

Town of Stony Point

DEPARTMENT OF PLANNING

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MEMORANDUM

DATE: March 3, 2006

TO: Stony Point Town Board

CC: Frances Mullin, Town Clerk
Feerick, Lynch, McCartney, Attorneys
William Sheehan, Building Inspector
John Loch, Town Engineer

FROM: Gurrán Kane, Planning Board Chairman *GKWP*

RE: LI Zoning Amendment Recommendations

Enclose please find recommendations from the Stony Point Planning Board on the Propose Local Law Extending Uses in the LI Zone. We hope that this memorandum has been helpful to the Board and remain available to discuss any of these matters.

MEMORANDUM

TO: TOWN OF STONY POINT PLANNING BOARD

FROM: ROBERT GENESLAW, AICP
MAX STACH

SUBJECT: LI ZONING AMENDMENT RECOMMENDATIONS

DATE: FEBRUARY 22, 2006

CC: DONALD FEERICK, JR., ESQ., PLANNING BOARD ATTORNEY
BILL SHEEHAN, BUILDING INSPECTOR
JOHN LOCH, P.E. TOWN ENGINEER

We have reviewed the proposed local law to extend the types of uses permitted "by right" in the LI zoning district.

Affected Area

The LI "Light Industrial" zoning district encompasses three areas within the Town of Stony Point. The northernmost and largest of these areas covers land now used as the Tilcon rock quarry and the Lovett generating station along the river just north of the Stony Point Battlefield. The future use of Tilcon and Mirant lands further to the north will become uncertain as these land uses age and their ongoing viability comes into question. If these uses were to cease operation, it is likely that the sites would require very expensive demolition and remediation prior to reuse. This would likely demand a planned development with more intensive use than is typically permitted by the Stony Point code.

The second area covers land used as the United States Gypsum wallboard plant near the end of Grassy Point Road. The zone also contains what seem to be a few residences along Grassy Point Road. Re-use would also likely require expensive demolition and remediation prior to reuse. The US Gypsum plant is fairly well established and shouldn't be influenced by the addition of allowed uses in the district.

The third LI zoned area is along Kay Fries Drive off of Route 9w at the south end of town near the border with Haverstraw. This area is also known as Stony Point Industrial Park is primarily the area that will be affected by the addition of uses.

Existing Businesses along Kay Fries Drive

It seems that only four of the fourteen parcels along Kay Fries Drive remain vacant today. Of those four, one has just been rezoned and received approval for Senior Citizen housing (Hudson Grande) and one is anticipated to submit a revised application for self-storage/flex space (Townline Park).

Other businesses along Kay Fries Drive include:

Studio Lighting
Ace Glass
North American Music
Stony Point Electronics
Gotham Ink & Color
Hudson Bay Self – Storage
Lighting Services
Two Flex-space/Storage structures at the end of Kay Fries Drive.

Existing LI Zoning District Allowed Uses

Currently, uses permitted by right in the LI zoning district include:

- Office buildings for business and professional use
- Industrial uses including manufacturing, fabricating, processing, etc.
- Wholesaling, warehousing and distribution
- Freight and truck transfer facilities
- Commercial recreation establishment, indoor use only
- Wireless communications facilities on existing towers, buildings or utility structures

Other uses permitted by special permit or conditional use of the Planning Board include:

- Public parks, playgrounds, community centers
- Outdoor recreation associated with commercial recreation establishment
- Contractor's storage yards
- New wireless communication towers

Proposed Uses

The petition for zone change was brought by MBC Contractors, the owners of vacant land within the LI zone. MBC builders has proposed that the following additional uses be permitted by right:

- Local convenience commercial uses
- Automobile sales and service including autobody repair, subject to 215-87.
- Automobile washing facilities subject to 215-87
- Hotels, motels and restaurants
- Day care centers.

The applicant contends that the Kay Fries Drive area is too far from major arterials to be successful as light industrial or warehousing type uses alone.

Recommendations on Proposed Uses

1. Local convenience commercial uses

NOT ACCEPTED 4/11/07, ADDED 6/14/07

Allowing these types of uses in the LI zone may reduce the cohesiveness of the Town's existing commercial corridor along Route 9W. This should generally be avoided, as a critical mass of commercial uses in close proximity is typically required to attract local and regional shoppers.

