

Town of Stony Point
2010 Amendment
to the
1995 Master Plan

Prepared for review by the Stony Point
Comprehensive Plan Commission



Technical Assistance by

Robert Geneslaw Co.

Planning & Development Consultants

Draft

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Comprehensive Plan Contributors

Comprehensive Plan Advisory Commission

William Sherwood, Supervisor 2010, Chair

Philip Marino, 2007

Joyce Barnaby, 2010

Ed Keegan, 2010

Frank Collyer, 2010

Geoff Finn, 2007

Deborah Karniol, 2007

Luanne Konopko, 2010

John O'Shaughnessy, 2007

Barbara Hess, 2007

Peter Greene, 2007

John Bender, 2007

Gurran Kane, 2007

William Sheehan, 2007

Wellington Casscles, 2007

Jackie Bubenko, 2007

Planning Consultants

Robert Geneslaw, AICP

Max Stach, AICP

Introduction

In 1995 the Town of Stony Point completed its last Master Plan to guide development in the Town. It followed the initial adoption of zoning regulations in 19___. After completion of the Master Plan in 1995, the Town Board adopted a number of zoning changes and took other steps to implement the Plan.

Prior to the 1995 Plan, the Town had not experienced significant development pressure due to its distance from most major highways and employment centers. Further, more readily developable areas existed in Rockland County that were not constrained by extensive steep slopes and rocky terrain as constrain the western portion of Stony Point.

With construction of the Palisades Interstate Parkway, the Tappan Zee Bridge and the New York State Thruway, the area was made more accessible. The introduction of sanitary sewers eased the difficulties of development.

By the mid to late 1990's this changed. Vacant land in the central and southerly parts of Rockland County were substantially diminished and people sought out lower densities in Stony Point as county centers continued to urbanize. Infrastructure improvements were underway and were introduced to the town in the form of sewers and roads. Proximity to natural areas such as Harriman State Park and the Hudson River waterfront became more valuable as people became more environmentally aware. Facing development pressure in light of these factors, the Town undertook a new Master Plan process, with a committee of Town residents and officials guiding the effort.

In late 2006, faced with the first signs of a declining housing market, the Stony Point Town Board assembled a special committee to determine whether the Master Plan (also referred to as a Comprehensive Plan) should be amended, and if so, specifically what subject areas needed to be revisited.

In early 2007, the special committee recommended that the Master Plan be revised to address economic development concerns due to the national economic downturn as well as rising real property taxes fueled by the closing of the Mirant Generation Station and tax certiorari judgments. Robert Geneslaw Co., the Town's planning consulting firm since the mid 1990's, was retained to assist the Comprehensive Plan Advisory Committee with updating and revising the 1995 Master Plan.

In April 2007 the Town Board appointed a Comprehensive Plan Advisory Commission to address a limited scope of issues. These included:

- Route 9W zoning
- Streamlining the nonresidential development review process
- Waterfront zoning
- Accessory apartments and apartments above stores

The Comprehensive Plan Advisory Commission proceeded to hold a series of several topical meetings, open to the public but with limited public input between the months of April 2007 and

November 2007. Over the course of these meetings the Comprehensive Plan Advisory Committee developed a number of strategies and recommendations addressing the above-referenced issues and on its own initiative, the Comprehensive Plan Advisory Commission also recommended a tree preservation law and recommended allowing townhouse and condominium residential units within the Town.

In November 2007, Robert Geneslaw Co. issued a memorandum to the Town Board summarizing the Comprehensive Plan Advisory Commission's recommendations and requesting feedback on whether the Comprehensive Plan Advisory Commission had adequately addressed its charge.

In mid 2008, the Town Board advised Robert Geneslaw Co. that the supplement to the Master Plan should also address the issue of restaurants in the Planned Waterfront (PW) District and the Town Board's deliberations on this matter. The summary report was therefore revised in September of 2008 and reissued to the Town Board. The Town Board then held a public hearing to gather input from the public on the recommendations and to determine whether the Comprehensive Plan Advisory Commission had adequately addressed its charge.

