

**STONY POINT TOWN BOARD MEETING – July 22, 2025**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, July 22, 2025, at 7:00pm at the Stony Point Senior and Community Center, 19 Clubhouse Lane, Stony Point, NY. Supervisor Monaghan called the meeting to order and stated that the meeting would be opened and closed in memory of US Marine Lance Corporal, Ryan James Barnard. Ryan was serving our Country at Kaneohe Bay in Hawaii as part of the US Marine Corps assigned to the third Littoral Combat Team. Ryan lost his life at 22 years old last week in an accident. Ryan was a passionate hockey player who was known here in Stony Point and throughout the NR hockey community. Ryan’s dad, John, is our Town’s workers’ comp insurance broker. Supervisor Monaghan then led the group in the Pledge of Allegiance.

Town Clerk Megan Carey called the following roll:

PRESENT:	Mr. Michael Puccio	Councilman
	Mr. Keith Williams	Councilman
	Mr. Paul Joachim	Councilman
	Mr. Todd Rose	Councilman
	Mr. James Monaghan	Supervisor
	Mr. Brian Nugent	Esquire

**SUPERVISOR’S REPORT**

Supervisor Monaghan stated that the Town Employees are the Towns greatest asset. It is his pleasure to present the following promotions:

**Create Position MEO II and Maintenance Supervisor**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to create the position of MEO II and Maintenance Supervisor at a grade 21.

**Appoint MEO II and Maintenance Supervisor**

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to appoint Michael Finnerty to the position of MEO II and Maintenance Supervisor as per CSEA Contract.

**Create Positions Maintenance Mechanic II**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to create the positions of Maintenance Mechanic II at a grade 15.

**Appoint Maintenance Mechanic II**

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present to appoint Curtis Wicks and Willy Hogan to Maintenance Mechanic II as per CSEA Contract.

**PURCHASE ORDER REQUEST**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to approve the following purchase orders:

**Golf Course:**

PO#3836	VJ Networks	\$1,555.00
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**AUDIT OF BILLS** – A motion was made by Councilman Puccio, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to approve the following bills as presented for payment:

**Contractual – July 22, 2025**

<b><u>FUND</u></b>	<b><u>CLAIM #</u></b>	<b><u>FUND TOTAL</u></b>
General	879-947	\$123,231.54
Highway	309-321	\$9,188.45
Sewer	429-438	\$24,506.28
<b><u>Special Districts</u></b>		
Enterprise	260-283	\$71,858.09
Solid Waste	22-23	\$8,248.00
Streetlight	19	\$211.95

**MINUTES** - A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to approve the minutes of July 8, 2025, Town Board Meeting.

**CORRESPONDENCE** - None

**PUBLIC INPUT** - None

**Continued Public Hearing – Local Law – Implementing a Moratorium on the Construction or Expansion of Certain Single Family Detached Homes in the Town**

At 7:09 a motion was made by Supervisor Monaghan, seconded by Councilman Williams to continue the public hearing for Local Law – Implementing a Moratorium on the Construction or Expansion of Certain Single Family Detached Homes in the Town.

**Public Input**

John Checco, Capt. Faldermeyer, spoke on the size of a structure in comparison to the neighborhood.

George Potanovic, 597 Old Gate Hill Rd., SPACE Pres. Read a letter to the Board questioning why this issue wasn't addressed five years ago when the Board adopted a local law governing Public Assembly in Homes, Places of Worship, Schools and Dormitories.

Joe Call, 18 Tomkins View, spoke in favor of the moratorium.

Ed Fox, GaryAnn Terr., conforming lot size.

Ann Shulman, 19 Algonquin Drive, questioned lot size.

Mark Harris, 6 Helen Marie Ct., asked that all applications go to the Planning Board rather than ZBA and comply in the neighborhood.

Stephen Clement, 4 Timmel Lane, submitted a letter addressing a proposed construction of a residence on Timmel Lane.

The Town Clerk has received two letters, dated July 8<sup>th</sup> and July 22<sup>nd</sup>, from Attorney Mark Blanchard opposing the local law on behalf of the owner of 7 Highview.