However the LI zoning district may be suitable for an on-site dry cleaning facility. Currently, on-site dry cleaning facilities are not permitted in any district in the Town, although pick-up and drop-off sites are permitted in the BU district. This use is similar in nature to restaurant linen, hospital linen and uniform services. Several special permit criteria would be needed to ensure fire and chemical storage safety with this use. If the Board believes that this is an appropriate use, we can work with the building department to come up with appropriate special permit criteria to insure safety.

DELETED
11/07

2. Automobile sales and service including autobody repair, subject to 215-87.

Generally, we are not aware of any auto sales establishments on Route 9W in Stony Point, although there is a Ford dealership on Route 9W to the south. In the area, most repair businesses accessory to service stations have been converted to convenience stores and presumably most consumers now take their vehicles to dealerships and stand-alone facilities for maintenance and repairs.

Automobile sales may be better located in the LI district than in the BU district where it is currently a conditional use. There are already established standards for automobile sales within the BU district. If this use is permitted in the LI district the code conditions will need to be adjusted to allow them within closer proximity to residential uses than they are currently permitted in the BU district (currently 500 feet or 100 feet along a rear lot line).

In addition to traditional automobile sales, RV, camper and trailer sales should also be permitted.

Automobile repair and body repair is also well suited to the LI district. These uses are currently permitted in the BU district without any special criteria (except if the repair use is accessory to a gasoline station it must adhere to 215-83).

ACCEPTED
4/11/07

3. Automobile washing facilities, subject to 215-84

This type of use is also compatible with the LI zoning district. As with auto sales and service, this use should be a conditional use subject to the existing criteria in Article XIII, not a permitted use as suggested. If this use is desirable to the Planning Board, the conditions of 215-84 will need to be adjusted to allow these types of uses within closer proximity to residential uses than they are allowed in the BU district (currently 400 feet).

4. Hotels, Motels and Restaurants.

Hotels and Motels would be an adequate use within the LI district. It would have the added benefit of generating traffic at off-peak hours. It is questionable whether a hotel would be profitable in this location due to its industrial character. It is noted that a hotel is proposed as part of the Letchworth Village Development and the Haverstraw Waterfront Development, which may limit the local market potential for an additional hotel. Nevertheless, with appropriate screening, we do not believe that a hotel would be incompatible with the LI district and the Town could rely on market pressure and land value to discourage marginal hotel businesses from being established.

Restaurants would not be compatible with the character of the LI district, except provisions should be given to allowing restaurants accessory to hotels. Allowing restaurants in the LI district would lessen the cohesion of the BU district along Route 9W. Further, the frequent turnover traffic of a restaurant may be bothersome to the established businesses along Kay Fries Drive. Catering halls, off-site catering businesses, commercial bakeries, and food preparation facilities would be compatible as long as they do not produce odors.

ACCEPTED
1/11/07

5. Day care centers

Day care centers are not compatible with industrial areas, especially areas with histories of soil contamination. Day care centers usually incorporate outdoor playgrounds or tot-lots, and the environment of an industrial park would not be conducive to the physical or mental health of a young child.

Other uses which may be suitable

The following uses are submitted as potentially suitable for an LI zoning district. Although the applicant provided the five specific above listed uses, we see this as an

opportunity to more comprehensively explore the potential for broader use of the LI district.

1. Appliance and household equipment repair,
2. Automobile rental establishment
3. Tire retail store (with provisions for noise attenuation)
4. Power equipment sales and service including lawnmowers, snowmobiles, tractors, etc. (with provisions for noise attenuation)
5. Printing and publishing establishment, copy shop
6. Boat sales
7. Nursery and/or landscaping supply (retail and wholesale)
8. Building supply (retail and wholesale), lumber yard
9. Accessory retail sales of products assembled, processed, or manufactured on-site
10. Research laboratory
11. Vocational or trade schools
12. Animal boarding facility (kennel), animal shelter, animal hospital, veterinarian, animal grooming and sales by conditional use
13. On-site dry cleaning facilities by special permit as discussed above
14. Catering halls, off-site catering, commercial bakeries and food preparation by conditional use as described above

We hope that this memorandum has been helpful to the Board and remain available to discuss any of these matters in more depth.