In early 2009, Robert Geneslaw Co. was again contacted by the Town Board and instructed to expand the Master Plan amendment to include consideration of the Letchworth Village area, the Holt Drive area and the waterfront (the Comprehensive Plan Advisory Commission did not reach consensus on the waterfront during its first phase of discussions). In March of 2009, the Town Board issued a Request for Qualifications to retain a developer or private consultant for the purpose of providing a private market perspective in updating the Master Plan in a manner that would increase economic development interest in the three above-listed areas. It received a letter of interest from a private developer that was interested in developing Letchworth Village. This developer offered, as part of its application to pay for the Town's completion of the Comprehensive Plan.

After several months of negotiations between the Town and the private developer, an agreement on how to proceed with the development of Letchworth Village could not be reached and preparation of the update stalled.

In December 2009 the Town Board informed Robert Geneslaw Co. that it wished to proceed with wrapping up the work that had already been completed, but decided to defer the decision to the incoming Town Board, which contained two new members. In early 2010, the Town Board verified that it wished to wrap up the Master Plan initiative without further expansion of the scope of considerations. The Town Board also indicated intent in pursuing a second phase thereafter to address the three areas referenced above as well as other potential issues.

As a consequence, the first phase of recommendations includes those recommendations contained in the summary report. These were intended to respond to economic issues that focused on steps that might allow homeowners and commercial property interests to better utilize their property or decrease project approval times. They were also identified as activities with a potential short time frame for implementation. Larger more complex proposals would be considered thereafter.

A Master (or Comprehensive) Plan is typically considered to be a document that sets forth a community's policies on a range of issues, looking forward for a period of years, typically anywhere from 5-15 or even 20 years. A Master Plan generally is not intended to have the specific requirements of a zoning code or other local law, which specifically regulate activities (such as land development) immediately upon adoption. This first phase of the Stony Point Master Plan process, because of the original assignment by the Town Board, tends to fall closer to the details of zoning regulations, but does not have all the details a zoning amendment would have.

1995 Stony Point Master Plan Policies

The existing Town of Stony Point Master Plan is from 1995. Generally, the policies of the 1995 Master Plan are largely still relevant today, although many could be reexamined in light of recent growth and changes to the economic climate. Policies of the 1995 Plan include:

- Keep development within the present capacity of infrastructure systems wherever possible.
- Minimize new public costs associated with new development.
- Encourage a range of economic development activities, to avoid dependence on single employers or industries.
- Preserve and promote the unique historic values associated with Stony Point.
- Protect and promote the unique physical and environmental features of the Town; the forested mountain views, the streams and their banks, the fresh and salt water wetlands.
- Respect and protect the important man-made features of the Town; the cemeteries and churches; historic buildings; stone walls;



- 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.

- Continue to further the objectives of the Local Waterfront Revitalization Program.



- Encourage the provision of a housing supply that meets the needs of Stony Point residents, while recognizing the existing housing patterns of the Town.
- Provide roadway and utility connections between residential areas during the planning process wherever possible.
- 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.
- Continue to limit commercial development, especially retail and service business, to the Route 9W corridor, in order to limit commercial encroachment in residential areas; provide increased customer demand for existing commercial development along Route 9W rather than diminish its role by allowing scattered new commercial locations.
- Encourage the restoration of bus service in the near term and rail commuter service on the West Shore line in the longer term, to provide an alternative to the automobile as the sole means of travel to work.
- Create a land development control mechanism to apply to large non-profit land holdings that may become subject to development pressure.
- Continue to further the objectives of the Master Plan Committees' re-use objectives for Letchworth Village.
- Encourage tourism as an economic development activity, focusing primarily on the historic attributes of the Town and surrounding area.
- Provide for the existing mobile home parks to be uses permitted by right in the zoning law with no provision for the establishment of new mobile home parks. Create flexibility in mobile home zoning regulations to reflect current density and bulk requirements.
- Provide for improved methods of soil erosion control in new development.
- Eliminate inconsistencies and modify zoning regulations to reduce areas of interpretation and allow for more effective enforcement.
- Examine the zoning designation in the Ambrey Pond area to determine the best long term strategy.