**Close Public Hearing – Local Law – Implementing a Moratorium on the Construction or Expansion of Certain Single Family Detached Homes in the Town**

At 7:33 a motion was made by Supervisor Monaghan, seconded by Councilman Joachim to close the public hearing for Local Law – Implementing a Moratorium on the Construction or Expansion of Certain Single Family Detached Homes in the Town.

**Adopt Local Law #2**

A motion was made by Supervisor Monaghan, seconded by Councilman Rose to adopt the Local Law – Implementing a Moratorium on the Construction or Expansion of Certain Single Family Detached Homes in the Town.

**RESOLUTION 2025/8 ADOPTING LOCAL LAW NO. 2 OF 2025  
LOCAL LAW IMPLEMENTING A MORATORIUM ON THE  
CONSTRUCTION OR EXPANSION OF CERTAIN SINGLE FAMILY  
DETACHED HOMES IN THE TOWN**

WHEREAS, the Town Board of the Town of Stony Point, New York (“Town Board”) from time to time reviews its laws, rules and regulations to be certain the same are consistent with all current lawful practices as well as best practices to protect the health, safety and welfare of Town residents; and

WHEREAS, such introductory Local Law was introduced before the Town Board on June 24, 2025; and

WHEREAS, upon notice duly published and posted, a Public Hearing was held on said Local Law on July 8, 2025 and continued to July 22, 2025 wherein public discussion was heard concerning the merits of said Local Law and all persons were afforded an opportunity to be heard and the Town Board declared the public hearing closed; and

WHEREAS, the Town Board desires to adopt a Local Law to Implement a Moratorium on the Construction or Expansion of Certain Single Family Detached Homes in the Town.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board as follows:

- Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full.
- Section 2. The Town Board hereby adopts Local Law No. 2 entitled, “Local Law Implementing a Moratorium on the Construction or Expansion of Certain Single Family Detached Homes in the Town” as attached hereto.
- Section 3. The Town Clerk is hereby directed to enter said Local Law into the minutes of this meeting and in the Local Law book of the Town of Stony Point, and to give due notice of the adoption of said Local Law by filing the Local Law in the Office of the Secretary of State in the State of New York.
- Section 4. This Resolution shall be effective immediately.

**TOWN OF STONY POINT**

**LOCAL LAW NO. 2 OF 2025**

**A LOCAL LAW IMPLEMENTING A MORATORIUM ON THE CONSTRUCTION OR EXPANSION OF CERTAIN SINGLE FAMILY DETACHED HOMES IN THE TOWN**

**Section 1. Legislative findings and intent.**

The Town Board (“Board”) of the Town of Stony Point, New York (“Town”) hereby finds that there is a critical and compelling need, in the public interest as set forth herein, to impose a moratorium on the development of certain single-family detached homes as further described hereafter.

- A. The Town previously undertook a Comprehensive Master Plan review in 1995 and enacted Local Laws in conjunction with the Comprehensive Master Plan. Among the policies in the 1995 Master Plan were maintaining development within infrastructure capacity, minimizing public costs associated with new development, and protecting

adjoining incompatible land uses from one another to minimize noise, traffic, odors, lights and other undesirable factors. The Town further amended the Comprehensive Master Plan in 2013. The 2013 Comprehensive Plan amendment affirmed several goals of the 1995 Plan, including:

