

April 11, 2006

MASS GATHERING CONT'D

By Order of the Town Board dated March 14, 2006. This Public Hearing Notice is provided pursuant to law.

Frances C. Mullin
Town Clerk

Supervisor Marino asked Chief Brophy about traffic control for this event.

Chief Brophy advised the Board his department has been made aware of this event.

PUBLIC INPUT

None

ACTION

It was moved by Councilman Bohlander and seconded by Councilman Cole-Hatchard to close this Public Hearing at 8:32 PM.

DULY ADOPTED BY ROLL CALL VOTE:

AYES: Mr. Finn
 Mr. O'Neill
 Mr. Bohlander
 Mr. Cole-Hatchard
 Supervisor Marino

NAYS: None

ACTION – RESOLUTION 06-59

Resolution 06-59 was offered by Supervisor Marino and seconded by Councilman Cole-Hatchard as follows:

RESOLVED, that Mass Gathering Permit 06-01 be approved and be it further,

RESOLVED, that all fees be waived.

DULY ADOPTED BY ROLL CALL VOTE:

AYES: Mr. Finn
 Mr. O'Neill
 Mr. Bohlander
 Mr. Cole-Hatchard
 Supervisor Marino

NAYS: None

CONTINUED PUBLIC HEARING – Use Table Amendments – LI Zone

Supervisor Marino opened this Public Hearing continuation to consider LI Zone Use Table amendments.

Mr. Marino recognized Tom Zugibe representing the petitioner for these amendments to the Use Table.

USE TABLE AMENDMENTS CONT'D

Mr. Marino recognized Max Stach, Planning Consultant of Robert Geneslaw Co.

Mr. Stach stated that Robert Geneslaw consultants have complied with the Town Boards direction at the Regular Town Board Meeting of March 14, 2006 to complete the SEQR review as follows:

- a. Review SEQR documentation
 - i. Clarify and recommend bulk and conditional use criteria.
 - ii. Advise Town Board on potential impacts on the Mirant/Tilcon L I district and the U.S. Gypsum L I district.

Mr. Stach reviewed the SEQR document and stated:

1. That his review indicates that additional information should be provided by the applicant in order to constitute a complete Part I of the EAF.
2. The EAF submitted seems to refer mostly to the L I district where development would be likely to occur along Kay Fries Drive. Ie a-3 identifies soil drainage in the Kay Fries area – not all L I districts.
3. C3 & C5 – of EAF needs to be revisited
4. Uses recommended by Planning Board are:
 - a. Automobile sales & service
 - b. Automobile washing facilities
 - c. Hotels and Motels
 - d. Restaurants only as an accessory to a hotel or motel
 - e. Auto rental establishment
 - f. Tire retail store subject to criteria for noise attenuation
 - g. Power equipment
 - i. Sales
 - ii. Service
 - h. Large scale Printing and/or Publishing establishment
 - i. Nursery and/or landscaping supplies
 - i. Retail
 - ii. Wholesale
 - j. Building Supplies
 - i. Retail
 - ii. Wholesale
 - iii. Lumberyard
 - k. Accessory Retail Sales
 - i. Products assembled, processed or manufactured on site
 - l. Research Laboratories
 - m. Trade School
 - n. On-site dry cleaning facilities including
 - i. Restaurant linens
 - ii. Hospital linens & uniform service subject to conditional use criteria including assurance of safe storage of chemicals.
 - o. Off-site catering
 - p. Commercial bakeries and food preparation

*DUES NOT RECOMMEND
"LOCAL CONVENIENCE
COMMERCIAL" !*

Mr. Stach described his review process for Part I and II item by item and his recommendations.

April 11, 2006

USE TABLE AMENDMENTS CONT'D

Discussion ensued with input from Thomas Zugibe, Max Stach and Town Board members. Subjects covered:

1. Special Use Permits
2. Planned Use District
3. Use by right
4. Entire

PUBLIC INPUT

Frank Collyer, 10 Knapp Road, spoke on proposed uses in the L I Zone.

George Potanovic, 597 Old Gate Hill Road, cautioned Board on hasty approvals.