Implementation of the 1995 Master Plan

A number of steps were taken by the Town Board to implement the 1995 Master Plan. Some of these are identified below:

- Adopting new zoning regulations for the Ambrey Pond Reservoir Protection (APRP) District to set new density and other standards for this area.
- Adopting new zoning regulations to provide better standards and protection for the existing mobile home communities in the Town, and not allow new communities to be established.
- Adopting a stream protection law to help protect stream corridors by requiring greater setbacks along streams and discourage uncontrolled stormwater runoff from developing sites.
- Strict compliance with NYS Department of Environmental Conservation requirements for stormwater runoff.
- Participation in the stormwater runoff education program carried out by Cornell Cooperative Extension to advise the public on the importance of stormwater control and implementation of soil and erosion control practices.
- Establishing a voluntary program of recognizing historic properties by presenting plaques to owners of participating properties.
- Recognizing such historic sites and properties as the Washington Lookout facing the Stony Point Battlefield and much of the Letchworth campus.
- Reviewing zoning and other proposals in relation to the policies of the Local Waterfront Revitalization Program.
- Encouraging the development of housing that meets the needs of Stony Point residents such as Liberty Ridge Community on Route 9W.
- Restricting more dense development to areas with adequate infrastructure.

Developing Concerns

Since adoption of the 1995 Master Plan, the Town has undergone a significant transformation. Vacant and outlying areas of the Town have undergone significant development due to a housing boom that has seen the construction of several subdivisions of very large luxury single-family detached residences on lots over 50,000 square feet.

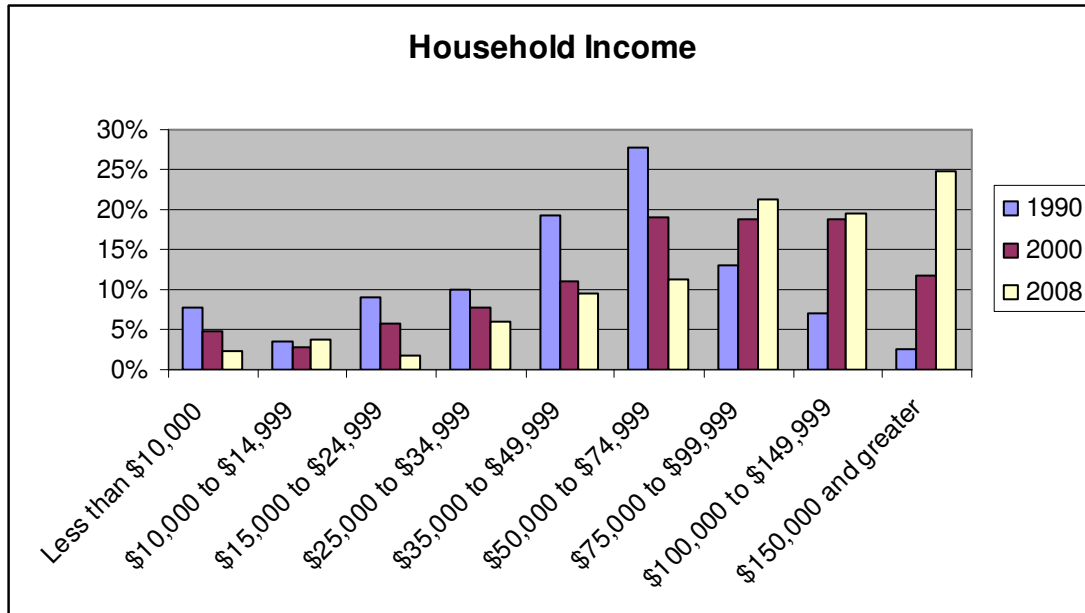
Table 1: Key Housing, Demographic and Economic Indicators

Year	1990	2000	2008
Population	12,912	14,244	14,620
Households	4,332	4,831	5,103
Mean Household Income	55,065	83,081	110,420
Total Units	4,553	4,951	5,314
Persons per Household	2.98	2.95	2.86
Single-family detached housing	75.71%	80.93%	81.69%
Population over 65	10.41%	11.70%	13.39%
Rental Units	18.66%	15.96%	12.31%
Unemployment	3.80%	3.17%	5.41%

Source: US Census Bureau;

Large-lot single-family development has dominated housing construction in Stony Point since 1990. This has led to a very fast increase in the mean (average) household income¹, and has resulted in an increase in households earning over \$150,000 per year and a decline in the percentage of households earning less than \$75,000 per year. While some of this can be attributed to inflation, the primary cause is the increasing affluence of the Town, the County and the New York Metropolitan Region.

Figure 1. Household Income



¹ Based on County and other Town data as described above. Median household income cannot be determined based on this method.