- Protect adjoining and abutting incompatible land uses from one another with physical separations and logical edges; to minimize the effects of noise, traffic, odors, lights and other undesirable factors; and
  - Encourage the provision of a housing supply that meets the needs of Stony Point residents, while recognizing the existing housing patterns of the Town; and
  - Use creative techniques in planning residential developments to achieve the above objectives, such as clustering on smaller lots to protect hilltops and wetlands and scenic vistas; limit the amount of tree clearing on individual lots; encourage the use of natural colors and materials; limit the proportion of glass to be used on homes visible from long distances; and
  - Eliminate inconsistencies and modify zoning regulations to reduce areas of interpretation and allow for more effective enforcement.
- B. The Town Board finds that in order to preserve the character of existing neighborhoods, the Town must consider amendments to its zoning to ensure that future residential construction is consistent with existing neighborhood character including where pre-existing substandard lots are proposed for development.
- C. The Town Board finds that the potential development of remaining vacant lots or redevelopment or expansion of existing residential lots within established neighborhoods may have a significant impact upon the health, safety and general welfare of the Town, its inhabitants and visitors, and upon existing uses, public services, traffic and the environment, in general.
- D. The Town Board finds that the Town's Zoning Local Law established a Floor Area Ratio (FAR) requirement to relate the size of a home to the lot it was located on. FAR requirements are intended to maintain a "cohesive neighborhood fabric" where the ratio of open space to development is maintained from lot to lot, and where neighborhoods of similar sized lots will have similar sized homes. However, the standards prescribed for FAR in the Zoning Local Law are so accommodative so as to be non-operative in achieving their customary purpose, for example allowing homes of up to 6,000 square feet on 15,000 square-foot lots, or homes of 17,400 square feet on one-acre lots, there being no known examples in Stony Point of structures of this size relative to lot area and few if any approaching such ratios.
- E. The Town Board finds that undersized pre-existing substandard lots are increasingly being constructed upon given the Town's decreasing supply of vacant land available for residential development. These substandard lots are often located in areas of the Town that were subdivided prior to the most recent comprehensive plan, and in many instances prior to zoning controls. The Zoning Local Law through §215-94 attempts to allow development of such lots for one-family detached dwellings with only a building permit by prescribing reduced dimensional requirements based on lot width. These reduced dimensional requirements are often not well-received by neighbors who anticipate that neighborhood standards for setbacks, yards, coverage and lot area would be maintained.
- F. These circumstances require that the Town Board undertake, without delay, a review of the existing and anticipated residential uses in the Town and the corresponding Town zoning regulations that regulate residential uses in order to determine whether these regulations should be amended or otherwise changed, particularly with regard to matters related to the size of single family residential homes in relation to lot size including the lot size of substandard (pre-existing noncomplying) lots that exhibit unique development challenges due to their size or configuration.
- G. The Town Board had previously retained the services of the planning consulting firm of Nelson, Pope & Voorhis, LLC to provide recommendations and guidance with respect to comprehensive planning and zoning as well as land use regulations in a

manner that is consistent with the CMP, as may be amended, to encourage lawful smart sustainable development in the Town.

- H. The Town Board hereby finds that the adoption of a moratorium on the development of certain residential construction is required in order to best maintain the status quo during the study period in order to prevent interim development from frustrating the objectives of the study.

## **Section 2. Scope of moratorium.**

- A. Moratorium on the issuance of residential building permits and other actions: Except as provided herein at Paragraph 2(D) no building permit application shall be accepted, and no pending building permit application shall be further processed or approved, and no suspended or revoked building permit shall be reinstated for residential uses which relates directly or indirectly to the construction of one- or two-family detached dwellings located within the Town of Stony Point, except in accordance with this Local Law, that meet or exceed any of the following thresholds or criteria:
- (1) Require the relief provision of §215-94 to be applied to meet zoning bulk requirements. Nothing herein shall be construed to limit the owner of an existing non-complying lot from seeking area variances to allow development of existing non-complying lots without application of the relief contained in §215-94.
  - (2) Has a gross floor area greater than 6,000 square feet.
  - (3) Has a gross floor area greater than 3,000 square feet and is located on a lot with a net lot area of less than 20,000 square feet.
- B. Moratorium on actions by the Town Board, Planning Board and Zoning Board of Appeals: The Town Board, Planning Board and Zoning Board of Appeals shall not process, hear, rehear, approve or sign any new or pending preliminary or final site plan, preliminary or final subdivision, special permit, variance or other land use application or permit which relates directly or indirectly to residential construction of homes that meet the thresholds of Section 2, Paragraph A, including but not limited to any grading permit, erosion and sediment control permit, wetland permit, sewer connection permit, floodplain development permit, water connection permit, which may be granted in association with any such residential construction.
- C. Moratorium and provisions of Town Law: To the extent that any provision of New York State Town Law imposes a time frame for action by a municipal entity, board or body so that a default approval will result from any inaction, the time for any action required by any Town Board, Body, Agency or other entity shall be and is hereby extended until this moratorium and any as well as all extensions thereof have expired and have not been extended by the Town Board. Therefore, no default approval shall be deemed to have taken place with regard to any application for any approval concerning land use development by reason of this moratorium being in effect.
- D. Any of the following activities that do not require any approval or variance from the Planning Board or Zoning Board of Appeals , and only requiring issuance of a building permit from the Building Inspector shall be permitted to be undertaken notwithstanding this Local Law:
- (1) Construction of garages accessory to a single family home or modification to such garages that are currently or are proposed to be private garage, not in excess of 500 square feet. Said building shall not be used for any other purpose than the storage of automotive vehicles;
  - (2) Construction of outdoor decks, gazebos, or porches;
  - (3) Construction of outdoor swimming pools;
  - (4) Installation of fences;
  - (5) Interior or exterior remodeling of a single family detached residential dwelling in existence, that does not meet or exceed the thresholds of Section 2, Paragraph A, with a valid certificate of occupancy as of the effective date this local law, which does not involve any change of use or increase the gross floor of the building including but not limited to window replacement, door replacement,