Eric Knight, 141 Route 9W, spoke on proposed uses.

ACTION

It was moved by Councilman Cole-Hatchard and seconded by Councilman Bohlander to close the Public Hearing at 9:10 PM.

DULY ADOPTED BY ROLL CALL VOTE:

AYES: Mr. Finn
 Mr. O'Neill
 Mr. Bohlander
 Mr. Cole-Hatchard
 Supervisor Marino

NAYS: None

Councilman Cole-Hatchard spoke on addressing the need for redefinition of uses in L I Zones throughout the Town.

Councilman Bohlander spoke in favor of expanded uses in the L I Zone.

ACTION – RESOLUTION 06-60

Resolution 06-60 was offered by Councilman Cole-Hatchard and seconded by Councilman Bohlander as follows:

RESOLVED, that Part II of the EAF be accepted and be it further,

RESOLVED, that a negative declaration be issued and all sections of the EAF identified as positive should be rejected.

Discussion between Mr. Cole-Hatchard and Max Stach ensued on the adoption of Part II directing the applicant to address those issues that he has identified as potentially resulting in environmental impacts and the preparation of a Part III until Part III is submitted and accepted by this Board.

April 11, 2006

RESOLUTION 06-60 CONT'D

Discussion ensued between Councilman Cole-Hatchard and Mr. Stach.

DULY ADOPTED BY ROLL CALL VOTE:

AYES: Mr. Finn
 Mr. O'Neill
 Mr. Bohlander
 Mr. Cole-Hatchard
 Supervisor Marino

NAYS: None

ACTION – RESOLUTION 06-61

Resolution 06-61 was offered by Councilman Cole-Hatchard and seconded by Councilman Bohlander as follows:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT

Additional Uses in the "LI" Zone

WHEREAS, this Board has reviewed the issue of allowing certain additional uses of land the "LI" zone; and

WHEREAS, "LI" zones are generally considered the lowest use of land; and

WHEREAS, the proposed additional uses are allowed in various other parts of the Town under differing codes and rules; with accompanying bulk requirements; and

WHEREAS, the proposed additional uses are all considered "higher" or better uses; and

WHEREAS, the proposed local law which would authorize these additional uses has previously been forwarded to the Stony Point Planning Board for their consideration, review, input and guidance; and

WHEREAS, the Planning Board responded to this Board's request in writing by letter dated February 22, 2006;

NOW THEREFORE BE IT RESOLVED, that the aforesaid proposed local law is amended to incorporate the recommendations of the Stony Point Planning Board identified as paragraphs two (2), three (3) and five (5) of its letter of review dated February 22, 2006; and

BE IT FURTHER RESOLVED, that the aforesaid proposed local law is amended to incorporate the recommendations of the Stony Point Planning Board contained in that paragraph entitled "Other Uses Which May Be Suitable" in its the letter of review dated 2-22-06 and all said uses be permitted only by Special Permit of the Town Board; and

BE IT FURTHER RESOLVED, that, as amended herein, the proposed local law amended the zoning code of the Town of Stony Point as relating to allowed uses in the LI zone is hereby adopted, effective May 1, 2006, and all such additional uses shall be subject to the same bulk regulations as applicable to those respective uses in other zones within the Town.

SEE PAGE 3
OF GENESLA
LETTER

DULY ADOPTED BY ROLL CALL VOTE:

AYES: Mr. Finn
 Mr. O'Neill
 Mr. Bohlander
 Mr. Cole-Hatchard
 Supervisor Marino

NAYS: None

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PUBLIC INPUT

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ACTION

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DULY ADOPTED BY ROLL CALL VOTE:

AYES: Mr. Finn
 Mr. O'Neill
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 Mr. Cole-Hatchard
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CONTINUED PUBLIC HEARING – Use Table Amendments – LI Zone

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RESOLUTION 06-60 CONT'D

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 Mr. O'Neill
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 Mr. Cole-Hatchard
 Supervisor Marino

NAYS: None

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SEE PAGE 3
OF GENESLA W
LETTER

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 Mr. O'Neill
 Mr. Bohlander
 Mr. Cole-Hatchard
 Supervisor Marino

NAYS: None