Table 2. Income and Benefits

INCOME AND BENEFITS (IN 2008 INFLATION-ADJUSTED DOLLARS)	Households 2008		Households 2000		Households 2000	
	Number	%	Number	%	Number	%
Less than \$10,000	111	2%	227	5%	331	8%
\$10,000 to \$14,999	194	4%	133	3%	154	4%
\$15,000 to \$24,999	84	2%	278	6%	394	9%
\$25,000 to \$34,999	309	6%	379	8%	435	10%
\$35,000 to \$49,999	490	10%	534	11%	836	19%
\$50,000 to \$74,999	568	11%	918	19%	1204	28%
\$75,000 to \$99,999	1089	21%	906	19%	565	13%
\$100,000 to \$149,999	992	19%	900	19%	304	7%
\$150,000 and greater	1266	25%	566	12%	109	3%
Total households	5103		4,831		4332	

Source: US Census Bureau

The increase in large-lot single-family detached housing has also resulted in a decrease in the percentage of rental units available within the Town, falling from approximately 18.7% of housing units in 1990 to approximately 12.3% in 2008.

Mirroring national trends, the Town has seen its population age over this period as well. The population over the age of 65 has increased from approximately 10.4% (1,344) in 1990 to 13.4% (1,958) in 2008.

The boom in the housing market regionally peaked in 2004 and was followed quickly by a rapid decline in the economy. The Town has since seen housing values drop 10-35% in just a few years. This has forced many new residents within the Town into the situation where they may owe more on their mortgages than their houses can be sold for (often referred to as being “underwater”). An increase in regional unemployment, frozen or declining salaries, and a decline in credit and spending have made it more difficult for residents to remain in their homes. Unemployment in Stony Point decreased slightly from 3.8% in 1990 to 3.2% in 2000, but has since rapidly increased to 5.4% in 2008. This is greater than the 4.0% Rockland County unemployment rate, but much lower than the 6.3% rate for New York State.

This decline in the economy and rise in unemployment happened concurrently with the closing, decommissioning, and dismantling of the Mirant generation station. The loss of this major taxpayer along with the court stipulated requirement to pay tax certiorari on this property could not have come at a more difficult time. With residents struggling in the recent economy and financially unable to change residences, increases in taxes due to the closing have the potential to overcome residents’ abilities to remain in their homes. The situation has been exacerbated by the closing in 2008 of the Insl-X factory and the announcement in the spring of 2010 of the closing of the US Gypsum plant.

Purpose of the 2010 Master Plan Amendment

The Town has not seen the preparation of a Comprehensive Plan in more than 15 years, and the land use policies of the Town are likely to soon require a comprehensive review. However, the Town Board has found that it is unable to wait for the preparation of such a document to revisit the policies and recommendations of the previous Master Plan in light of recent developments. It is the purpose and intent of these recommendations to encourage short-term economic development for the express purpose of offsetting recent unforeseen economic and fiscal factors identified above and to thereby alleviate the tax burden on struggling Stony Point residents and businesses. It is further the purpose of this amendment to create other basic land use strategies to help existing Stony Point residents and businesses to weather this difficult economic time.

Economic Development

In order to achieve economic development it will be vital to streamline the planning review process which has been found to be overly restrictive and lengthy. Specifically, at the outset of preparation of this Master Plan amendment it was determined that navigating the site plan and subdivision approval process before the Planning Board required a minimum of four months and eight meetings and more often six months and twelve meetings. This was found to deter applicants. Further, when special use permits were involved, this increases the cost and time to prepare an application, in that the Town Board is involved in addition to the Planning Board.

A prime focus of the Comprehensive Plan Advisory Commission during its deliberations was the streamlining of the development review process. Immediately it was recommended and implemented that applications not have a separate SEQRA public hearing prior to a determination of environmental significance; an extraordinary step that added about a month to the process. It was also recommended and implemented that applicants be referred to the Architectural Review Board as early in the process as possible, rather than at the end of the process.

In addition to streamlining procedures, the Comprehensive Plan Advisory Commission examined what changes were necessary to encourage economic development within the Town. The focus of this attention was the Business (BU) zoning district, but all nonresidential and residential districts were considered.

It should be noted that the Town Board, during this process, adopted revisions to zoning to remedy existing and pending concerns. First it adopted new regulations governing storage of boats in residential zoning districts. Secondly, the Town Board amended zoning requirements to allow restaurants in the PW district.