- plumbing improvements, new siding, removal of interior walls, and similar improvements;
- (6) Installation or removal of home heating oil or propane tanks, in accordance with all applicable laws;
  - (7) Repair, involving the removal and installation of an individual well or in-ground septic system, for a dwelling in existence and with a valid certificate of occupancy as of the effective date of this law;
  - (8) Other minor improvements to dwellings or residential lots with an existing certificate of occupancy, after the Building Inspector has conferred with the Town Board, and the Town Board has rendered a determination that the improvement falls within the scope and nature of the exemptions listed herein.

### **Section 3. Hardship review.**

- A. Upon a showing of severe hardship (defined as no economic return on any land purchase), the Town Board may vary from the moratorium imposed in Subsection 2 hereof if it determines, in its absolute discretion, that granting such relief is consistent with the health, safety and general welfare of its inhabitants of the Town and their property and in harmony with the spirit and purposes of this Local Law.
- B. When the Town Board considers such a variance as set forth herein at § 3(A) from the moratorium law, it should consider the following:
  - (1) In considering a variance, the Town Board may request the following information in order to render a decision:
    - (a) studies, reports, resolutions of preliminary and/or final approval, issued with or without conditions;
    - (b) any SEQRA documents and findings statement, Negative Declaration with or without conditions, including generic or supplemental environmental impact statements which may have cumulatively evaluated the impacts associated with certain land use applications;
    - (c) any special exception permit plan, site plan or subdivision plan, and map notes; all representations of the developer/applicant with regard to the dimensional standards of the zoning district within which the development is located, including but not limited to lot coverage, impervious surface coverage, residential building size, occupancy and other design parameters which served as the basis for SEQRA review, Stormwater Pollution Prevention Plan (SWPPP) review, and infrastructure approval and design, including methods of water supply, wastewater disposal, stormwater control, drainage, and transportation approvals;
    - (d) any violations which have been issued, and the status of same;
    - (e) any other related documents upon which the Planning Board or Zoning Board of Appeals relied in issuing an approval, and whether a variance issued from the moratorium law will be issued consistent with all resolutions of approval and SEQRA findings;
    - (f) the status of other agency permits and approvals, and whether those approvals or permits, if not issued, will be issued during the time period established by the moratorium law. The Town Board may require that the developer/applicant submit evidence that the approval or permit will be issued during the moratorium time period;
    - (g) whether the developer/applicant is requesting a variance from this moratorium law for a project which proposes to vary from, or does not meet all previous decisions rendered by the Planning Board or Zoning Board of Appeals.
  - (2) It shall be the obligation of the developer/applicant to furnish these documents to the Town Board during the appeal process. The Town Board shall specifically consider, among other factors: whether the proposed land use or development is and will continue to be consistent with and comply with all previous decisions and findings; and, whether the developer/applicant is presently in front of the Planning Board or Zoning Board of Appeals requesting a waiver from any previous approval or finding, and the type of waiver being sought.

(3) The Town Board may limit a variance from the development moratorium to specific prescribed activities, including but not limited to, activities which allow a developer/applicant to meet any conditions to remediate a violation.

