLER: Great. I hate writing
10 letters.

11 THE CLERK: Do you have to extend your
12 extension of time?

13 MR. THORVALDSEN: Yes.

14 MR. ZIGLER: I don't think so. I'll get
15 Amy to check.

16 THE CLERK: I think it was in May or
17 something that it expired.

18 MR. HERSHKOWITZ: I think it was in May.
19 End of May.

20 THE CLERK: It was something in May.

21 MR. HERSHKOWITZ: End of May, I think.

22 THE CLERK: End of May, because our next
23 meeting is the 24th of May.

24 MR. THORVALDSEN: That you need what
25 for?

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MR. QUEENAN: A letter for.

MR. ZIGLER: Thank you.

MR. THORVALDSEN: Good? Thank you. All right. Thanks, everybody.

BOARD MEMBER PURCELL: Thanks, guys. Appreciate the update.

MR. ZIGLER: And on another note, we're going to resubmit the Hudson grant, new plan for the workshop.

THE CLERK: Okay.

MR. ZIGLER: Thank you.

THE CLERK: The first is the deadline.

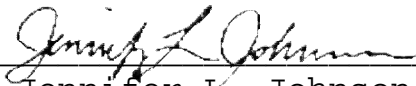
MR. ZIGLER: Yes.

(Time noted: 8:14 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