Restaurants in the Planned Waterfront (PW) Zoning District

In the first quarter of 2008, the Town Board, having received inquiries by a marina owner, undertook discussions relating to the possibility of allowing restaurants in the PW District. Since amendments to the Town's Comprehensive Plan were already being discussed, the Town Board decided that it would be appropriate to address this issue as an addendum to the Comprehensive Plan Amendments.

The Town Board posed the question of waterfront restaurants to the Planning Board and the Town's Planning Consultant. Much was discussed including whether it would also be appropriate for restaurants in the Waterfront Residential (R-W) district, establishing appropriate bulk and dimensional requirements, and whether or not to require dedication of the shoreline to the Town. Ultimately, based on input from the Planning Board and Planning Consultant, and its own deliberations, the Town Board has tentatively concluded that it would be appropriate to allow sit-down restaurants in the PW District as conditional uses subject to certain dimensional requirements and criteria to insure safety. It was specifically decided that dedication of shoreline would not be required as a condition of allowing restaurants. The changes to the codes to allow restaurants in the PW district have already been adopted.

Additional Goals of the 2010 Plan Amendment

In consideration of the Goals of the 1995 Master Plan and the recent local and regional economic and physical changes to the Town, the following goals are recommended to be appended to the Town of Stony Point Master Plan:

- To streamline the development review procedures of the Town and make project review process more efficient in time and cost.
- To mitigate property tax increases by encouraging the attraction of fiscally beneficial uses to the Town.
- To mitigate property tax increases at the school district by encouraging the construction of a range of housing types that typically generates fewer schoolchildren.
- To allow existing residents and businesses to weather property tax increases and to provide a supply of affordable housing opportunities by allowing supplemental income through the permission of accessory apartments with adequate controls.

Recommendations of the 2010 Plan Amendment

The following specific recommendations are hereby appended to the 1995 Master Plan. To the extent that the proposed recommendations herein disagree with the 1995 Master Plan, these most recent recommendations shall govern as the policies of the Town of Stony Point.

1. Mixed Uses in the Business (BU) Zoning District (Route 9W Corridor)

Mixed used should be permitted in the BU zoning district as a means of giving owners of commercial properties a stable, non-seasonal source of revenue. Apartments added to the commercial structures will have the added benefit of providing a supply of legal rental units that will likely be more affordable than other residential offerings in the Town. The introduction of these types of uses will require several protections to insure that quality residential units are developed and maintained and that impacts to parking do not occur. Residential dwelling units in mixed use buildings should be a conditional permit use subject to the following criteria:

- Residential units shall not be permitted in any ground story.
- The ground floor non-residential use must be a permitted or conditional nonresidential use within the BU zoning district.
- Parking requirements of two parking spaces per residential dwelling unit shall be met in addition to the parking requirement of the ground floor nonresidential use(s). No credit for joint or shared parking shall be permitted and no adjustment in required parking shall be granted by the Building Inspector;
- At least 200 square feet of landscaped outdoor recreational area shall be provided per unit.
- Residential units shall be accessed by separate entrances from nonresidential uses;
- Residential units shall be no smaller than 800 square feet;
- Residential units shall have no more than two bedrooms per unit;
- Residential units shall be subject to periodic inspection by the Building Department and Fire Inspector;
- Ground floor uses do not involve the storage of toxic or flammable chemicals nor emit any unreasonable noise, odor, or vibration.

2. Reduction of Parking Standards in the BU District

Parking requirements in the BU district are overly restrictive and often require more spaces be provided than are necessary, especially for shopping center-type environments. Many recent applications within the BU district have required parking waivers and variances as well as the reservation of parking. Since construction of such new uses, it is clear that even the reduced amount of parking is rarely required. Instead, opportunities for larger leasable areas and landscaped areas are used for blacktop, which increases the volume of surface runoff and results in an auto-dominated appearance.

Parking standards should be reduced. Existing standards are overly onerous and result in parking lots that are empty for most of the time. Parking standards should be brought more in line with national and regional standards.