- C. An application for variance for this moratorium shall be made by the applicant supplying to the Town Clerk not more than sixty (60) days after enactment of this moratorium a Verified Petition signed by the owner of the subject property and any applicant for Town approvals setting forth all of the information required pursuant to Section 3(B) herein together with such additional information that the applicant or property owner seeking a variance desires to obtain from the Town Board. Within ten (10) days of receipt of said Verified Petition, the Town Clerk shall cause a Public Hearing Notice to be published providing for a Public Hearing no less than twenty (20) days after the application for a variance is received, but in no event more than forty (40) days after the application for a variance is received. The applicant shall have an opportunity to produce such evidence, documents and call witnesses in support of the application for a variance from this moratorium at the time of the Public Hearing established by the Town Board. No more than thirty (30) days after the close of the Public Hearing the Town Board shall act to either grant, deny or otherwise consider the application for a variance.

#### **Section 4. Application of Law to existing land use provisions.**

This Local Law shall supersede any and all Town Law or other provisions of law rule or regulation that require specific action upon an application before the Planning Board or Zoning Board of Appeals. This moratorium is being adopted by Local Law, using Municipal Home Rule Law procedures and this moratorium suspends any subdivision approval time requirements and also supersedes and suspends any “default approval” provision of the Subdivision statutes of the Town Law or any other applicable laws. This moratorium supersedes any Town Law or Town Code provisions to the contrary that require any specific action on an application by any Town Board, Planning Board, Zoning Board of Appeals or other land use Boards within the Town. This moratorium Law also supersedes any New York State or Local Laws, rules or regulations pertaining to the grant of any variance authority by the Zoning Board of Appeals, it being the intention of this Local Law that any grant of variances to any other Boards or bodies than this Town Board is hereby superseded by this Local Law so as to vest any variance approval solely in the Town Board pursuant to this Local Law.

#### **Section 5. Casualty exemption.**

The provisions of this Local Law shall not apply to the restoration or replacement of any building or portion thereof which shall have been damaged or destroyed by fire or other casualty. This exemption, however, shall not be applicable to the restoration or replacement of any building which, prior to the effective date of this Local Law, shall have constituted a non-conforming building under the Zoning Code of the Town, nor shall this Subsection in any way prevent the extinguishment of any non-conforming use as a result of casualty destruction.

#### **Section 6. Expiration of moratorium.**

This Local Law shall expire without further action of the Town Board six (6) months following the effective date hereof and thereafter shall be of no force or effect. However, if it appears that any required review and study referred to hereinabove will not be completed within six (6) months from the effective date of this Local Law, the Town Board may, by Local Law, extend the period of this moratorium for an additional six (6) months or for such other time period that the Town Board determines is reasonable in scope and duration.

#### **Section 7. State Environmental Quality Review Act.**

Pursuant to 6 NYCRR 617.5 (30) this Local Law is classified as Type II action which requires no further review under the State Environmental Quality Review Act.

#### **Section 8. Severability.**

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which such judgment shall have been rendered.

#### **Section 9.      Effective date.**

This Local Law shall become effective immediately upon being filed with the Secretary of State.

#### **Approve Request to Attend Magistrates Conference**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to approve the request from Justice William F. Franks and Justice Frank J. Phillips to attend the NYS Magistrates Association Annual Conference in Niagara Falls from September 14<sup>th</sup> thru September 17<sup>th</sup> at an estimated cost of \$975.00 per person.

#### **Approve Request to Attend Magistrates Court Clerk Conference**

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to approve the request from Patricia Martin and Jennifer Cronin to attend the annual Magistrates Court Clerk's Conference from September 28<sup>th</sup> through October 1<sup>st</sup> at a total cost to the town of \$2280.

#### **Hire Seasonal Laborer**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to approve the hire of Alex Rose to Seasonal Laborer at a rate of pay of \$15.50 per hour.

#### **Hire Student Laborer**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present to approve the hire of Zac Hansen as a student laborer at a rate of pay of \$15.50 per hour.

#### **Appoint Recreation Assistant (Seasonal)**

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to approve the appointment of Anna Liquori to seasonal recreation assistant at a rate of pay of \$20.00 per hour.

#### **EXECUTIVE SESSION**

At 7:37pm a motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to adjourn into executive session to discuss Police Dept personnel.

#### **ADJOURN**

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to close the Stony Point Town Board meeting at 8:05pm. No further votes were taken.

Respectfully submitted  
Megan Carey - Town Clerk