

**Summary of Recommendations**

of the

**Stony Point Master Plan Advisory Committee**

**DRAFT**

October 26, 2007

**STONY POINT COMPREHENSIVE PLAN ADVISORY COMMITTEE**

with technical assistance from:  
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The following is a brief summary of the recommendations of the Stony Point Comprehensive Plan Advisory Committee (CPAC) that were formulated over the course of several workshops and discussion that were held between February and July of 2007. The details of how to implement these recommendations as well as a wider description of the public need, purpose and intent of the recommendations will be included in a forthcoming Comprehensive Plan Reexamination Report. Under New York State Town Law, the Town Board of Stony Point is the ultimate authority on what amendments are adopted, if any. The following is intended to provide the Town Board with an advance look of types of detailed recommendations the Reexamination Report will include.

#### Recommendations applicable Townwide:

1. Boat storage was taken up early in the process of the Comprehensive Plan deliberations. When the Town Board decided to address the issue itself, deliberations were dropped. However, because the Town Board has decided to defer the issue, the following are the CPAC's recommendations. For boat storage on any lot in Stony Point, only one boat or RV shall be permitted; the boat or RV must be registered to the owner or lessee of the lot and in operable condition; the boat may not be stored closer to the front lot line than the principal structure on the lot; the boat or RV may not be stored with more than 10 gallons of fuel; and the boat or RV may not be stored in any required side yard. Additionally, for non-residential lots the Planning Board shall approve the location of the boat storage, but submission of a site plan will not be required. The Planning Board may decide the matter upon reviewing a survey of the lot or upon a site visit. Existing size constraints should remain unchanged.
2. A current code requirement that limits development 50 feet below the peak of a ridge is unpracticable. Instead, based on locational criteria, any proposed development should be subject to a procedure that insures that they are designed in a manner sensitive to views. Primary areas for view preservation are Route 210, Route 9W, the Battlefield, and the PIP.
3. Man-made and natural slopes should be held to the same standards. Currently, only natural slopes are protected by the current code.

#### Recommendations for Non-Residential Zoning Districts:

4. Mixed uses should be permitted in the BU zoning district as a means of giving owners of commercial properties a stable, non-seasonal source of revenue. This is especially important given the increasing tax burden due to the Mirant case. 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 institution 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 proceed. These protections will include added parking requirements, outdoor recreational area, separate entrances, prohibition on ground-floor residential spaces, minimum apartment sizes, maximum number of bedrooms and authorization for periodic inspection by the Building Department.

5. 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.
6. For a non-residential change of use to a use permitted in the BU, LI or PO 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 demand. This will allow a non-residential change of use that only requires parking relief to be approved quickly.
7. The list of Special Permit, Conditional and Permitted Uses in the BU, PO 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 such as hotels and cellular towers should require Town Board approval.
8. 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.

#### Recommendations for Residential Zoning Districts:

9. Townhouse and condominium developments generate fewer schoolchildren 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 should be allotted for: leaving a large proportion of the lot as undeveloped open space; for transferring development density from the APRP, SR-R and RR zoned to the R-1, SRC or R-W districts and protecting the more remote land as open space; and where a portion of the units are set aside as affordable housing.
10. Accessory apartments should be permitted in certain single-family residential units as a means to allow existing residents to afford future tax increases as well as to allow seniors and young adults to afford to remain in the community. Again, to prevent abuse of this new use and to discourage impacts to established residential neighborhoods, the following protections will be implemented as well: owner occupancy will be required of one of the two units; structures will remain metered as a single-family residence; a special-permit of the Zoning Board of Appeals will be required; a new application will be required to continue the use after transfer of ownership; the existing residence must be conforming to all requirements of the zoning district in which it is located; only a percentage 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; additional parking will be required; inspections at the discretion of the Building Inspector must be permitted as a condition of special permit issuance.

11. 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. The Comprehensive Plan should not make recommendations to the development of the Shore Road area but should explain the challenges that confront development in that area.

#### Recommendations on Administrative Procedures

13. Where requested by an applicant, Architectural Review should be permitted at the start of the application process.
14. 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 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 would include the Building Inspector, Town Engineer and Town Planner.
15. The Planning Board attorney should establish a formal policy for when a Public Hearing is warranted.

#### Other Recommendations

16. The Comprehensive Plan should not make recommendations to the development of the Shore Road area but should explain the challenges that confront development in that area.
17. The stream protection law is difficult to understand. The law should be revised to be easier to understand without substantively changing its provisions.

As stated previously, a forthcoming report will include more details on these recommendations. Robert Geneslaw Company and possibly CPAC representatives will meet with the Town Board to answer questions on the recommendations. After the Town Board has made any required revisions and a public hearing has been held, the Comprehensive Plan Reexamination Report and implementing code amendments will require a review under SEQRA and by Rockland County Planning. Upon conclusion of these reviews the Town Board may adopt the report and any implementing code changes.