The following are suggested reductions of parking standards for the BU district:

- Business and Professional Office – One space per 300 square feet. (*Currently 225 square feet*)
- Medical or Dental Office – One space per 225 square feet or 2.5 spaces per examination room whichever is higher. (*No change, except provides more use based standard as well*)
- Local Service Commercial – One space per 200 square feet. (*Currently 125 square feet*)
- Personal Service Establishment including hair salons, barbers, nail salons, spas, tanning, etc. – One space per 1/2 chair, station or bed. (*New, currently 125 square feet*)
- Commercial Recreation – Not less than the highest design hour as determined by the Planning Board. (*No change*)
- Accessory mechanized automotive washing facility designed to wash one stationary vehicle at a time – One space per 1/4 facility (*New*)
- Automotive handwash and detail facilities– One space per 1/4 service bay (*New*)
- Automotive Washing Facilities – Not less than the highest design hour as determined by the Planning Board (*currently one per 2 employees*)
- Health, tennis, racquetball, sport, swim, dance, martial arts and other athletic or fitness club open to the general public on a membership basis and primarily intended to promote the health of members. – One space per 125 square feet of indoor floor area plus one space per 500 square feet of outdoor area devoted to principal use (*New, currently 125 square feet*)
- Restaurants - One space per 100 square feet of dining room area (*Currently One per four persons capacity plus 5 spaces additional*)
- Banks – One space per 250 square feet (*New, currently 225 square feet*)
- Automobile sales – Not less than the highest design hour as determined by the Planning Board (*Currently undefined*)
- Day-care centers – One per 375 square feet plus one drop-off space per twenty children. (*Currently one space per 250 square feet; no change to drop-off spaces*)
- Automobile repair – One per 1/3 service bay. (*currently 1/4 bay plus one per 100 square feet of office and waiting area. This is in addition to automobile storage requirements*)
- Gasoline service stations - One per four dispensing nozzles in addition to the requirement of any accessory, retail, repair or wash use. (*currently one per four dispensing nozzles plus one per 1/4 bay plus 2 additional but not less than 5*)

3. Adjustment of parking requirements for change of uses

Where occupancy of a structure undergoes a change of use, the new occupant is often subject to Planning and Zoning Board reviews due to the need for a minor adjustment of the parking requirement. Rarely is relief withheld in such cases, yet the applicants are subject to often costly and lengthy review processes. For a non-residential change of use to a use permitted in the BU, Light Industrial (LI) or Office (O) zoning districts, where no exterior site changes are required, the Building Inspector should be allowed to give relief from parking requirements based on a sliding scale indexed to the parking requirement. Alternatively, relief could be based on the

percentage, say 85 or 90% of the required parking. This will allow a non-residential change of use that only requires parking relief to be approved quickly.

The following sliding scale is suggested:

- Where the parking requirement for all uses on the parcel is ten or less parking spaces, the Building Inspector may issue a permit where 80% of the parking requirement is met;
- Where the parking requirement for all uses on the parcel is for more than 10 parking spaces but not more than 20 parking spaces, the Building Inspector may issue a permit where 75% of the parking requirement is met;
- Where the parking requirement for all uses on the parcel is for more than 20 parking spaces but not more than 30 parking spaces, the Building Inspector may issue a permit where 65% of the parking requirement is met;
- Where the parking requirement for all uses on the parcel is for more than 30 spaces, the Building Inspector shall not issue a permit unless all required parking is provided;
- In providing this relief, the existing number of parking spaces on a parcel shall not be reduced nor shall residential apartments be present on the parcel.

4. Reconsideration of Special Permit and Conditional Uses in nonresidential zoning districts.

The list of Special Permit, Conditional and Permitted Uses in the BU, O and LI districts should be revisited with attention to making the procedure generally easier for applicants. Generally, more uses should be made permitted uses, with only a few uses requiring conditional use review by the Planning Board. Only a few uses that are likely to be controversial such as hotels and cellular towers should require Town Board approval.

The following uses are suggested as permitted uses in the BU district:

- Any use currently permitted in the BU, or O district
- Commercial recreation establishments, indoor recreational use only, where the floor area of the proposed use and all related accessory uses and spaces total less than 4,000 square feet. *This is currently a conditional use*
- Health, tennis, racquetball, sport, swim, dance, martial arts and other athletic or fitness club open to the general public on a membership basis and primarily intended to promote the health of members and where all activities take place indoors. *This would be a new permitted use*
- Sit-down restaurants with no drive-through. *This is currently a conditional use*
- Automotive hand-wash and detailing facilities as a primary or accessory use conducted completely within a permanent structure. *This would be a new permitted use*
- Accessory mechanized automotive washing facility designed to wash one stationary vehicle at a time. *This would be a new permitted use*
- Shopping centers containing multiple nonresidential permitted uses. *This is currently a conditional use*
- Banks including drive-through windows. *This would be a new permitted use*

The following uses are suggested as conditional uses in the BU zoning district:

- Commercial recreation establishment greater than 4,000 square feet or including outdoor elements. *This would be a new conditional use*
- Health, tennis, racquetball, sport, swim, dance, martial arts and other athletic or fitness club open to the general public on a membership basis and primarily intended to promote the health of members and where outdoor elements are proposed. *This would be a new conditional use*
- Restaurants with drive-through. *This would remain as currently regulated*
- Automobile washing facilities. *This would remain as currently regulated*
- Automobile sales. *This would remain as currently regulated*
- Day-care centers. *This would remain as currently regulated*
- Gasoline service stations. *This is currently a special permit use*
- Automotive repair and maintenance shops. *This is currently a special permit use*
- Bed and Breakfasts. *This is currently a special permit use*

The following uses are suggested to continue to be permitted only by special permit in the BU district:

- Utilities
- Hotels and motels
- Wireless communications antenna tower and appurtenant structures

All special permit uses in the LI zoning district are suggested to be made Conditional Uses with the exception of:

- Wireless communications antenna tower and appurtenant structures
- Hotels and motels and restaurants accessory to hotels and motels

Several uses had been permitted by the Town Board without establishing specific bulk criteria relevant to the uses. See Appendix Bulk Tables attached. The following bulk standards are recommended for these uses:

- Local convenience commercial uses and restaurants accessory to local convenience commercial uses: Use Group - B
- Automobile and boat sales and service including auto body repair subject to 215-87: Use Group - F
- Hotels and motels and restaurants accessory to hotels and motels: Use Group - H
- On-site dry cleaning facilities: Use Group - I
- Appliance and household equipment repair: Use Group - B
- Automobile rental establishment: Use Group - I
- Tire retail stores (with provisions for noise attenuation): Use Group - F
- Power equipment sales and service, including lawn mowers, snowmobiles, tractors, etc. (with provisions for noise attenuation) : Use Group - I
- Printing, publishing and copy establishments: Use Group - B
- Nursery and/or landscaping supply (retail and wholesale) : Use Group - I

- Building supply (retail and wholesale), lumberyards: Use Group - I
- Accessory retail sales of products assembled, processed, or manufactured on site: Use Group - B
- Research laboratories: Use Group - I
- Vocational or trade schools: Use Group - I
- Animal boarding facilities (kennels), animal shelters, animal hospitals, veterinarians, animal grooming and sales: Use Group - F
- Catering hall, off-site catering, commercial bakeries and food preparation: Use Group - I

5. Auto repair without gasoline sales

Auto-repair without gasoline sales should be held to the same standards as auto-repair with gasoline sales. Currently the code does not allow auto-repair without gasoline sales.

6. Technical Advisory Committee (TAC)

The Zoning Chapter should be revised to formally institute a TAC process, whereby prior to being heard by the Planning Board or after an initial hearing, the Town's professional staff reviews plans and suggests technical changes outside of the Planning Board's monthly schedule. This will allow a more rapid and less costly process of plan development prior to Planning Board involvement. The applicant would always have the option of appearing before the Planning Board if disagreements arose with the professional staff, which should include the Building Inspector, Town Attorney or Planning Board Attorney, Town Engineer and Town Planner.

7. View Preservation

A current code requirement that limits development 50 feet below the peak of a ridge is impracticable. Instead, based on locational criteria, any proposed development should be subject to a procedure that insures that it is designed in a manner sensitive to views. Primary areas for view preservation are Route 210, Route 9W, the Battlefield, and the PIP. A view preservation overlay district should be developed that identifies areas to be protected and development within this area should be subject to supplemental Planning Board considerations and authority such as the authority to limit heights of structures relative to the treeline; to limit the colors and materials used in building construction; the ability to require more extensive screening landscaping; to limit the design of buildings in a manner that makes them less visible from important vistas, and the ability to require development be located at lower elevations of a lot within the limits of building envelopes.

8. Steep Slopes

Man-made and natural slopes should be held to the same standards. Currently, only natural slopes are protected by the current code.

9. Townhouse and Condominium Developments

Townhouse and condominium developments generate fewer schoolchildren (approximately 15% to 40% fewer) than comparable detached housing. These types of houses are also typically located on private streets, with private recreational facilities and with private trash collection and therefore demand fewer Town services. Given the rising cost of school taxes, attached housing should be permitted in all residential zoning districts at current residential densities. If a lot could have been developed for five detached homes on five one-acre lots, it should also be

permitted to be developed for five attached residences on one five acre lot, a portion of which will likely remain undeveloped. Additionally, density bonuses are suggested to achieve Town goals such as:

- For leaving at least 50% of lot as contiguous undisturbed open space – a 15% increase to the underlying base density;
- Where 10% of units are set aside as housing affordable to persons earning no more than 100% of Area Median Income (AMI)² and are made available on a priority basis to the following populations (in order): (1) employees of the Town of Stony Point, (2) employees of the North Rockland School District, (3) employees of religious and not-for-profit institutions, (4) current Stony Point residents, or their parents or children, (5) senior citizens. – A 15% increase to the underlying base density.
- Where individual townhouse units are proposed over individual lots to be owned in fee by the owner of the individual unit – a 20% increase to the underlying base density.
- Additionally where the project is located within an R-1, SRC or R-W zoning district, and where as part of its application, the applicant is proposing the conservation of buildable lands in the Ambrey Pond Reservoir Protection (APRP), Special Recreation – Residential (SR-R) or Rural-Density Residential (RR) zoning districts through conservation easement or dedication, the applicant should be permitted to increase density by twice the developable yield of the land being preserved in the APRP, SR-R or RR districts. A yield map demonstrating what could otherwise be constructed on these lands conservation lands should be provided to establish the transferred density.

10. Accessory Apartments

Accessory apartments should be permitted by special permit in the R-1 and RR zoning districts as a means to allow existing residents to afford recent tax increases through supplemental income as well as to allow seniors and young-adults to afford to remain in the community. To prevent abuse of this new use and to discourage impacts to established residential neighborhoods, the following protections should be implemented:

- owner occupancy should be required of one of the two units;
- structures must remain metered as a single-family residence;
- a special-permit of the Zoning Board of Appeals should be required;
- the special permit should expire after a predetermined number of years, such as three or five, to require reapplication and periodic review;
- the existing residence must be conforming to all bulk and use requirements of the zoning district in which it is located without variance;
- no more than 25% of the existing residence may be permitted as an accessory apartment;
- the front façade of the residence shall maintain the appearance of a single-family residence;
- one additional off-street parking space must be provided;
- inspections at the discretion of the Building Inspector must be permitted as a condition of special permit issuance;

² Area Median Income is reported by the Department of Housing and Urban Development for varying geographic regions. The Stony Point is located within the Rockland County Area which had a 2008 Median Income of \$102,000.

11. Tree Preservation

A tree preservation provision should be enacted that requires site-plan approval for the removal of excessive amounts of healthy large trees (initially no more than 10 trees with a diameter of eight inches or greater) in any calendar year. Such a provision will allow for the Planning Board to require mitigation plantings and to set standards for the installation of screening and street tree installation.

12. Stream Protection

The stream protection law is difficult to understand. The law should be revised to be easier to understand without substantively changing its provisions. Illustrative examples could be used to promote increased understanding.

13. Shore Road Area

Vacant and underutilized areas with Hudson River frontage, historically have been sought for water dependant uses. However more recently water-enhanced uses such as residential, commercial and mixed-use development have proven to be a stronger market. This may result in development pressure on vacant lands as well as existing water-dependant uses. The Shore Road area presents a number of challenges to development of water-enhanced development, especially for residential use, including:

- Limited access from Grassy Point Road and Tomkins Avenue, including the railroad underpass at Tomkins Avenue
- Limited sanitary sewer capacity
- Flooding of Shore Road
- Impacts to the existing residential neighborhood along Shore Road
- The loss of water dependant use in favor of water enhanced use may impact government funding for dredging
- The views of the river from neighborhoods west of the railroad line may be impacted by more intensive use of Shore Road.
- The Local Waterfront Revitalization Program may need to be examined and possibly amended, including gaining NY Department of State concurrence.

Any successful application for water-enhanced use of the Shore Road Area must address these challenges.